

1 A bill to be entitled
2 An act relating to education; amending s. 11.45, F.S.;
3 requiring the Auditor General to notify the
4 Legislative Auditing Committee if a district school
5 board fails to take corrective action subsequent to an
6 audit; amending s. 120.74, F.S.; exempting educational
7 units from rule review and reporting requirements;
8 amending s. 120.81, F.S.; conforming cross-references;
9 amending s. 409.1451; conforming cross-references;
10 repealing ss. 411.226, 411.227, and 411.228, F.S.,
11 relating to the Learning Gateway program; amending s.
12 496.404, F.S.; conforming cross-references; amending
13 s. 775.215 F.S.; conforming cross-references; amending
14 s. 984.151, F.S.; authorizing a district school
15 superintendent's designee to submit a truancy
16 petition; repealing s. 1000.01(5), F.S., relating to
17 obsolete education governance transfers; amending s.
18 1000.21, F.S.; revising the definition of the term
19 "Next Generation Sunshine State Standards"; repealing
20 ss. 1000.33 and 1000.37, F.S., relating to the
21 distribution of copies of educational compacts to
22 other states; amending s. 1001.10, F.S.; deleting and
23 revising certain duties of the Commissioner of
24 Education relating to educational plans and programs;
25 repealing s. 1001.25, F.S., relating to educational
26 television; amending s. 1001.26, F.S.; revising
27 Department of Education duties relating to the public

28 broadcasting program system; prohibiting the use of
 29 educational television stations for the advancement of
 30 political candidates; providing penalties; repealing
 31 ss. 1001.47(7) and 1001.50(6), F.S., relating to
 32 obsolete district school superintendent salary
 33 provisions; repealing s. 1001.62, F.S., relating to
 34 obsolete provisions for the transfer of benefits
 35 arising under local or special acts; repealing s.
 36 1001.73(3), F.S., relating to the abolished Board of
 37 Regents as trustee; amending s. 1002.20, F.S.;
 38 correcting cross-references and conforming provisions;
 39 amending s. 1002.31, F.S.; revising provisions
 40 relating to school district controlled open enrollment
 41 plans; amending s. 1002.3105, F.S.; conforming
 42 provisions; amending s. 1002.321, F.S.; conforming
 43 provisions; amending s. 1002.33, F.S.; deleting
 44 required training before charter school application;
 45 conforming cross-references and provisions; amending
 46 s. 1002.34, F.S.; conforming cross-references;
 47 revising provisions relating to department assistance
 48 to charter technical career centers; amending s.
 49 1002.345, F.S.; revising provisions relating to
 50 expedited review of deteriorating financial conditions
 51 for a charter school or charter technical career
 52 center; amending s. 1002.39, F.S.; deleting obsolete
 53 provisions relating to eligibility for a John M. McKay
 54 Scholarship; amending s. 1002.41, F.S.; correcting

55 cross-references; repealing s. 1002.415, F.S.,
 56 relating to the K-8 Virtual School Program; amending
 57 s. 1002.45, F.S.; conforming cross-references;
 58 amending s. 1002.455, F.S.; conforming provisions;
 59 repealing s. 1002.65, F.S., relating to aspirational
 60 goals for credentials of prekindergarten instructors;
 61 amending s. 1003.01, F.S.; conforming cross-
 62 references; amending s. 1003.02, F.S.; requiring
 63 instructional materials to be consistent with course
 64 descriptions; amending a. 1003.03, F.S.; conforming
 65 cross-references; amending s. 1003.41, F.S.; deleting
 66 an obsolete cost analysis requirement relating to a
 67 separate financial literacy course; amending s.
 68 1003.4156, F.S.; revising course and assessment
 69 requirements for middle grades students for promotion
 70 to high school; providing an exemption for transfer
 71 students from certain course grade and assessment
 72 requirements; repealing s. 1003.428, F.S., relating to
 73 obsolete requirements for high school graduation;
 74 amending s. 1003.4281, F.S.; conforming cross-
 75 references; amending s. 1003.4282, F.S.; revising
 76 course and assessment requirements for the award of a
 77 standard high school diploma; providing requirements
 78 for a student in an adult general education program to
 79 be awarded a standard high school diploma; revising
 80 requirements for award of a certificate of completion;
 81 providing an exemption for transfer students from

82 | certain course grade and assessment requirements;
 83 | providing specificity regarding course and assessment
 84 | requirements for graduation for certain cohorts of
 85 | high school students transitioning to new graduation
 86 | requirements; providing for future repeal of
 87 | transition requirements; amending s. 1003.4285, F.S.;
 88 | revising requirements for standard high school diploma
 89 | designations; amending s. 1003.438, F.S.; conforming
 90 | cross-references; repealing s. 1003.451(5), F.S.,
 91 | relating to State Board of Education rulemaking;
 92 | amending s. 1003.49, F.S.; conforming cross-
 93 | references; amending s. 1003.493, F.S.; conforming a
 94 | cross-reference; amending s. 1003.4935, F.S.;
 95 | conforming a cross-reference; amending s. 1003.57,
 96 | F.S., relating to exceptional student instruction;
 97 | amending s. 1003.621, F.S.; revising audit criteria
 98 | for academically high-performing school districts;
 99 | repealing s. 1004.02(4), F.S., relating to the
 100 | definition of the term "adult high school credit
 101 | program"; amending s. 1004.0961, F.S.; providing for
 102 | Board of Governors regulations; repealing s.
 103 | 1004.3825, F.S., relating to authorization for a
 104 | medical degree program; repealing s. 1004.387, F.S.,
 105 | relating to authorization for a pharmacy degree
 106 | program; repealing s. 1004.445(2), F.S., relating to
 107 | the board of directors of the Johnnie B. Byrd, Sr.,
 108 | Alzheimer's Center and Research Institute; repealing

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109 s. 1004.75, F.S., relating to training school
 110 consolidation pilot projects; amending s. 1004.935,
 111 F.S.; conforming cross-references; repealing s.
 112 1006.141, F.S., relating to a statewide school safety
 113 hotline; amending s. 1006.147, F.S.; deleting obsolete
 114 provisions relating to school district bullying and
 115 harassment policies; repealing s. 1006.148(2), F.S.,
 116 relating to a department-developed model dating
 117 violence and abuse policy; amending s. 1006.15, F.S.;
 118 conforming cross-references; amending s. 1006.28,
 119 F.S.; conforming provisions relating to instructional
 120 materials; amending s. 1006.31, F.S.; conforming
 121 provisions relating to duties of an instructional
 122 materials reviewer; amending s. 1006.34, F.S.;
 123 revising provisions relating to standards used in the
 124 selection of instructional materials; amending s.
 125 1006.40, F.S.; revising provisions relating to
 126 district school board purchase of instructional
 127 materials; amending s. 1006.42, F.S.; conforming
 128 provisions relating to the responsibility of parents
 129 for instructional materials; amending s. 1007.02,
 130 F.S.; deleting a popular name and providing
 131 applicability for the term "student with a
 132 disability"; amending s. 1007.2615, F.S.; deleting
 133 obsolete provisions relating to an American Sign
 134 Language task force; amending s. 1007.263, F.S.;
 135 conforming cross-references; amending ss. 1007.264 and

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136 1007.265, F.S.; conforming provisions; amending s.
 137 1007.271, F.S.; correcting cross-references; amending
 138 s. 1008.22, F.S.; conforming and revising provisions
 139 relating to the implementation of statewide,
 140 standardized comprehensive assessments, end-of-course
 141 assessments, and waivers for students with
 142 disabilities; requiring the commissioner to publish an
 143 implementation schedule for transition to new
 144 assessments; conforming provisions relating to
 145 concordant scores and comparative scores for
 146 assessments; amending s. 1008.25, F.S.; conforming
 147 assessment provisions for student progression;
 148 amending s. 1008.33, F.S.; deleting obsolete
 149 provisions relating to implementation of certain
 150 school turnaround options; repealing s. 1008.331,
 151 F.S., relating to supplemental educational services in
 152 Title I schools; amending s. 1008.3415, F.S.;
 153 correcting a cross-reference; repealing s. 1008.35,
 154 F.S., relating to best financial management practices
 155 for school districts; amending s. 1009.22, F.S.;
 156 deleting obsolete provisions relating to workforce
 157 education postsecondary student fees; amending s.
 158 1009.40, F.S.; conforming cross-references; amending
 159 s. 1009.531, F.S.; conforming cross-references;
 160 amending s. 1009.532, F.S.; correcting cross-
 161 references; amending s. 1009.536, F.S.; correcting
 162 cross-references; repealing s. 1009.56, F.S., relating

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163 to the Seminole and Miccosukee Indian Scholarship
 164 Program; repealing s. 1009.69, F.S., relating to the
 165 Virgil Hawkins Fellows Assistance Program; amending s.
 166 1009.91, F.S.; conforming a cross-reference; amending
 167 s. 1009.94, F.S.; conforming a cross-reference;
 168 repealing part V of chapter 1009, F.S., relating to
 169 the Florida Higher Education Loan Authority; repealing
 170 s. 1011.71(3)(b) and (c), F.S., relating to expired
 171 authorization for certain millage levy; repealing s.
 172 1011.76(4), F.S., relating to best financial
 173 management practices review under the Small School
 174 District Stabilization Program; amending s. 1011.80,
 175 F.S.; correcting a cross-reference; amending s.
 176 1012.05, F.S.; deleting department and commissioner
 177 duties relating to teacher recruitment and retention;
 178 amending s. 1012.22, F.S.; conforming provisions;
 179 repealing s. 1012.33(9), F.S., relating to obsolete
 180 provisions for payment of professional service
 181 contracts; amending s. 1012.34, F.S.; correcting
 182 cross-references relating to measuring student
 183 performance in personnel evaluations; amending s.
 184 1012.44, F.S.; deleting obsolete provisions; amending
 185 s. 1012.561, F.S.; deleting an obsolete provision;
 186 repealing s. 1012.595, F.S., relating to an obsolete
 187 saving clause for educator certificates; repealing s.
 188 1012.72, F.S., relating to the Dale Hickam Excellent
 189 Teaching Program; amending s. 1012.885, F.S.; deleting

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190 certain provisions relating to remuneration of Florida
 191 College System institution presidents; amending s.
 192 1012.975, F.S.; deleting certain provisions relating
 193 to remuneration of state university presidents;
 194 amending s. 1012.98, F.S.; requiring continuing
 195 education training for kindergarten teachers; amending
 196 s. 1013.35, F.S.; revising audit requirements for
 197 school district educational planning and construction
 198 activities; amending s. 1013.47, F.S.; deleting
 199 provisions relating to payment of wages of certain
 200 persons employed by contractors; repealing s. 1013.49,
 201 F.S., relating to toxic substances in educational
 202 facilities; repealing s. 1013.512, F.S., relating to
 203 the Land Acquisition and Facilities Advisory Board;
 204 repealing s. 1013.54, F.S., relating to the
 205 cooperative development and use of satellite
 206 educational facilities; repealing s. 20 of chapter
 207 2010-24, Laws of Florida, relating to Department of
 208 Revenue authorization to adopt emergency rules;
 209 providing an effective date.

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

213 Section 1. Paragraph (j) of subsection (7) of section
 214 11.45, Florida Statutes, is amended to read:

215 11.45 Definitions; duties; authorities; reports; rules.—

216 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

217 (j) The Auditor General shall notify the Legislative
 218 Auditing Committee of any financial or operational audit report
 219 prepared pursuant to this section which indicates that a
 220 district school board, state university, or Florida College
 221 System institution has failed to take full corrective action in
 222 response to a recommendation that was included in the two
 223 preceding financial or operational audit reports.

224 1. The committee may direct the district school board or
 225 the governing body of the state university or Florida College
 226 System institution to provide a written statement to the
 227 committee explaining why full corrective action has not been
 228 taken or, if the governing body intends to take full corrective
 229 action, describing the corrective action to be taken and when it
 230 will occur.

231 2. If the committee determines that the written statement
 232 is not sufficient, the committee may require the chair of the
 233 district school board or the chair of the governing body of the
 234 state university or Florida College System institution, or the
 235 chair's designee, to appear before the committee.

236 3. If the committee determines that the district school
 237 board, state university, or Florida College System institution
 238 has failed to take full corrective action for which there is no
 239 justifiable reason or has failed to comply with committee
 240 requests made pursuant to this section, the committee shall
 241 refer the matter to the State Board of Education or the Board of
 242 Governors, as appropriate, to proceed in accordance with s.
 243 1008.32 or s. 1008.322, respectively.

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244 Section 2. Subsection (5) is added to section 120.74,
 245 Florida Statutes, to read:

246 120.74 Agency review, revision, and report.—

247 (5) An educational unit as defined in s. 120.52(6) is
 248 exempt from this section.

249 Section 3. Paragraph (c) of subsection (1) of section
 250 120.81, Florida Statutes, is amended to read:

251 120.81 Exceptions and special requirements; general
 252 areas.—

253 (1) EDUCATIONAL UNITS.—

254 (c) Notwithstanding s. 120.52(16), any tests, test scoring
 255 criteria, or testing procedures relating to student assessment
 256 which are developed or administered by the Department of
 257 Education pursuant to s. 1003.4282 ~~1003.428~~, ~~s. 1003.429~~, s.
 258 1003.438, s. 1008.22, or s. 1008.25, or any other statewide
 259 educational tests required by law, are not rules.

260 Section 4. Paragraph (a) of subsection (2) of section
 261 409.1451, Florida Statutes, is amended to read:

262 409.1451 The Road-to-Independence Program.—

263 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

264 (a) A young adult is eligible for services and support
 265 under this subsection if he or she:

266 1. Was living in licensed care on his or her 18th birthday
 267 or is currently living in licensed care; or was at least 16
 268 years of age and was adopted from foster care or placed with a
 269 court-approved dependency guardian after spending at least 6
 270 months in licensed care within the 12 months immediately

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271 preceding such placement or adoption;

272 2. Spent at least 6 months in licensed care before

273 reaching his or her 18th birthday;

274 3. Earned a standard high school diploma pursuant to s.

275 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent

276 pursuant to ~~s. 1003.428, s. 1003.4281, s. 1003.429,~~ s. 1003.435,

277 or a special diploma pursuant to s. 1003.438;

278 4. Has been admitted for enrollment as a full-time student

279 or its equivalent in an eligible postsecondary educational

280 institution as provided in s. 1009.533. For purposes of this

281 section, the term "full-time" means 9 credit hours or the

282 vocational school equivalent. A student may enroll part-time if

283 he or she has a recognized disability or is faced with another

284 challenge or circumstance that would prevent full-time

285 attendance. A student needing to enroll part-time for any reason

286 other than having a recognized disability must get approval from

287 his or her academic advisor;

288 5. Has reached 18 years of age but is not yet 23 years of

289 age;

290 6. Has applied, with assistance from the young adult's

291 caregiver and the community-based lead agency, for any other

292 grants and scholarships for which he or she may qualify;

293 7. Submitted a Free Application for Federal Student Aid

294 which is complete and error free; and

295 8. Signed an agreement to allow the department and the

296 community-based care lead agency access to school records.

297 Section 5. Section 411.226, Florida Statutes, is repealed.

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298 Section 6. Section 411.227, Florida Statutes, is repealed.

299 Section 7. Section 411.228, Florida Statutes, is repealed.

300 Section 8. Subsection (8) of section 496.404, Florida
 301 Statutes, is amended to read:

302 496.404 Definitions.—As used in ss. 496.401-496.424:

303 (8) "Educational institutions" means those institutions
 304 and organizations described in s. 212.08(7)(cc)8.a. The term
 305 includes private nonprofit organizations, the purpose of which
 306 is to raise funds for schools teaching grades kindergarten
 307 through grade 12, colleges, and universities, including a ~~any~~
 308 nonprofit newspaper of free or paid circulation primarily on
 309 university or college campuses which holds a current exemption
 310 from federal income tax under s. 501(c)(3) of the Internal
 311 Revenue Code, an ~~any~~ educational television network or system
 312 established pursuant to ~~s. 1001.25 or~~ s. 1001.26, and a ~~any~~
 313 nonprofit television or radio station that is a part of such
 314 network or system and that holds a current exemption from
 315 federal income tax under s. 501(c)(3) of the Internal Revenue
 316 Code. The term also includes a nonprofit educational cable
 317 consortium that holds a current exemption from federal income
 318 tax under s. 501(c)(3) of the Internal Revenue Code, whose
 319 primary purpose is the delivery of educational and instructional
 320 cable television programming and whose members are composed
 321 exclusively of educational organizations that hold a valid
 322 consumer certificate of exemption and that are either an
 323 educational institution as defined in this subsection or
 324 qualified as a nonprofit organization pursuant to s. 501(c)(3)

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325 of the Internal Revenue Code.

326 Section 9. Paragraph (d) of subsection (1) of section
327 775.215, Florida Statutes, is amended to read:

328 775.215 Residency restriction for persons convicted of
329 certain sex offenses.—

330 (1) As used in this section, the term:

331 (d) "School" has the same meaning as provided in s.
332 1003.01 and includes a private school as defined in s. 1002.01,
333 a voluntary prekindergarten education program as described in s.
334 1002.53(3), a public school as described in s. 402.3025(1), the
335 Florida School for the Deaf and the Blind, and the Florida
336 Virtual School ~~as established under s. 1002.37, and a K-8~~
337 ~~Virtual School as established under s. 1002.415,~~ but does not
338 include facilities dedicated exclusively to the education of
339 adults.

340 Section 10. Subsection (1) of section 984.151, Florida
341 Statutes, is amended to read:

342 984.151 Truancy petition; prosecution; disposition.—

343 (1) If the school determines that a student subject to
344 compulsory school attendance has had at least five unexcused
345 absences, or absences for which the reasons are unknown, within
346 a calendar month or 10 unexcused absences, or absences for which
347 the reasons are unknown, within a 90-calendar-day period
348 pursuant to s. 1003.26(1)(b), or has had more than 15 unexcused
349 absences in a 90-calendar-day period, the superintendent of
350 schools or his or her designee may file a truancy petition.

351 Section 11. Subsection (5) of section 1000.01, Florida

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352 Statutes, is repealed.

353 Section 12. Subsection (7) of section 1000.21, Florida
354 Statutes, is amended to read:

355 1000.21 Systemwide definitions.—As used in the Florida K-
356 20 Education Code:

357 (7) "Next Generation Sunshine State Standards" means the
358 state's public K-12 curricular standards, ~~including common core~~
359 ~~standards in English Language Arts and mathematics,~~ adopted
360 under s. 1003.41.

361 Section 13. Section 1000.33, Florida Statutes, is
362 repealed.

363 Section 14. Section 1000.37, Florida Statutes, is
364 repealed.

365 Section 15. Paragraphs (h) and (l) of subsection (6) of
366 section 1001.10, Florida Statutes, are amended to read:

367 1001.10 Commissioner of Education; general powers and
368 duties.—

369 (6) Additionally, the commissioner has the following
370 general powers and duties:

371 ~~(h) To develop and implement a plan for cooperating with~~
372 ~~the Federal Government in carrying out any or all phases of the~~
373 ~~educational program and to recommend policies for administering~~
374 ~~funds that are appropriated by Congress and apportioned to the~~
375 ~~state for any or all educational purposes. The Commissioner of~~
376 ~~Education shall submit to the Legislature the proposed state~~
377 ~~plan for the reauthorization of the No Child Left Behind Act~~
378 ~~before the proposed plan is submitted to federal agencies. The~~

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379 ~~President of the Senate and the Speaker of the House of~~
 380 ~~Representatives shall appoint members of the appropriate~~
 381 ~~education and appropriations committees to serve as a select~~
 382 ~~committee to review the proposed plan.~~

383 (k)(1) To prepare, publish, and disseminate ~~maintain a~~
 384 ~~Citizen Information Center responsible for the preparation,~~
 385 ~~publication, and dissemination of~~ user-friendly materials
 386 relating to the state's education system, including the state's
 387 K-12 scholarship programs and the Voluntary Prekindergarten
 388 Education Program.

389 Section 16. Section 1001.25, Florida Statutes, is
 390 repealed.

391 Section 17. Section 1001.26, Florida Statutes, is amended
 392 to read:

393 1001.26 Public broadcasting program system.—

394 (1) There is created a public broadcasting program system
 395 for the state. The department shall provide funds, as
 396 specifically appropriated in the General Appropriations Act, to
 397 educational television stations qualified by the Corporation for
 398 Public Broadcasting that are part of the public broadcasting
 399 program system ~~administer this program system pursuant to rules~~
 400 ~~adopted by the State Board of Education. This program system~~
 401 ~~must complement and share resources with the instructional~~
 402 ~~programming service of the Department of Education and~~
 403 ~~educational UHF, VHF, EBS, and FM stations in the state. The~~
 404 program system must include:

405 (a) Support for existing Corporation for Public

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406 Broadcasting qualified program system educational television
 407 stations ~~and new stations meeting Corporation for Public~~
 408 ~~Broadcasting qualifications and providing a first service to an~~
 409 ~~audience that does not currently receive a broadcast signal or~~
 410 ~~providing a significant new program service as defined by rule~~
 411 ~~by the State Board of Education.~~

412 (b) Maintenance of quality broadcast capability for
 413 educational stations that are part of the program system.

414 (c) Interconnection of all educational stations that are
 415 part of the program system for simultaneous broadcast and of
 416 such stations with all universities and other institutions as
 417 necessary for sharing of resources and delivery of programming.

418 (d) Establishment and maintenance of a capability for
 419 statewide program distribution with facilities and staff,
 420 provided such facilities and staff complement and strengthen
 421 existing ~~or future~~ educational television stations ~~in accordance~~
 422 ~~with paragraph (a) and s. 1001.25(2)(e).~~

423 (e) Provision of both statewide programming funds and
 424 station programming support for educational television to meet
 425 statewide priorities. Priorities for station programming need
 426 not be the same as priorities for programming to be used
 427 statewide. Station programming may include, but shall not be
 428 limited to, citizens' participation programs, music and fine
 429 arts programs, coverage of public hearings and governmental
 430 meetings, equal air time for political candidates, and other
 431 public interest programming.

432 (2) ~~(a)~~ The Department of Education ~~is responsible for~~

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433 ~~implementing the provisions of this section pursuant to s.~~
 434 ~~282.702 and may employ personnel, acquire equipment and~~
 435 ~~facilities, and perform all duties necessary for carrying out~~
 436 ~~the purposes and objectives of this section.~~

437 ~~(b) The department shall provide through educational~~
 438 ~~television and other electronic media a means of extending~~
 439 ~~educational services to all the state system of public~~
 440 ~~education. The department shall recommend to the State Board of~~
 441 ~~Education rules necessary to provide such services.~~

442 ~~(c) The department is authorized to provide equipment,~~
 443 ~~funds, and other services to extend and update both the existing~~
 444 ~~and the proposed educational television systems of tax-supported~~
 445 ~~and nonprofit, corporate-owned facilities. All stations funded~~
 446 ~~must be qualified by the Corporation for Public Broadcasting.~~
 447 ~~New stations eligible for funding shall provide a first service~~
 448 ~~to an audience that is not currently receiving a broadcast~~
 449 ~~signal or provide a significant new program service as defined~~
 450 ~~by State Board of Education rules. Funds appropriated to the~~
 451 ~~department for educational television may be used by the~~
 452 ~~department for educational television only.~~

453 (3) (a) The facilities, plant, or personnel of an
 454 educational television station that is supported in whole or in
 455 part by state funds may not be used directly or indirectly for
 456 the promotion, advertisement, or advancement of a political
 457 candidate for a municipal, county, legislative, congressional,
 458 or state office. However, fair, open, and free discussion
 459 between political candidates for municipal, county, legislative,

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460 congressional, or state office may be permitted in order to help
 461 materially reduce the excessive cost of campaigns and to ensure
 462 that the state's citizens are fully informed about issues and
 463 candidates in campaigns. This paragraph applies to the advocacy
 464 for, or opposition to, a specific existing or proposed program
 465 of governmental action, which includes, but is not limited to,
 466 constitutional amendments, tax referenda, and bond issues. This
 467 paragraph shall be implemented in accordance with rules of the
 468 State Board of Education.

469 (b) A violation of a prohibition contained in this
 470 subsection is a misdemeanor of the second degree, punishable as
 471 provided in s. 775.082 or s. 775.083.

472 Section 18. Subsection (7) of section 1001.47, Florida
 473 Statutes, is repealed.

474 Section 19. Subsection (6) of section 1001.50, Florida
 475 Statutes, is repealed.

476 Section 20. Section 1001.62, Florida Statutes, is
 477 repealed.

478 Section 21. Subsection (3) of section 1001.73, Florida
 479 Statutes, is repealed.

480 Section 22. Subsections (8), (16), and (21) of section
 481 1002.20, Florida Statutes, are amended to read:

482 1002.20 K-12 student and parent rights.—Parents of public
 483 school students must receive accurate and timely information
 484 regarding their child's academic progress and must be informed
 485 of ways they can help their child to succeed in school. K-12
 486 students and their parents are afforded numerous statutory

487 rights including, but not limited to, the following:

488 (8) STUDENTS WITH DISABILITIES.—Parents of public school
 489 students with disabilities and parents of public school students
 490 in residential care facilities are entitled to notice and due
 491 process in accordance with the provisions of ss. 1003.57 and
 492 1003.58. Public school students with disabilities must be
 493 provided the opportunity to meet the graduation requirements for
 494 a standard high school diploma as set forth in s. 1003.4282 in
 495 accordance with the provisions of ss. 1003.57 and 1008.22 ~~s.~~
 496 ~~1003.428(3)~~. Pursuant to s. 1003.438, certain public school
 497 students with disabilities may be awarded a special diploma upon
 498 high school graduation.

499 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
 500 REPORTS.—Parents of public school students are entitled to an
 501 easy-to-read report card about the school's grade designation
 502 or, if applicable under s. 1008.341, the school's improvement
 503 rating, and the school's ~~school~~ accountability report, including
 504 the school financial report as required under s. 1010.215, ~~and~~
 505 ~~school improvement rating of their child's school in accordance~~
 506 ~~with the provisions of ss. 1008.22, 1003.02(3), and 1010.215(5).~~

507 (21) PARENTAL INPUT AND MEETINGS.—

508 (a) Meetings with school district personnel.—Parents of
 509 public school students may be accompanied by another adult of
 510 their choice at a ~~any~~ meeting with school district personnel.
 511 School district personnel may not object to the attendance of
 512 such adult or discourage or attempt to discourage, through an
 513 ~~any~~ action, statement, or other means, the parents of students

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514 with disabilities from inviting another person of their choice
 515 to attend a ~~any~~ meeting. Such prohibited actions include, but
 516 are not limited to, attempted or actual coercion or harassment
 517 of parents or students or retaliation or threats of consequences
 518 to parents or students.

519 1. Such meetings include, but are not limited to, meetings
 520 related to: the eligibility for exceptional student education or
 521 related services; the development of an individual family
 522 support plan (IFSP); the development of an individual education
 523 plan (IEP); the development of a 504 accommodation plan issued
 524 under s. 504 of the Rehabilitation Act of 1973; the transition
 525 of a student from early intervention services to other services;
 526 the development of postsecondary goals for a student with a
 527 disability and the transition services needed to reach those
 528 goals; and other issues that may affect the ~~a student's~~
 529 educational environment, discipline, or placement of a student
 530 with a disability.

531 2. The parents and school district personnel attending the
 532 meeting shall sign a document at the meeting's conclusion which
 533 states whether any school district personnel have prohibited,
 534 discouraged, or attempted to discourage the parents from
 535 inviting a person of their choice to the meeting.

536 ~~(b) School district best financial management practice~~
 537 ~~reviews. Public school students and their parents may provide~~
 538 ~~input regarding their concerns about the operations and~~
 539 ~~management of the school district both during and after the~~
 540 ~~conduct of a school district best financial management practices~~

541 ~~review, in accordance with the provisions of s. 1008.35.~~

542 (b)~~(e)~~ District school board educational facilities
 543 programs.—Parents of public school students and other members of
 544 the public have the right to receive proper public notice and
 545 opportunity for public comment regarding the district school
 546 board's educational facilities work program, in accordance with
 547 the provisions of s. 1013.35.

548 Section 23. Subsections (2) through (8) of section
 549 1002.31, Florida Statutes, are amended to read:

550 1002.31 Controlled open enrollment; public school parental
 551 choice.—

552 (2) Each district school board may offer controlled open
 553 enrollment within the public schools which is. ~~The controlled~~
 554 ~~open enrollment program shall be offered~~ in addition to the
 555 existing choice programs such as virtual instruction programs,
 556 magnet schools, alternative schools, special programs, advanced
 557 placement, and dual enrollment.

558 (3) Each district school board offering controlled open
 559 enrollment shall adopt by rule and post on its website ~~develop~~ a
 560 controlled open enrollment plan which must: ~~describes the~~
 561 ~~implementation of subsection (2).~~

562 (a)~~(4)~~ ~~School districts shall~~ Adhere to federal
 563 desegregation requirements. ~~No controlled open enrollment plan~~
 564 ~~that conflicts with federal desegregation orders shall be~~
 565 ~~implemented.~~

566 ~~(5) Each school district shall develop a system of~~
 567 ~~priorities for its plan that includes consideration of the~~

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568 ~~following:~~

569 (b)~~(a)~~ Include an application process required to
570 participate in ~~the~~ controlled open enrollment ~~program~~.

571 ~~(b)~~ ~~A process~~ that allows parents to declare school
572 preferences, including.

573 ~~(c)~~ ~~A process~~ that encourages placement of siblings within
574 the same school.

575 (c)~~(d)~~ Provide a lottery procedure ~~used by the school~~
576 ~~district~~ to determine student assignment and establish.

577 ~~(e)~~ an appeals process for hardship cases.

578 (d) Afford parents of students in multiple session schools
579 preferred access to controlled open enrollment.

580 (e)~~(f)~~ ~~The procedures to~~ Maintain socioeconomic,
581 demographic, and racial balance.

582 (f)~~(g)~~ Address the availability of transportation.

583 ~~(h)~~ ~~A process~~ that promotes strong parental involvement,
584 ~~including the designation of a parent liaison.~~

585 ~~(i)~~ ~~A strategy~~ that establishes a clearinghouse of
586 information designed to assist parents in making informed
587 choices.

588 ~~(6)~~ ~~Plans~~ shall be submitted to the Commissioner of
589 Education. ~~The Commissioner of Education shall develop an annual~~
590 ~~report on the status of school choice and deliver the report to~~
591 ~~the Governor, the President of the Senate, and the Speaker of~~
592 ~~the House of Representatives at least 90 days prior to the~~
593 ~~convening of the regular session of the Legislature.~~

594 ~~(7)~~ ~~Notwithstanding any provision of this section, a~~

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595 ~~school district with schools operating on both multiple session~~
 596 ~~schedules and single session schedules shall afford parents of~~
 597 ~~students in multiple session schools preferred access to the~~
 598 ~~controlled open enrollment program of the school district.~~

599 (4)-(8) In accordance with the reporting requirements of s.
 600 1011.62, each district school board shall annually report the
 601 number of students ~~applying for and~~ attending the various types
 602 of public schools of choice in the district, including schools
 603 such as virtual instruction programs, magnet schools, and public
 604 charter schools, according to rules adopted by the State Board
 605 of Education.

606 Section 24. Subsection (5) of section 1002.3105, Florida
 607 Statutes, is amended to read:

608 1002.3105 Academically Challenging Curriculum to Enhance
 609 Learning (ACCEL) options.—

610 (5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—A student who
 611 meets the applicable grade 9 cohort graduation requirements of
 612 s. 1003.4282 (3) (a)-(e) or s. 1003.4282(10) (a)1.-5., (b)1.-5.,
 613 (c)1.-5., or (d)1.-5., earns three credits in electives, and
 614 earns a cumulative grade point average (GPA) of 2.0 on a 4.0
 615 scale shall be awarded a standard high school diploma in a form
 616 prescribed by the State Board of Education.

617 Section 25. Subsection (3) of section 1002.321, Florida
 618 Statutes, is amended to read:

619 1002.321 Digital learning.—

620 (3) DIGITAL PREPARATION.—As required under s. 1003.4282, a
 621 ~~Each~~ student entering grade 9 in the 2011-2012 school year and

622 thereafter who seeks a standard high school diploma must take
 623 ~~graduate from high school having taken~~ at least one online
 624 ~~course, as provided in s. 1003.428.~~

625 Section 26. Paragraph (a) of subsection (6), paragraph (a)
 626 of subsection (7), paragraphs (b) and (c) of subsection (15),
 627 and subsection (25) of section 1002.33, Florida Statutes, are
 628 amended to read:

629 1002.33 Charter schools.—

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

632 (a) A person or entity wishing to open a charter school
 633 shall prepare and submit an application on a model application
 634 form prepared by the Department of Education which:

635 1. Demonstrates how the school will use the guiding
 636 principles and meet the statutorily defined purpose of a charter
 637 school.

638 2. Provides a detailed curriculum plan that illustrates
 639 how students will be provided services to attain the Sunshine
 640 State Standards.

641 3. Contains goals and objectives for improving student
 642 learning and measuring that improvement. These goals and
 643 objectives must indicate how much academic improvement students
 644 are expected to show each year, how success will be evaluated,
 645 and the specific results to be attained through instruction.

646 4. Describes the reading curriculum and differentiated
 647 strategies that will be used for students reading at grade level
 648 or higher and a separate curriculum and strategies for students

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649 | who are reading below grade level. A sponsor shall deny a
 650 | charter if the school does not propose a reading curriculum that
 651 | is consistent with effective teaching strategies that are
 652 | grounded in scientifically based reading research.

653 | 5. Contains an annual financial plan for each year
 654 | requested by the charter for operation of the school for up to 5
 655 | years. This plan must contain anticipated fund balances based on
 656 | revenue projections, a spending plan based on projected revenues
 657 | and expenses, and a description of controls that will safeguard
 658 | finances and projected enrollment trends.

659 | 6. Contains Documents that the applicant has participated
 660 | ~~in the training required in subparagraph (f)2. A sponsor may~~
 661 | ~~require an applicant to provide~~ additional information a sponsor
 662 | may require, which shall be attached as an addendum to the
 663 | charter school application described in this paragraph.

664 | 7. For the establishment of a virtual charter school,
 665 | documents that the applicant has contracted with a provider of
 666 | virtual instruction services pursuant to s. 1002.45(1)(d).

667 | (7) CHARTER.—The major issues involving the operation of a
 668 | charter school shall be considered in advance and written into
 669 | the charter. The charter shall be signed by the governing board
 670 | of the charter school and the sponsor, following a public
 671 | hearing to ensure community input.

672 | (a) The charter shall address and criteria for approval of
 673 | the charter shall be based on:

674 | 1. The school's mission, the students to be served, and
 675 | the ages and grades to be included.

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676 2. The focus of the curriculum, the instructional methods
677 to be used, any distinctive instructional techniques to be
678 employed, and identification and acquisition of appropriate
679 technologies needed to improve educational and administrative
680 performance which include a means for promoting safe, ethical,
681 and appropriate uses of technology which comply with legal and
682 professional standards.

683 a. The charter shall ensure that reading is a primary
684 focus of the curriculum and that resources are provided to
685 identify and provide specialized instruction for students who
686 are reading below grade level. The curriculum and instructional
687 strategies for reading must be consistent with the Next
688 Generation Sunshine State Standards and grounded in
689 scientifically based reading research.

690 b. In order to provide students with access to diverse
691 instructional delivery models, to facilitate the integration of
692 technology within traditional classroom instruction, and to
693 provide students with the skills they need to compete in the
694 21st century economy, the Legislature encourages instructional
695 methods for blended learning courses consisting of both
696 traditional classroom and online instructional techniques.
697 Charter schools may implement blended learning courses which
698 combine traditional classroom instruction and virtual
699 instruction. Students in a blended learning course must be full-
700 time students of the charter school and receive the online
701 instruction in a classroom setting at the charter school.
702 Instructional personnel certified pursuant to s. 1012.55 who

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703 provide virtual instruction for blended learning courses may be
 704 employees of the charter school or may be under contract to
 705 provide instructional services to charter school students. At a
 706 minimum, such instructional personnel must hold an active state
 707 or school district adjunct certification under s. 1012.57 for
 708 the subject area of the blended learning course. The funding and
 709 performance accountability requirements for blended learning
 710 courses are the same as those for traditional courses.

711 3. The current incoming baseline standard of student
 712 academic achievement, the outcomes to be achieved, and the
 713 method of measurement that will be used. The criteria listed in
 714 this subparagraph shall include a detailed description of:

715 a. How the baseline student academic achievement levels
 716 and prior rates of academic progress will be established.

717 b. How these baseline rates will be compared to rates of
 718 academic progress achieved by these same students while
 719 attending the charter school.

720 c. To the extent possible, how these rates of progress
 721 will be evaluated and compared with rates of progress of other
 722 closely comparable student populations.

723
 724 The district school board is required to provide academic
 725 student performance data to charter schools for each of their
 726 students coming from the district school system, as well as
 727 rates of academic progress of comparable student populations in
 728 the district school system.

729 4. The methods used to identify the educational strengths

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730 and needs of students and how well educational goals and
 731 performance standards are met by students attending the charter
 732 school. The methods shall provide a means for the charter school
 733 to ensure accountability to its constituents by analyzing
 734 student performance data and by evaluating the effectiveness and
 735 efficiency of its major educational programs. Students in
 736 charter schools shall, at a minimum, participate in the
 737 statewide assessment program created under s. 1008.22.

738 5. In secondary charter schools, a method for determining
 739 that a student has satisfied the requirements for graduation in
 740 s. 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s. 1003.4282.

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

743 7. The admissions procedures and dismissal procedures,
 744 including the school's code of student conduct.

745 8. The ways by which the school will achieve a
 746 racial/ethnic balance reflective of the community it serves or
 747 within the racial/ethnic range of other public schools in the
 748 same school district.

749 9. The financial and administrative management of the
 750 school, including a reasonable demonstration of the professional
 751 experience or competence of those individuals or organizations
 752 applying to operate the charter school or those hired or
 753 retained to perform such professional services and the
 754 description of clearly delineated responsibilities and the
 755 policies and practices needed to effectively manage the charter
 756 school. A description of internal audit procedures and

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757 establishment of controls to ensure that financial resources are
 758 properly managed must be included. Both public sector and
 759 private sector professional experience shall be equally valid in
 760 such a consideration.

761 10. The asset and liability projections required in the
 762 application which are incorporated into the charter and shall be
 763 compared with information provided in the annual report of the
 764 charter school.

765 11. A description of procedures that identify various
 766 risks and provide for a comprehensive approach to reduce the
 767 impact of losses; plans to ensure the safety and security of
 768 students and staff; plans to identify, minimize, and protect
 769 others from violent or disruptive student behavior; and the
 770 manner in which the school will be insured, including whether or
 771 not the school will be required to have liability insurance,
 772 and, if so, the terms and conditions thereof and the amounts of
 773 coverage.

774 12. The term of the charter which shall provide for
 775 cancellation of the charter if insufficient progress has been
 776 made in attaining the student achievement objectives of the
 777 charter and if it is not likely that such objectives can be
 778 achieved before expiration of the charter. The initial term of a
 779 charter shall be for 4 or 5 years. In order to facilitate access
 780 to long-term financial resources for charter school
 781 construction, charter schools that are operated by a
 782 municipality or other public entity as provided by law are
 783 eligible for up to a 15-year charter, subject to approval by the

784 district school board. A charter lab school is eligible for a
 785 charter for a term of up to 15 years. In addition, to facilitate
 786 access to long-term financial resources for charter school
 787 construction, charter schools that are operated by a private,
 788 not-for-profit, s. 501(c)(3) status corporation are eligible for
 789 up to a 15-year charter, subject to approval by the district
 790 school board. Such long-term charters remain subject to annual
 791 review and may be terminated during the term of the charter, but
 792 only according to the provisions set forth in subsection (8).

793 13. The facilities to be used and their location. The
 794 sponsor may not require a charter school to have a certificate
 795 of occupancy or a temporary certificate of occupancy for such a
 796 facility earlier than 15 calendar days before the first day of
 797 school.

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

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

804 16. A timetable for implementing the charter which
 805 addresses the implementation of each element thereof and the
 806 date by which the charter shall be awarded in order to meet this
 807 timetable.

808 17. In the case of an existing public school that is being
 809 converted to charter status, alternative arrangements for
 810 current students who choose not to attend the charter school and

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811 for current teachers who choose not to teach in the charter
 812 school after conversion in accordance with the existing
 813 collective bargaining agreement or district school board rule in
 814 the absence of a collective bargaining agreement. However,
 815 alternative arrangements shall not be required for current
 816 teachers who choose not to teach in a charter lab school, except
 817 as authorized by the employment policies of the state university
 818 which grants the charter to the lab school.

819 18. Full disclosure of the identity of all relatives
 820 employed by the charter school who are related to the charter
 821 school owner, president, chairperson of the governing board of
 822 directors, superintendent, governing board member, principal,
 823 assistant principal, or any other person employed by the charter
 824 school who has equivalent decisionmaking authority. For the
 825 purpose of this subparagraph, the term "relative" means father,
 826 mother, son, daughter, brother, sister, uncle, aunt, first
 827 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
 828 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
 829 stepfather, stepmother, stepson, stepdaughter, stepbrother,
 830 stepsister, half brother, or half sister.

831 19. Implementation of the activities authorized under s.
 832 1002.331 by the charter school when it satisfies the eligibility
 833 requirements for a high-performing charter school. A high-
 834 performing charter school shall notify its sponsor in writing by
 835 March 1 if it intends to increase enrollment or expand grade
 836 levels the following school year. The written notice shall
 837 specify the amount of the enrollment increase and the grade

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838 levels that will be added, as applicable.

839 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
840 A-MUNICIPALITY.—

841 (b) A charter school-in-the-workplace may be established
842 when a business partner provides the school facility to be used;
843 enrolls students based upon a random lottery that involves all
844 of the children of employees of that business or corporation who
845 are seeking enrollment, as provided for in subsection (10); and
846 enrolls students according to the racial/ethnic balance
847 provisions described in subparagraph (7) (a)8. ~~Any portion of a~~
848 ~~facility used for a public charter school shall be exempt from~~
849 ~~ad valorem taxes, as provided for in s. 1013.54, for the~~
850 ~~duration of its use as a public school.~~

851 (c) A charter school-in-a-municipality designation may be
852 granted to a municipality that possesses a charter; enrolls
853 students based upon a random lottery that involves all of the
854 children of the residents of that municipality who are seeking
855 enrollment, as provided for in subsection (10); and enrolls
856 students according to the racial/ethnic balance provisions
857 described in subparagraph (7) (a)8. When a municipality has
858 submitted charter applications for the establishment of a
859 charter school feeder pattern, consisting of elementary, middle,
860 and senior high schools, and each individual charter application
861 is approved by the district school board, such schools shall
862 then be designated as one charter school for all purposes listed
863 pursuant to this section. ~~Any portion of the land and facility~~
864 ~~used for a public charter school shall be exempt from ad valorem~~

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865 ~~taxes, as provided for in s. 1013.54, for the duration of its~~
 866 ~~use as a public school.~~

867 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
 868 SCHOOL SYSTEMS.—A charter school system's governing board ~~system~~
 869 shall be designated a local educational agency for the purpose
 870 of receiving federal funds, the same as though the charter
 871 school system were a school district, if the governing board of
 872 the charter school system has adopted and filed a resolution
 873 with its sponsoring district school board and the Department of
 874 Education in which the governing board of the charter school
 875 system accepts the full responsibility for all local education
 876 agency requirements and the charter school system meets all of
 877 the following:

- 878 (a) Includes both conversion charter schools and
- 879 nonconversion charter schools;
- 880 (b) Has all schools located in the same county;
- 881 (c) Has a total enrollment exceeding the total enrollment
- 882 of at least one school district in the state;
- 883 (d) Has the same governing board; and
- 884 (e) Does not contract with a for-profit service provider
- 885 for management of school operations.

886
 887 Such designation does not apply to other provisions unless
 888 specifically provided in law.

889 Section 27. Paragraph (g) of subsection (4) and paragraph
 890 (d) of subsection (6) of section 1002.34, Florida Statutes, are
 891 amended to read:

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892 1002.34 Charter technical career centers.—
 893 (4) CHARTER.—A sponsor may designate centers as provided
 894 in this section. An application to establish a center may be
 895 submitted by a sponsor or another organization that is
 896 determined, by rule of the State Board of Education, to be
 897 appropriate. However, an independent school is not eligible for
 898 status as a center. The charter must be signed by the governing
 899 body of the center and the sponsor and must be approved by the
 900 district school board and Florida College System institution
 901 board of trustees in whose geographic region the facility is
 902 located. If a charter technical career center is established by
 903 the conversion to charter status of a public technical center
 904 formerly governed by a district school board, the charter status
 905 of that center takes precedence in any question of governance.
 906 The governance of the center or of any program within the center
 907 remains with its board of directors unless the board agrees to a
 908 change in governance or its charter is revoked as provided in
 909 subsection (15). Such a conversion charter technical career
 910 center is not affected by a change in the governance of public
 911 technical centers or of programs within other centers that are
 912 or have been governed by district school boards. A charter
 913 technical career center, or any program within such a center,
 914 that was governed by a district school board and transferred to
 915 a Florida College System institution prior to the effective date
 916 of this act is not affected by this provision. An applicant who
 917 wishes to establish a center must submit to the district school
 918 board or Florida College System institution board of trustees,

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919 or a consortium of one or more of each, an application on a form
 920 developed by the Department of Education which includes:

921 (g) A method for determining whether a student has
 922 satisfied the requirements for graduation specified in s.
 923 1002.3105(5), s. 1003.4281, or s. 1003.4282 ~~1003.428 or s.~~
 924 ~~1003.429~~ and for completion of a postsecondary certificate or
 925 degree.

926
 927 Students at a center must meet the same testing and academic
 928 performance standards as those established by law and rule for
 929 students at public schools and public technical centers. The
 930 students must also meet any additional assessment indicators
 931 that are included within the charter approved by the district
 932 school board or Florida College System institution board of
 933 trustees.

934 (6) SPONSOR.—A district school board or Florida College
 935 System institution board of trustees or a consortium of one or
 936 more of each may sponsor a center in the county in which the
 937 board has jurisdiction.

938 (d)1. The Department of Education shall offer or arrange
 939 for training and technical assistance to centers which must
 940 include applicants in developing and amending business plans,
 941 ~~and~~ estimating and accounting for costs and income, complying
 942 with state and federal grant and student performance
 943 accountability reporting requirements, implementing good
 944 business practices. ~~This assistance shall address estimating~~
 945 ~~startup costs, projecting enrollment, and identifying the types~~

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946 ~~and amounts of~~ state and federal financial aid ~~assistance~~ the
 947 center may be eligible to receive. ~~The training shall include~~
 948 ~~instruction in accurate financial planning and good business~~
 949 ~~practices.~~

950 2. An applicant must participate in the training provided
 951 by the department after approval of its ~~of Education~~ before
 952 ~~filing an~~ application but at least 30 days before the first day
 953 of classes at the center. The department ~~of Education~~ may
 954 provide technical assistance to an applicant upon written
 955 request.

956 Section 28. Paragraphs (a) and (b) of subsection (1) of
 957 section 1002.345, Florida Statutes, are amended to read:

958 1002.345 Determination of deteriorating financial
 959 conditions and financial emergencies for charter schools and
 960 charter technical career centers.—This section applies to
 961 charter schools operating pursuant to s. 1002.33 and to charter
 962 technical career centers operating pursuant to s. 1002.34.

963 (1) EXPEDITED REVIEW; REQUIREMENTS.—

964 (a) A charter school or a charter technical career center
 965 is subject to an expedited review by the sponsor if one of the
 966 following occurs:

- 967 1. Failure to provide for an audit required by s. 218.39.
- 968 2. Failure to comply with reporting requirements pursuant
 969 to s. 1002.33(9) or s. 1002.34(11)(f) or (14).

970 3. A deteriorating financial condition identified through
 971 an annual audit pursuant to s. 218.39(5) or a ~~monthly~~ financial
 972 statement pursuant to s. 1002.33(9)(g) or s. 1002.34(11)(f).

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973 "Deteriorating financial condition" means a circumstance that
 974 significantly impairs the ability of a charter school or a
 975 charter technical career center to generate enough revenues to
 976 meet its expenditures without causing the occurrence of a
 977 condition described in s. 218.503(1).

978 4. Notification pursuant to s. 218.503(2) that one or more
 979 of the conditions specified in s. 218.503(1) have occurred or
 980 will occur if action is not taken to assist the charter school
 981 or charter technical career center.

982 (b) A sponsor shall notify the governing board and the
 983 Commissioner of Education within 7 business days after one or
 984 more of the conditions specified in paragraph (a) occur.

985 Section 29. Paragraph (a) of subsection (2) of section
 986 1002.39, Florida Statutes, is amended to read:

987 1002.39 The John M. McKay Scholarships for Students with
 988 Disabilities Program.—There is established a program that is
 989 separate and distinct from the Opportunity Scholarship Program
 990 and is named the John M. McKay Scholarships for Students with
 991 Disabilities Program.

992 (2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.—The parent of a
 993 student with a disability may request and receive from the state
 994 a John M. McKay Scholarship for the child to enroll in and
 995 attend a private school in accordance with this section if:

996 (a) The student has:

997 1. Received specialized instructional services under the
 998 Voluntary Prekindergarten Education Program pursuant to s.
 999 1002.66 during the previous school year and the student has a

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1000 current individual educational plan developed by the local
 1001 school board in accordance with rules of the State Board of
 1002 Education for the John M. McKay Scholarships for Students with
 1003 Disabilities Program or a 504 accommodation plan has been issued
 1004 under s. 504 of the Rehabilitation Act of 1973; or

1005 2. Spent the prior school year in attendance at a Florida
 1006 public school or the Florida School for the Deaf and the Blind.
 1007 For purposes of this subparagraph, prior school year in
 1008 attendance means that the student was enrolled and reported by:

1009 a. A school district for funding during the preceding
 1010 October and February Florida Education Finance Program surveys
 1011 in kindergarten through grade 12, which includes time spent in a
 1012 Department of Juvenile Justice commitment program if funded
 1013 under the Florida Education Finance Program;

1014 b. The Florida School for the Deaf and the Blind during
 1015 the preceding October and February student membership surveys in
 1016 kindergarten through grade 12; or

1017 c. A school district for funding during the preceding
 1018 October and February Florida Education Finance Program surveys,
 1019 was at least 4 years of age when so enrolled and reported, and
 1020 was eligible for services under s. 1003.21(1) ~~1003.21(1)(e); or~~

1021 ~~3. Been enrolled and reported by a school district for~~
 1022 ~~funding, during the October and February Florida Education~~
 1023 ~~Finance Program surveys, in any of the 5 years prior to the~~
 1024 ~~2010-2011 fiscal year; has a current individualized educational~~
 1025 ~~plan developed by the district school board in accordance with~~
 1026 ~~rules of the State Board of Education for the John M. McKay~~

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1027 ~~Scholarship Program no later than June 30, 2011; and receives a~~
 1028 ~~first-time John M. McKay scholarship for the 2011-2012 school~~
 1029 ~~year. Upon request of the parent, the local school district~~
 1030 ~~shall complete a matrix of services as required in subparagraph~~
 1031 ~~(5)(b)1. for a student requesting a current individualized~~
 1032 ~~educational plan in accordance with the provisions of this~~
 1033 ~~subparagraph.~~

1034
 1035 However, a dependent child of a member of the United States
 1036 Armed Forces who transfers to a school in this state from out of
 1037 state or from a foreign country due to a parent's permanent
 1038 change of station orders is exempt from this paragraph but must
 1039 meet all other eligibility requirements to participate in the
 1040 program.

1041 Section 30. Subsection (5) of section 1002.41, Florida
 1042 Statutes, is amended to read:

1043 1002.41 Home education programs.—

1044 (5) Home education students may participate in the Bright
 1045 Futures Scholarship Program in accordance with the provisions of
 1046 ss. 1009.53-1009.538 ~~1009.53-1009.539~~.

1047 Section 31. Section 1002.415, Florida Statutes, is
 1048 repealed.

1049 Section 32. Paragraph (b) of subsection (4) and subsection
 1050 (10) of section 1002.45, Florida Statutes, are amended to read:

1051 1002.45 Virtual instruction programs.—

1052 (4) CONTRACT REQUIREMENTS.—Each contract with an approved
 1053 provider must at minimum:

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1054 (b) Provide a method for determining that a student has
 1055 satisfied the requirements for graduation in s. 1002.3105(5), s.
 1056 1003.4281, ~~1003.428~~ or s. 1003.4282 if the contract is for the
 1057 provision of a full-time virtual instruction program to students
 1058 in grades 9 through 12.

1059 (10) MARKETING.—Each school district shall provide
 1060 information to parents and students about the ~~parent's and~~
 1061 student's right to participate in a virtual instruction program
 1062 under this section and in courses offered by the Florida Virtual
 1063 School under s. 1002.37.

1064 Section 33. Paragraph (c) of subsection (2) of section
 1065 1002.455, Florida Statutes, is amended to read:

1066 1002.455 Student eligibility for K-12 virtual
 1067 instruction.—

1068 (2) A student is eligible to participate in virtual
 1069 instruction if:

1070 (c) The student was enrolled during the prior school year
 1071 in a virtual instruction program under s. 1002.45, ~~the K-8~~
 1072 ~~Virtual School Program under s. 1002.415~~, or a full-time Florida
 1073 Virtual School program under s. 1002.37(8)(a);

1074 Section 34. Section 1002.65, Florida Statutes, is
 1075 repealed.

1076 Section 35. Subsection (14) of section 1003.01, Florida
 1077 Statutes, is amended to read:

1078 1003.01 Definitions.—As used in this chapter, the term:

1079 (14) "Core-curricula courses" means:

1080 (a) Courses in language arts/reading, mathematics, social

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1081 studies, and science in prekindergarten through grade 3,
 1082 excluding ~~any~~ extracurricular courses pursuant to subsection
 1083 (15);

1084 (b) Courses in grades 4 through 8 in subjects that are
 1085 measured by state assessment at any grade level and courses
 1086 required for middle school promotion, excluding ~~any~~
 1087 extracurricular courses pursuant to subsection (15);

1088 (c) Courses in grades 9 through 12 in subjects that are
 1089 measured by state assessment at any grade level and courses that
 1090 are specifically identified by name in statute as required for
 1091 high school graduation and that are not measured by state
 1092 assessment, excluding ~~any~~ extracurricular courses pursuant to
 1093 subsection (15);

1094 (d) Exceptional student education courses; and

1095 (e) English for Speakers of Other Languages courses.

1096

1097 The term is limited in meaning and used for the sole purpose of
 1098 designating classes that are subject to the maximum class size
 1099 requirements established in s. 1, Art. IX of the State
 1100 Constitution. This term does not include courses offered under
 1101 ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, ~~1002.415,~~
 1102 1002.45, and 1003.499.

1103 Section 36. Paragraph (d) of subsection (1) of section
 1104 1003.02, Florida Statutes, is amended to read:

1105 1003.02 District school board operation and control of
 1106 public K-12 education within the school district.—As provided in
 1107 part II of chapter 1001, district school boards are

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1108 | constitutionally and statutorily charged with the operation and
 1109 | control of public K-12 education within their school district.
 1110 | The district school boards must establish, organize, and operate
 1111 | their public K-12 schools and educational programs, employees,
 1112 | and facilities. Their responsibilities include staff
 1113 | development, public K-12 school student education including
 1114 | education for exceptional students and students in juvenile
 1115 | justice programs, special programs, adult education programs,
 1116 | and career education programs. Additionally, district school
 1117 | boards must:

1118 | (1) Provide for the proper accounting for all students of
 1119 | school age, for the attendance and control of students at
 1120 | school, and for proper attention to health, safety, and other
 1121 | matters relating to the welfare of students in the following
 1122 | fields:

1123 | (d) Courses of study and instructional materials.—

1124 | 1. Provide adequate instructional materials for all
 1125 | students as follows and in accordance with the requirements of
 1126 | chapter 1006, in the core courses of mathematics, language arts,
 1127 | social studies, science, reading, and literature, except for
 1128 | instruction for which the school advisory council approves the
 1129 | use of a program that does not include a textbook as a major
 1130 | tool of instruction.

1131 | 2. Adopt courses of study for use in the schools of the
 1132 | district.

1133 | 3. Provide for proper requisitioning, distribution,
 1134 | accounting, storage, care, and use of all instructional

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1135 materials as may be needed, and ensure that instructional
 1136 materials used in the district are consistent with the district
 1137 goals and objectives and the course descriptions ~~curriculum~~
 1138 ~~frameworks~~ approved by the State Board of Education, as well as
 1139 with the state and school district performance standards
 1140 required by law and state board rule.

1141 Section 37. Paragraph (c) of subsection (3) and subsection
 1142 (6) of section 1003.03, Florida Statutes, are amended to read:

1143 1003.03 Maximum class size.—

1144 (3) IMPLEMENTATION OPTIONS.—District school boards must
 1145 consider, but are not limited to, implementing the following
 1146 items in order to meet the constitutional class size maximums
 1147 described in subsection (1):

1148 (c)1. Repeal district school board policies that require
 1149 students to earn more than the 24 credits ~~required under s.~~
 1150 ~~1003.428~~ to graduate from high school.

1151 2. Implement the early graduation options ~~option~~ provided
 1152 in ss. 1002.3105(5) and s. 1003.4281.

1153 (6) COURSES FOR COMPLIANCE.—Consistent with s. ~~the~~
 1154 ~~provisions in ss.~~ 1003.01(14) and ~~1003.428~~, the Department of
 1155 Education shall identify from the Course Code Directory the
 1156 core-curricula courses for the purpose of satisfying the maximum
 1157 class size requirement in this section. The department may adopt
 1158 rules to implement this subsection, if necessary.

1159 Section 38. Subsection (3) of section 1003.41, Florida
 1160 Statutes, is amended to read:

1161 1003.41 Next Generation Sunshine State Standards.—

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1162 (3) The Commissioner of Education, as needed, shall
 1163 develop and submit proposed revisions to the standards for
 1164 review and comment by Florida educators, school administrators,
 1165 representatives of the Florida College System institutions and
 1166 state universities who have expertise in the content knowledge
 1167 and skills necessary to prepare a student for postsecondary
 1168 education and careers, business and industry leaders, and the
 1169 public. The commissioner, after considering reviews and
 1170 comments, shall submit the proposed revisions to the State Board
 1171 of Education for adoption. ~~In addition, the commissioner shall~~
 1172 ~~prepare an analysis of the costs associated with implementing a~~
 1173 ~~separate, one-half credit course in financial literacy,~~
 1174 ~~including estimated costs for instructional personnel, training,~~
 1175 ~~and the development or purchase of instructional materials. The~~
 1176 ~~commissioner shall work with one or more nonprofit organizations~~
 1177 ~~with proven expertise in the area of personal finance, consider~~
 1178 ~~free resources that can be utilized for instructional materials,~~
 1179 ~~and provide data on the implementation of such a course in other~~
 1180 ~~states. The commissioner shall provide the cost analysis to the~~
 1181 ~~President of the Senate and the Speaker of the House of~~
 1182 ~~Representatives by October 1, 2013.~~

1183 Section 39. Paragraphs (b) and (c) of subsection (1) and
 1184 subsections (2) and (3) of section 1003.4156, Florida Statutes,
 1185 are amended to read:

1186 1003.4156 General requirements for middle grades
 1187 promotion.—

1188 (1) In order for a student to be promoted to high school

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1189 from a school that includes middle grades 6, 7, and 8, the
 1190 student must successfully complete the following courses:

1191 (b) Three middle grades or higher courses in mathematics.
 1192 Each school that includes middle grades must offer at least one
 1193 high school level mathematics course for which students may earn
 1194 high school credit. Successful completion of a high school level
 1195 Algebra I or Geometry course is not contingent upon the
 1196 student's performance on the statewide, standardized end-of-
 1197 course (EOC) assessment ~~or, upon transition to common core~~
 1198 ~~assessments, the common core Algebra I or geometry assessments~~
 1199 ~~required under s. 1008.22. However, beginning with the 2011-2012~~
 1200 ~~school year,~~ To earn high school credit for Algebra I, a middle
 1201 grades student must take the statewide, standardized Algebra I
 1202 EOC assessment and pass the course, and in addition, beginning
 1203 with the 2013-2014 school year and thereafter, a student's
 1204 performance on the Algebra I EOC assessment constitutes 30
 1205 percent of the student's final course grade. ~~pass the Algebra I~~
 1206 ~~statewide, standardized assessment, and beginning with the 2012-~~
 1207 ~~2013 school year,~~ To earn high school credit for a Geometry
 1208 course, a middle grades student must take the statewide,
 1209 standardized Geometry EOC assessment, which constitutes 30
 1210 percent of the student's final course grade, and earn a passing
 1211 grade in the course.

1212 (c) Three middle grades or higher courses in social
 1213 studies. Beginning with students entering grade 6 in the 2012-
 1214 2013 school year, one of these courses must be at least a one-
 1215 semester civics education course that includes the roles and

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1216 responsibilities of federal, state, and local governments; the
 1217 structures and functions of the legislative, executive, and
 1218 judicial branches of government; and the meaning and
 1219 significance of historic documents, such as the Articles of
 1220 Confederation, the Declaration of Independence, and the
 1221 Constitution of the United States. Beginning with the 2013-2014
 1222 school year, each student's performance on the statewide,
 1223 standardized EOC assessment in civics education required under
 1224 s. 1008.22 constitutes 30 percent of the student's final course
 1225 grade. A middle grades student who transfers into the state's
 1226 public school system from out of country, out of state, a
 1227 private school, or a home education program after the beginning
 1228 of the second term of grade 8 is not required to meet the civics
 1229 education requirement for promotion from the middle grades if
 1230 the student's transcript documents passage of three courses in
 1231 social studies or two year-long courses in social studies that
 1232 include coverage of civics education.

1233
 1234 Each school must inform parents about the course curriculum and
 1235 activities. Each student shall complete a personal education
 1236 plan that must be signed by the student and the student's
 1237 parent. The Department of Education shall develop course
 1238 frameworks and professional development materials for the career
 1239 and education planning course. The course may be implemented as
 1240 a stand-alone course or integrated into another course or
 1241 courses. The Commissioner of Education shall collect
 1242 longitudinal high school course enrollment data by student

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1243 ethnicity in order to analyze course-taking patterns.

1244 (2) If a middle grades student scores Level 1 or Level 2
 1245 on the statewide, standardized FCAT Reading assessment or, when
 1246 implemented, the state transitions to common core assessments on
 1247 the English Language Arts (ELA) assessment ~~assessments required~~
 1248 ~~under s. 1008.22~~, the following year the student must enroll in
 1249 and complete a remedial course or a content area course in which
 1250 remediation strategies are incorporated into course content
 1251 delivery. The department shall provide guidance on appropriate
 1252 strategies for diagnosing and meeting the varying instructional
 1253 needs of students performing below grade level.

1254 (3) If a middle grades student scores Level 1 or Level 2
 1255 on the statewide, standardized FCAT Mathematics assessment ~~or,~~
 1256 ~~when the state transitions to common core assessments, on the~~
 1257 ~~mathematics common core assessments required under s. 1008.22,~~
 1258 the following year the student must receive remediation, which
 1259 may be integrated into the student's required mathematics
 1260 courses.

1261 Section 40. Section 1003.428, Florida Statutes, is
 1262 repealed.

1263 Section 41. Subsection (1) of section 1003.4281, Florida
 1264 Statutes, is amended to read:

1265 1003.4281 Early high school graduation.—

1266 (1) The purpose of this section is to provide a student
 1267 the option of early graduation and receipt of a standard high
 1268 school diploma if the student earns 24 credits and meets the
 1269 graduation requirements set forth in ~~s. 1003.428 or s.~~

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1270 1003.4282, ~~as applicable~~. For purposes of this section, the term
 1271 "early graduation" means graduation from high school in less
 1272 than 8 semesters or the equivalent.

1273 Section 42. Paragraphs (a), (b), (c), and (f) of
 1274 subsection (3), subsections (5), (7), and (8), and paragraphs
 1275 (a) and (c) of subsection (9) of section 1003.4282, Florida
 1276 Statutes, are amended, subsection (10) is renumbered as
 1277 subsection (11), and a new subsection (10) is added to that
 1278 section, to read:

1279 1003.4282 Requirements for a standard high school
 1280 diploma.—

1281 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
 1282 REQUIREMENTS.—

1283 (a) Four credits in English Language Arts (ELA).—The four
 1284 credits must be in ELA I, II, III, and IV. A student must pass
 1285 the statewide, standardized 10th grade 10 FCAT Reading
 1286 assessment or, when implemented, the ~~until the state transitions~~
 1287 ~~to a common core 10th grade 10~~ ELA assessment, or earn a
 1288 concordant score, after which time a student must pass the ELA
 1289 ~~assessment~~ in order to earn a standard high school diploma.

1290 (b) Four credits in mathematics.—A student must earn one
 1291 credit in Algebra I and one credit in Geometry. A student's
 1292 performance on the statewide, standardized Algebra I end-of-
 1293 course (EOC) assessment ~~or common core assessment, as~~
 1294 ~~applicable,~~ constitutes 30 percent of the student's final course
 1295 grade. A student must pass the statewide, standardized Algebra I
 1296 EOC assessment, or earn a comparative score, ~~until the state~~

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1297 ~~transitions to a common core Algebra I assessment after which~~
 1298 ~~time a student must pass the common core assessment in order to~~
 1299 ~~earn a standard high school diploma. A student's performance on~~
 1300 ~~the statewide, standardized Geometry EOC assessment ~~or common~~~~
 1301 ~~core assessment, as applicable,~~ constitutes 30 percent of the
 1302 student's final course grade. ~~If~~ When the state administers a
 1303 statewide, standardized common core Algebra II assessment, a
 1304 student selecting Algebra II must take the assessment, and the
 1305 student's performance on the assessment constitutes 30 percent
 1306 of the student's final course grade. A student who earns an
 1307 industry certification for which there is a statewide college
 1308 credit articulation agreement approved by the State Board of
 1309 Education may substitute the certification for one mathematics
 1310 credit. Substitution may occur for up to two mathematics
 1311 credits, except for Algebra I and Geometry. Industry
 1312 ~~certification courses that lead to college credit may substitute~~
 1313 ~~for up to two math credits.~~

1314 (c) Three credits in science.—Two of the three required
 1315 credits must have a laboratory component. A student must earn
 1316 one credit in Biology I and two credits in equally rigorous
 1317 courses. The statewide, standardized Biology I EOC assessment
 1318 constitutes 30 percent of the student's final course grade. A
 1319 student who earns an industry certification for which there is a
 1320 statewide college credit articulation agreement approved by the
 1321 State Board of Education may substitute the certification for
 1322 one science credit, except for Biology I. Industry certification
 1323 ~~courses that lead to college credit may substitute for up to one~~

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1324 ~~science credit.~~
 1325 (f) One credit in physical education.—Physical education
 1326 must include the integration of health. Participation in an
 1327 interscholastic sport at the junior varsity or varsity level for
 1328 two full seasons shall satisfy the one-credit requirement in
 1329 physical education if the student passes a competency test on
 1330 personal fitness with a score of "C" or better. The competency
 1331 test on personal fitness developed by the Department of
 1332 Education must be used. A district school board may not require
 1333 that the one credit in physical education be taken during the
 1334 9th grade year. Completion of one semester with a grade of "C"
 1335 or better in a marching band class, in a physical activity class
 1336 that requires participation in marching band activities as an
 1337 extracurricular activity, or in a dance class shall satisfy one-
 1338 half credit in physical education or one-half credit in
 1339 performing arts. This credit may not be used to satisfy the
 1340 personal fitness requirement or the requirement for adaptive
 1341 physical education under an individual education plan (IEP) or
 1342 504 plan. Completion of 2 years in a Reserve Officer Training
 1343 Corps (R.O.T.C.) class, a significant component of which is
 1344 drills, shall satisfy the one-credit requirement in physical
 1345 education and the one-credit requirement in performing arts.
 1346 This credit may not be used to satisfy the personal fitness
 1347 requirement or the requirement for adaptive physical education
 1348 under an IEP or 504 plan. ~~This requirement is subject to all of~~
 1349 ~~the provisions in s. 1003.428(2)(a)6.~~

1350 (5) REMEDIATION FOR HIGH SCHOOL STUDENTS.—

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1351 (a) Each year a student scores Level 1 or Level 2 on the
 1352 statewide, standardized 9th grade 9 or 10th grade 10 FCAT
 1353 Reading assessment or, when implemented, the 9th grade 9, 10th
 1354 grade 10, or 11th grade 11 ELA assessment ~~common core English~~
 1355 ~~Language Arts (ELA) assessments~~, the student must be enrolled in
 1356 and complete an intensive remedial course the following year or
 1357 be placed in a content area course that includes remediation of
 1358 skills not acquired by the student.

1359 (b) Each year a student scores Level 1 or Level 2 on the
 1360 statewide, standardized Algebra I EOC assessment, ~~or upon~~
 1361 ~~transition to the common core Algebra I assessment~~, the student
 1362 must be enrolled in and complete an intensive remedial course
 1363 the following year or be placed in a content area course that
 1364 includes remediation of skills not acquired by the student.

1365 (7) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—

1366 (a) A student who earns a cumulative grade point average
 1367 (GPA) of 2.0 on a 4.0 scale and meets the requirements of this
 1368 section or s. 1002.3105(5) shall be awarded a standard high
 1369 school diploma in a form prescribed by the State Board of
 1370 Education.

1371 (b) An adult student in an adult general education program
 1372 as provided under s. 1004.93 shall be awarded a standard high
 1373 school diploma if the student meets the requirements of this
 1374 section or s. 1002.3105(5), except that:

1375 1. One elective credit may be substituted for the one-
 1376 credit requirement in fine or performing arts, speech and
 1377 debate, or practical arts.

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1378 2. The requirement that two of the science credits include
 1379 a laboratory component may be waived by the district school
 1380 board.

1381 3. The one credit in physical education may be substituted
 1382 with an elective credit. Notwithstanding any other law to the
 1383 contrary, all students enrolled in high school as of the 2012-
 1384 2013 school year who earned a passing grade in Biology I or
 1385 geometry before the 2013-2014 school year shall be awarded a
 1386 credit in that course if the student passed the course. The
 1387 student's performance on the EOC assessment is not required to
 1388 constitute 30 percent of the student's final course grade.

1389 (c) A student who earns fails to earn the required 24
 1390 credits, or the required 18 credits under s. 1002.3105(5), but
 1391 fails to pass the assessments required under s. 1008.22(3) or
 1392 achieve a 2.0 GPA shall be awarded a certificate of completion
 1393 in a form prescribed by the State Board of Education.

1394 (8) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning
 1395 with the 2012-2013 school year, if a student transfers to a
 1396 Florida public high school from out of country, out of state, a
 1397 private school, or a home education program and the student's
 1398 transcript shows a ~~mathematics~~ credit in Algebra I ~~a course that~~
 1399 ~~requires passage of a statewide, standardized assessment in~~
 1400 ~~order to earn a standard high school diploma, the student must~~
 1401 ~~pass the~~ statewide, standardized Algebra I EOC assessment in
 1402 order to earn a standard high school diploma unless the student
 1403 ~~earned a comparative score pursuant to s. 1008.22, passed a~~
 1404 ~~statewide assessment in~~ Algebra I ~~that subject~~ administered by

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1405 the transferring entity, or passed the statewide mathematics
 1406 assessment the transferring entity uses to satisfy the
 1407 requirements of the Elementary and Secondary Education Act, 20
 1408 U.S.C. s. 6301. If a student's transcript shows a credit in high
 1409 school reading or English Language Arts II or III, in order to
 1410 earn a standard high school diploma, the student must take and
 1411 pass the statewide, standardized grade 10 ~~FCAT~~ Reading
 1412 assessment or, when implemented, the grade 10 ELA assessment, or
 1413 earn a concordant score ~~on the SAT or ACT as specified by state~~
 1414 ~~board rule or, when the state transitions to common core English~~
 1415 ~~Language Arts assessments, earn a passing score on the English~~
 1416 ~~Language Arts assessment as required under this section. If a~~
 1417 transfer student's transcript shows a final course grade and
 1418 course credit in Algebra I, Geometry, Biology I, or United
 1419 States History, the transferring course final grade and credit
 1420 shall be honored without the student taking the requisite
 1421 statewide, standardized EOC assessment and without the
 1422 assessment results constituting 30 percent of the student's
 1423 final course grade.

1424 (9) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL
 1425 CREDIT REQUIREMENTS.—

1426 (a) Participation in career education courses engages
 1427 students in their high school education, increases academic
 1428 achievement, enhances employability, and increases postsecondary
 1429 success. By July 1, 2014, the department shall develop, for
 1430 approval by the State Board of Education, multiple, additional
 1431 career education courses or a series of courses that meet the

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1432 requirements set forth in s. 1003.493(2), (4), and (5) and this
 1433 subsection and allow students to earn credit in both the career
 1434 education course and courses required for high school graduation
 1435 under this section and s. ~~ss. 1003.428 and~~ 1003.4281.

1436 1. The state board must determine if sufficient academic
 1437 standards are covered to warrant the award of academic credit.

1438 2. Career education courses must include workforce and
 1439 digital literacy skills and the integration of required course
 1440 content with practical applications and designated rigorous
 1441 coursework that results in one or more industry certifications
 1442 or clearly articulated credit or advanced standing in a 2-year
 1443 or 4-year certificate or degree program, which may include high
 1444 school junior and senior year work-related internships or
 1445 apprenticeships. The department shall negotiate state licenses
 1446 for material and testing for industry certifications. The
 1447 instructional methodology used in these courses must be
 1448 comprised of authentic projects, problems, and activities for
 1449 contextually learning the academics.

1450 (c) Regional consortium service organizations established
 1451 pursuant to s. 1001.451 shall work with school districts, local
 1452 workforce boards, postsecondary institutions, and local business
 1453 and industry leaders to create career education courses that
 1454 meet the requirements set forth in s. 1003.493(2), (4), and (5)
 1455 and this subsection that students can take to earn required high
 1456 school course credits. The regional consortium shall submit
 1457 course recommendations to the department, on behalf of the
 1458 consortium member districts, for state board approval. A strong

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1459 emphasis should be placed on online coursework, digital
 1460 literacy, and workforce literacy as defined in s. 1004.02(26)
 1461 ~~1004.02(27)~~. For purposes of providing students the opportunity
 1462 to earn industry certifications, consortiums must secure the
 1463 necessary site licenses and testing contracts for use by member
 1464 districts.

1465 (10) COHORT TRANSITION TO NEW GRADUATION REQUIREMENTS.—The
 1466 requirements of this section, in addition to applying to
 1467 students entering grade 9 in the 2013-2014 school year and
 1468 thereafter, shall also apply to students entering grade 9 before
 1469 the 2013-2014 school year, except as otherwise provided in this
 1470 subsection.

1471 (a) A student entering grade 9 before the 2010-2011 school
 1472 year must earn:

1473 1. Four credits in English/ELA. A student must pass the
 1474 statewide, standardized grade 10 Reading assessment, or earn a
 1475 concordant score, in order to graduate with a standard high
 1476 school diploma.

1477 2. Four credits in mathematics, which must include Algebra
 1478 I. A student must pass grade 10 FCAT Mathematics, or earn a
 1479 concordant score, in order to graduate with a standard high
 1480 school diploma. A student who takes Algebra I or Geometry after
 1481 the 2010-2011 school year must take the statewide, standardized
 1482 EOC assessment for the course but is not required to pass the
 1483 assessment in order to earn course credit. A student's
 1484 performance on the Algebra I or Geometry EOC assessment is not
 1485 required to constitute 30 percent of the student's final course

1486 grade. A student who earns an industry certification for which
 1487 there is a statewide college credit articulation agreement
 1488 approved by the State Board of Education may substitute the
 1489 certification for one mathematics credit. Substitution may occur
 1490 for up to two mathematics credits, except for Algebra I.

1491 3. Three credits in science, two of which must have a
 1492 laboratory component. A student who takes Biology I after the
 1493 2010-2011 school year must take the statewide, standardized
 1494 Biology I EOC assessment but is not required to pass the
 1495 assessment in order to earn course credit. A student's
 1496 performance on the assessment is not required to constitute 30
 1497 percent of the student's final course grade. A student who earns
 1498 an industry certification for which there is a statewide college
 1499 credit articulation agreement approved by the State Board of
 1500 Education may substitute the certification for one science
 1501 credit.

1502 4. Three credits in social studies of which one credit in
 1503 World History, one credit in United States History, one-half
 1504 credit in United States Government, and one-half credit in
 1505 economics is required. A student who takes United States History
 1506 after the 2011-2012 school year must take the statewide,
 1507 standardized United States History EOC assessment but the
 1508 student's performance on the assessment is not required to
 1509 constitute 30 percent of the student's final course grade.

1510 5. One credit in fine or performing arts, speech and
 1511 debate, or practical arts as provided in paragraph (3) (e).

1512 6. One credit in physical education as provided in

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1513 paragraph (3)(f).

1514 7. Eight credits in electives.

1515 (b) A student entering grade 9 in the 2010-2011 school
 1516 year must earn:

1517 1. Four credits in English/ELA. A student must pass the
 1518 statewide, standardized grade 10 Reading assessment, or earn a
 1519 concordant score, in order to graduate with a standard high
 1520 school diploma.

1521 2. Four credits in mathematics, which must include Algebra
 1522 I and Geometry. The statewide, standardized Algebra I EOC
 1523 assessment constitutes 30 percent of the student's final course
 1524 grade. A student who takes Algebra I or Geometry after the 2010-
 1525 2011 school year must take the statewide, standardized EOC
 1526 assessment for the course but is not required to pass the
 1527 assessment in order to earn course credit. A student's
 1528 performance on the Geometry EOC assessment is not required to
 1529 constitute 30 percent of the student's final course grade. A
 1530 student who earns an industry certification for which there is a
 1531 statewide college credit articulation agreement approved by the
 1532 State Board of Education may substitute the certification for
 1533 one mathematics credit. Substitution may occur for up to two
 1534 mathematics credits, except for Algebra I and Geometry.

1535 3. Three credits in science, two of which must have a
 1536 laboratory component. A student who takes Biology I after the
 1537 2010-2011 school year must take the statewide, standardized
 1538 Biology I EOC assessment but is not required to pass the
 1539 assessment in order to earn course credit. A student's

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1540 performance on the assessment is not required to constitute 30
 1541 percent of the student's final course grade. A student who earns
 1542 an industry certification for which there is a statewide college
 1543 credit articulation agreement approved by the State Board of
 1544 Education may substitute the certification for one science
 1545 credit, except for Biology I.

1546 4. Three credits in social studies of which one credit in
 1547 World History, one credit in United States History, one-half
 1548 credit in United States Government, and one-half credit in
 1549 economics is required. A student who takes United States History
 1550 after the 2011-2012 school year must take the statewide,
 1551 standardized United States History EOC assessment but the
 1552 student's performance on the assessment is not required to
 1553 constitute 30 percent of the student's final course grade.

1554 5. One credit in fine or performing arts, speech and
 1555 debate, or practical arts as provided in paragraph (3) (e).

1556 6. One credit in physical education as provided in
 1557 paragraph (3) (f).

1558 7. Eight credits in electives.

1559 (c) A student entering grade 9 in the 2011-2012 school
 1560 year must earn:

1561 1. Four credits in English/ELA. A student must pass the
 1562 statewide, standardized grade 10 Reading assessment, or earn a
 1563 concordant score, in order to graduate with a standard high
 1564 school diploma.

1565 2. Four credits in mathematics, which must include Algebra
 1566 I and Geometry. A student who takes Algebra I after the 2010-

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1567 2011 school year must pass the statewide, standardized Algebra I
 1568 EOC assessment, or earn a comparative score, in order to earn a
 1569 standard high school diploma. A student who takes Algebra I or
 1570 Geometry after the 2010-2011 school year must take the
 1571 statewide, standardized EOC assessment but is not required to
 1572 pass the Algebra I or Geometry EOC assessment in order to earn
 1573 course credit. A student's performance on the Algebra I or
 1574 Geometry EOC assessment is not required to constitute 30 percent
 1575 of the student's final course grade. A student who earns an
 1576 industry certification for which there is a statewide college
 1577 credit articulation agreement approved by the State Board of
 1578 Education may substitute the certification for one mathematics
 1579 credit. Substitution may occur for up to two mathematics
 1580 credits, except for Algebra I and Geometry.

1581 3. Three credits in science, two of which must have a
 1582 laboratory component. One of the science credits must be Biology
 1583 I. A student who takes Biology I after the 2010-2011 school year
 1584 must take the statewide, standardized Biology I EOC assessment
 1585 but is not required to pass the assessment in order to earn
 1586 course credit. A student's performance on the assessment is not
 1587 required to constitute 30 percent of the student's final course
 1588 grade. A student who earns an industry certification for which
 1589 there is a statewide college credit articulation agreement
 1590 approved by the State Board of Education may substitute the
 1591 certification for one science credit, except for Biology I.

1592 4. Three credits in social studies of which one credit in
 1593 World History, one credit in United States History, one-half

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1594 credit in United States Government, and one-half credit in
 1595 economics is required. A student who takes United States History
 1596 after the 2011-2012 school year student must take the statewide,
 1597 standardized United States History EOC assessment but the
 1598 student's performance on the assessment is not required to
 1599 constitute 30 percent of the student's final course grade.

1600 5. One credit in fine or performing arts, speech and
 1601 debate, or practical arts as provided in paragraph (3)(e).

1602 6. One credit in physical education as provided in
 1603 paragraph (3)(f).

1604 7. Eight credits in electives.

1605 8. One online course as provided in subsection (4).

1606 (d) A student entering grade 9 in the 2012-2013 school
 1607 year must earn:

1608 1. Four credits in English/ELA. A student must pass the
 1609 statewide, standardized grade 10 Reading assessment, or earn a
 1610 concordant score, in order to graduate with a standard high
 1611 school diploma.

1612 2. Four credits in mathematics, which must include Algebra
 1613 I and Geometry. A student who takes Algebra I after the 2010-
 1614 2011 school year must pass the statewide, standardized Algebra I
 1615 EOC assessment, or earn a comparative score, in order to earn a
 1616 standard high school diploma. A student who takes Geometry after
 1617 the 2010-2011 school year must take the statewide, standardized
 1618 Geometry EOC assessment. A student is not required to pass the
 1619 statewide, standardized EOC assessment in Algebra I or Geometry
 1620 in order to earn course credit. A student's performance on the

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1621 Algebra I or Geometry EOC assessment is not required to
 1622 constitute 30 percent of the student's final course grade. A
 1623 student who earns an industry certification for which there is a
 1624 statewide college credit articulation agreement approved by the
 1625 State Board of Education may substitute the certification for
 1626 one mathematics credit. Substitution may occur for up to two
 1627 mathematics credits, except for Algebra I and Geometry.

1628 3. Three credits in science, two of which must have a
 1629 laboratory component. One of the science credits must be Biology
 1630 I. A student who takes Biology I after the 2010-2011 school year
 1631 must take the statewide, standardized Biology I EOC assessment
 1632 but is not required to pass the assessment to earn course
 1633 credit. A student's performance on the assessment is not
 1634 required to constitute 30 percent of the student's final course
 1635 grade. A student who earns an industry certification for which
 1636 there is a statewide college credit articulation agreement
 1637 approved by the State Board of Education may substitute the
 1638 certification for one science credit, except for Biology I.

1639 4. Three credits in social studies of which one credit in
 1640 World History, one credit in United States History, one-half
 1641 credit in United States Government, and one-half credit in
 1642 economics is required. The statewide, standardized United States
 1643 History EOC assessment constitutes 30 percent of the student's
 1644 final course grade.

1645 5. One credit in fine or performing arts, speech and
 1646 debate, or practical arts as provided in paragraph (3) (e).

1647 6. One credit in physical education as provided in

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1648 paragraph (3)(f).
 1649 7. Eight credits in electives.
 1650 8. One online course as provided in subsection (4).
 1651 (e) Policy adopted in rule by the district school board
 1652 may require for any cohort of students that performance on a
 1653 statewide, standardized EOC assessment constitute 30 percent of
 1654 a student's final course grade.
 1655 (f) This subsection is repealed July 1, 2017.
 1656 Section 43. Subsection (1) of section 1003.4285, Florida
 1657 Statutes, is amended to read:
 1658 1003.4285 Standard high school diploma designations.—
 1659 (1) Each standard high school diploma shall include, as
 1660 applicable, the following designations if the student meets the
 1661 criteria set forth for the designation:
 1662 (a) Scholar designation.—In addition to the requirements
 1663 of ~~s. ss. 1003.428 and 1003.4282, as applicable,~~ in order to
 1664 earn the Scholar designation, a student must satisfy the
 1665 following requirements:
 1666 1. English Language Arts (ELA).—When implemented ~~the state~~
 1667 ~~transitions to common core assessments,~~ pass the statewide,
 1668 standardized 11th grade 11 ELA ~~common core~~ assessment.
 1669 2. Mathematics.—Earn one credit in Algebra II and one
 1670 credit in statistics or an equally rigorous course. When
 1671 ~~implemented the state transitions to common core assessments,~~
 1672 students must pass the statewide, standardized Algebra II ~~common~~
 1673 ~~core~~ assessment. Beginning with students entering grade 9 in the
 1674 2014-2015 school year, a student must also pass the statewide,

1675 standardized Geometry end-of-course (EOC) assessment.

1676 3. Science.—Pass the statewide, standardized Biology I EOC

1677 end-of-course assessment and earn one credit in chemistry or

1678 physics and one credit in a course equally rigorous to chemistry

1679 or physics. However, a student enrolled in an Advanced Placement

1680 (AP), International Baccalaureate (IB), or Advanced

1681 International Certificate of Education (AICE) Biology course who

1682 takes the respective AP, IB, or AICE Biology assessment and

1683 earns the minimum score necessary to earn college credit as

1684 identified pursuant to s. 1007.27(2) meets the requirement of

1685 this subparagraph without having to take the statewide,

1686 standardized Biology I EOC assessment.

1687 4. Social studies.—Pass the statewide, standardized United

1688 States History EOC end-of-course assessment. However, a student

1689 enrolled in an AP, IB, or AICE course that includes United

1690 States History topics who takes the respective AP, IB, or AICE

1691 assessment and earns the minimum score necessary to earn college

1692 credit as identified pursuant to s. 1007.27(2) meets the

1693 requirement of this subparagraph without having to take the

1694 statewide, standardized United States History EOC assessment.

1695 5. Foreign language.—Earn two credits in the same foreign

1696 language.

1697 6. Electives.—Earn at least one credit in an Advanced

1698 Placement, an International Baccalaureate, an Advanced

1699 International Certificate of Education, or a dual enrollment

1700 course.

1701 (b) Merit designation.—In addition to the requirements of

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1702 s. ss. 1003.428 and 1003.4282, as applicable, in order to earn
 1703 the Merit designation, a student must attain one or more
 1704 industry certifications from the list established under s.
 1705 1003.492.

1706 Section 44. Section 1003.438, Florida Statutes, is amended
 1707 to read:

1708 1003.438 Special high school graduation requirements for
 1709 certain exceptional students.—A student who has been identified,
 1710 in accordance with rules established by the State Board of
 1711 Education, as a student with disabilities who has an
 1712 intellectual disability; an autism spectrum disorder; a language
 1713 impairment; an orthopedic impairment; an other health
 1714 impairment; a traumatic brain injury; an emotional or behavioral
 1715 disability; a specific learning disability, including, but not
 1716 limited to, dyslexia, dyscalculia, or developmental aphasia; or
 1717 students who are deaf or hard of hearing or dual sensory
 1718 impaired shall not be required to meet all requirements of s.
 1719 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s. 1003.4282 and shall,
 1720 upon meeting all applicable requirements prescribed by the
 1721 district school board pursuant to s. 1008.25, be awarded a
 1722 special diploma in a form prescribed by the commissioner;
 1723 however, such special graduation requirements prescribed by the
 1724 district school board must include minimum graduation
 1725 requirements as prescribed by the commissioner. Any such student
 1726 who meets all special requirements of the district school board,
 1727 but is unable to meet the appropriate special state minimum
 1728 requirements, shall be awarded a special certificate of

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1729 completion in a form prescribed by the commissioner. However,
 1730 this section does not limit or restrict the right of an
 1731 exceptional student solely to a special diploma or special
 1732 certificate of completion. Any such student shall, upon proper
 1733 request, be afforded the opportunity to fully meet all
 1734 requirements of s. 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s.
 1735 1003.4282 through the standard procedures established therein
 1736 and thereby to qualify for a standard diploma upon graduation.

1737 Section 45. Subsection (5) of section 1003.451, Florida
 1738 Statutes, is repealed.

1739 Section 46. Subsection (1) of section 1003.49, Florida
 1740 Statutes, is amended to read:

1741 1003.49 Graduation and promotion requirements for publicly
 1742 operated schools.—

1743 (1) Each state or local public agency, including the
 1744 Department of Children and Family Services, the Department of
 1745 Corrections, the boards of trustees of universities and Florida
 1746 College System institutions, and the Board of Trustees of the
 1747 Florida School for the Deaf and the Blind, which agency is
 1748 authorized to operate educational programs for students at any
 1749 level of grades kindergarten through 12, shall be subject to all
 1750 applicable requirements of ss. 1002.3105(5), 1003.4281,
 1751 1003.4282 ~~1003.428~~, ~~1003.429~~, 1008.23, and 1008.25. Within the
 1752 content of these cited statutes each such state or local public
 1753 agency or entity shall be considered a "district school board."

1754 Section 47. Paragraph (e) of subsection (4) of section
 1755 1003.493, Florida Statutes, is amended to read:

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1756 1003.493 Career and professional academies and career-
 1757 themed courses.-

1758 (4) Each career and professional academy and secondary
 1759 school providing a career-themed course must:

1760 (e) Deliver academic content through instruction relevant
 1761 to the career, including intensive reading and mathematics
 1762 intervention required by s. 1003.4282 ~~1003.428~~, with an emphasis
 1763 on strengthening reading for information skills.

1764 Section 48. Paragraph (c) of subsection (2) of section
 1765 1003.4935, Florida Statutes, is amended to read:

1766 1003.4935 Middle grades career and professional academy
 1767 courses and career-themed courses.-

1768 (2) Each middle grades career and professional academy or
 1769 career-themed course must be aligned with at least one high
 1770 school career and professional academy or career-themed course
 1771 offered in the district and maintain partnerships with local
 1772 business and industry and economic development boards. Middle
 1773 grades career and professional academies and career-themed
 1774 courses must:

1775 (c) Integrate career and professional academy or career-
 1776 themed course content with intensive reading, English Language
 1777 Arts, and mathematics pursuant to s. ss. 1003.428 and 1003.4282;

1778 Section 49. Paragraph (a) of subsection (1) of section
 1779 1003.57, Florida Statutes, is amended to read:

1780 1003.57 Exceptional students instruction.-

1781 (1) (a) For purposes of providing exceptional student
 1782 instruction under this section:

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1783 1. A school district shall use the following terms to
 1784 describe the instructional setting for a student with a
 1785 disability, 6 through 21 years of age, who is not educated in a
 1786 setting accessible to all children who are together at all
 1787 times:
 1788 a. "Exceptional student education center" or "special day
 1789 school" means a separate public school to which nondisabled
 1790 peers do not have access.
 1791 b. "Other separate environment" means a separate private
 1792 school, residential facility, or hospital or homebound program.
 1793 c. "Regular class" means a class in which a student spends
 1794 80 percent or more of the school week with nondisabled peers.
 1795 d. "Resource room" means a classroom in which a student
 1796 spends between 40 percent to 80 percent of the school week with
 1797 nondisabled peers.
 1798 e. "Separate class" means a class in which a student
 1799 spends less than 40 percent of the school week with nondisabled
 1800 peers.
 1801 2. A school district shall use the term "inclusion" to
 1802 mean that a student is receiving education in a general
 1803 education regular class setting, reflecting natural proportions
 1804 and age-appropriate heterogeneous groups in core academic and
 1805 elective or special areas within the school community; a student
 1806 with a disability is a valued member of the classroom and school
 1807 community; the teachers and administrators support universal
 1808 education and have knowledge and support available to enable
 1809 them to effectively teach all children; and a teacher ~~student~~ is

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1810 provided access to technical assistance in best practices,
 1811 instructional methods, and supports tailored to the student's
 1812 needs based on current research.

1813 Section 50. Paragraph (a) of subsection (1) of section
 1814 1003.621, Florida Statutes, is amended to read:

1815 1003.621 Academically high-performing school districts.—It
 1816 is the intent of the Legislature to recognize and reward school
 1817 districts that demonstrate the ability to consistently maintain
 1818 or improve their high-performing status. The purpose of this
 1819 section is to provide high-performing school districts with
 1820 flexibility in meeting the specific requirements in statute and
 1821 rules of the State Board of Education.

1822 (1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.—

1823 (a) A school district is an academically high-performing
 1824 school district if it meets the following criteria:

1825 1.a. ~~Beginning with the 2004-2005 school year,~~ Earns a
 1826 grade of "A" under s. 1008.34(7) for 2 consecutive years; and

1827 b. Has no district-operated school that earns a grade of
 1828 "F" under s. 1008.34;

1829 2. Complies with all class size requirements in s. 1, Art.
 1830 IX of the State Constitution and s. 1003.03; and

1831 3. Has no material weaknesses or instances of material
 1832 noncompliance noted in the annual financial audit conducted
 1833 pursuant to s. 11.45 or s. 218.39.

1834

1835 However, a district in which a district-operated school earns a
 1836 grade of "F" under s. 1008.34 during the 3-year period may not

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1837 continue to be designated as an academically high-performing
 1838 school district during the remainder of that 3-year period. The
 1839 district must meet the criteria in paragraph (a) in order to be
 1840 redesignated as an academically high-performing school district.

1841 Section 51. Subsection (4) of section 1004.02, Florida
 1842 Statutes, is repealed.

1843 Section 52. Section 1004.0961, Florida Statutes, is
 1844 amended to read:

1845 1004.0961 Credit for online courses.—Beginning in the
 1846 2015-2016 school year, the State Board of Education shall adopt
 1847 rules and the Board of Governors shall adopt regulations ~~rules~~
 1848 that enable students to earn academic credit for online courses,
 1849 including massive open online courses, before ~~prior to~~ initial
 1850 enrollment at a postsecondary institution. The rules of the
 1851 State Board of Education and regulations ~~rules~~ of the Board of
 1852 Governors must include procedures for credential evaluation and
 1853 the award of credit, including, but not limited to,
 1854 recommendations for credit by the American Council on Education;
 1855 equivalency and alignment of coursework with appropriate
 1856 courses; course descriptions; type and amount of credit that may
 1857 be awarded; and transfer of credit.

1858 Section 53. Section 1004.3825, Florida Statutes, is
 1859 repealed.

1860 Section 54. Section 1004.387, Florida Statutes, is
 1861 repealed.

1862 Section 55. Subsection (2) of section 1004.445, Florida
 1863 Statutes, is repealed.

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1864 Section 56. Section 1004.75, Florida Statutes, is
 1865 repealed.

1866 Section 57. Paragraph (c) of subsection (1) of section
 1867 1004.935, Florida Statutes, is amended to read:

1868 1004.935 Adults with Disabilities Workforce Education
 1869 Pilot Program.—

1870 (1) The Adults with Disabilities Workforce Education Pilot
 1871 Program is established in the Department of Education for 2
 1872 years in Hardee, DeSoto, Manatee, and Sarasota Counties to
 1873 provide the option of receiving a scholarship for instruction at
 1874 private schools for up to 30 students who:

1875 (c) Are receiving instruction from an instructor in a
 1876 private school to meet the high school graduation requirements
 1877 in s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282;

1878
 1879 As used in this section, the term "student with a disability"
 1880 includes a student who is documented as having an intellectual
 1881 disability; a speech impairment; a language impairment; a
 1882 hearing impairment, including deafness; a visual impairment,
 1883 including blindness; a dual sensory impairment; an orthopedic
 1884 impairment; another health impairment; an emotional or
 1885 behavioral disability; a specific learning disability,
 1886 including, but not limited to, dyslexia, dyscalculia, or
 1887 developmental aphasia; a traumatic brain injury; a developmental
 1888 delay; or autism spectrum disorder.

1889 Section 58. Section 1006.141, Florida Statutes, is
 1890 repealed.

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1891 Section 59. Subsections (4), (5), and (8) of section
 1892 1006.147, Florida Statutes, are amended to read:
 1893 1006.147 Bullying and harassment prohibited.—
 1894 (4) ~~By December 1, 2008,~~ Each school district shall adopt
 1895 a policy prohibiting bullying and harassment of a ~~any~~ student or
 1896 employee of a public K-12 educational institution. Each school
 1897 district's policy shall be in substantial conformity with the
 1898 Department of Education's model policy ~~mandated in subsection~~
 1899 ~~(5)~~. The school district bullying and harassment policy shall
 1900 afford all students the same protection regardless of their
 1901 status under the law. The school district may establish separate
 1902 discrimination policies that include categories of students. The
 1903 school district shall involve students, parents, teachers,
 1904 administrators, school staff, school volunteers, community
 1905 representatives, and local law enforcement agencies in the
 1906 process of adopting the policy. The school district policy must
 1907 be implemented in a manner that is ongoing throughout the school
 1908 year and integrated with a school's curriculum, a school's
 1909 discipline policies, and other violence prevention efforts. The
 1910 school district policy must contain, at a minimum, the following
 1911 components:
 1912 (a) A statement prohibiting bullying and harassment.
 1913 (b) A definition of bullying and a definition of
 1914 harassment that include the definitions listed in this section.
 1915 (c) A description of the type of behavior expected from
 1916 each student and employee of a public K-12 educational
 1917 institution.

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1918 (d) The consequences for a student or employee of a public
 1919 K-12 educational institution who commits an act of bullying or
 1920 harassment.

1921 (e) The consequences for a student or employee of a public
 1922 K-12 educational institution who is found to have wrongfully and
 1923 intentionally accused another of an act of bullying or
 1924 harassment.

1925 (f) A procedure for reporting an act of bullying or
 1926 harassment, including provisions that permit a person to
 1927 anonymously report such an act. However, this paragraph does not
 1928 permit formal disciplinary action to be based solely on an
 1929 anonymous report.

1930 (g) A procedure for the prompt investigation of a report
 1931 of bullying or harassment and the persons responsible for the
 1932 investigation. The investigation of a reported act of bullying
 1933 or harassment is deemed to be a school-related activity and
 1934 begins with a report of such an act. Incidents that require a
 1935 reasonable investigation when reported to appropriate school
 1936 authorities shall include alleged incidents of bullying or
 1937 harassment allegedly committed against a child while the child
 1938 is en route to school aboard a school bus or at a school bus
 1939 stop.

1940 (h) A process to investigate whether a reported act of
 1941 bullying or harassment is within the scope of the district
 1942 school system and, if not, a process for referral of such an act
 1943 to the appropriate jurisdiction. Computers without web-filtering
 1944 software or computers with web-filtering software that is

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1945 disabled shall be used when complaints of cyberbullying are
 1946 investigated.

1947 (i) A procedure for providing immediate notification to
 1948 the parents of a victim of bullying or harassment and the
 1949 parents of the perpetrator of an act of bullying or harassment,
 1950 as well as notification to all local agencies where criminal
 1951 charges may be pursued against the perpetrator.

1952 (j) A procedure to refer victims and perpetrators of
 1953 bullying or harassment for counseling.

1954 (k) A procedure for including incidents of bullying or
 1955 harassment in the school's report of data concerning school
 1956 safety and discipline required under s. 1006.09(6). The report
 1957 must include each incident of bullying or harassment and the
 1958 resulting consequences, including discipline and referrals. The
 1959 report must include in a separate section each reported incident
 1960 of bullying or harassment that does not meet the criteria of a
 1961 prohibited act under this section with recommendations regarding
 1962 such incidents. The Department of Education shall aggregate
 1963 information contained in the reports.

1964 (l) A procedure for providing instruction to students,
 1965 parents, teachers, school administrators, counseling staff, and
 1966 school volunteers on identifying, preventing, and responding to
 1967 bullying or harassment, including instruction on recognizing
 1968 behaviors that lead to bullying and harassment and taking
 1969 appropriate preventive action based on those observations.

1970 (m) A procedure for regularly reporting to a victim's
 1971 parents the actions taken to protect the victim.

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1972 (n) A procedure for publicizing the policy, which must
 1973 include its publication in the code of student conduct required
 1974 under s. 1006.07(2) and in all employee handbooks.

1975 ~~(5) To assist school districts in developing policies~~
 1976 ~~prohibiting bullying and harassment, the Department of Education~~
 1977 ~~shall develop a model policy that shall be provided to school~~
 1978 ~~districts no later than October 1, 2008.~~

1979 ~~(7)-(8) Distribution of safe schools funds to a school~~
 1980 ~~district provided in the 2009-2010 General Appropriations Act is~~
 1981 ~~contingent upon and payable to the school district upon the~~
 1982 ~~Department of Education's approval of the school district's~~
 1983 ~~bullying and harassment policy. The department's approval of~~
 1984 ~~each school district's bullying and harassment policy shall be~~
 1985 ~~granted upon certification by the department that the school~~
 1986 ~~district's policy has been submitted to the department and is in~~
 1987 ~~substantial conformity with the department's model bullying and~~
 1988 ~~harassment policy as mandated in subsection (5).~~ Distribution of
 1989 safe schools funds provided to a school district ~~in fiscal year~~
 1990 ~~2010-2011 and thereafter~~ shall be contingent upon and payable to
 1991 the school district upon the school district's compliance with
 1992 all reporting procedures contained in this section.

1993 Section 60. Subsection (2) of section 1006.148, Florida
 1994 Statutes, is repealed.

1995 Section 61. Paragraph (a) of subsection (3) of section
 1996 1006.15, Florida Statutes, is amended to read:

1997 1006.15 Student standards for participation in
 1998 interscholastic and intrascholastic extracurricular student

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1999 activities; regulation.—
 2000 (3) (a) To be eligible to participate in interscholastic
 2001 extracurricular student activities, a student must:
 2002 1. Maintain a grade point average of 2.0 or above on a 4.0
 2003 scale, or its equivalent, in the previous semester or a
 2004 cumulative grade point average of 2.0 or above on a 4.0 scale,
 2005 or its equivalent, in the courses required by s. 1002.3105(5)
 2006 ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.
 2007 2. Execute and fulfill the requirements of an academic
 2008 performance contract between the student, the district school
 2009 board, the appropriate governing association, and the student's
 2010 parents, if the student's cumulative grade point average falls
 2011 below 2.0, or its equivalent, on a 4.0 scale in the courses
 2012 required by s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.
 2013 At a minimum, the contract must require that the student attend
 2014 summer school, or its graded equivalent, between grades 9 and 10
 2015 or grades 10 and 11, as necessary.
 2016 3. Have a cumulative grade point average of 2.0 or above
 2017 on a 4.0 scale, or its equivalent, in the courses required by s.
 2018 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~ during his or her
 2019 junior or senior year.
 2020 4. Maintain satisfactory conduct, including adherence to
 2021 appropriate dress and other codes of student conduct policies
 2022 described in s. 1006.07(2). If a student is convicted of, or is
 2023 found to have committed, a felony or a delinquent act that would
 2024 have been a felony if committed by an adult, regardless of
 2025 whether adjudication is withheld, the student's participation in

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2026 interscholastic extracurricular activities is contingent upon
 2027 established and published district school board policy.

2028 Section 62. Subsection (1) and paragraph (a) of subsection
 2029 (2) of section 1006.28, Florida Statutes, are amended to read:

2030 1006.28 Duties of district school board, district school
 2031 superintendent; and school principal regarding K-12
 2032 instructional materials.—

2033 (1) DISTRICT SCHOOL BOARD.—The district school board has
 2034 the duty to provide adequate instructional materials for all
 2035 students in accordance with the requirements of this part. The
 2036 term "adequate instructional materials" means a sufficient
 2037 number of student or site licenses or sets of materials that are
 2038 available in bound, unbound, kit, or package form and may
 2039 consist of hardbacked or softbacked textbooks, electronic
 2040 content, consumables, learning laboratories, manipulatives,
 2041 electronic media, and computer courseware or software that serve
 2042 as the basis for instruction for each student in the core
 2043 subject areas ~~courses~~ of mathematics, language arts, social
 2044 studies, science, reading, and literature. The district school
 2045 board has the following specific duties:

2046 (a) Courses of study; adoption.—Adopt courses of study for
 2047 use in the schools of the district.

2048 (b) Instructional materials.—Provide for proper
 2049 requisitioning, distribution, accounting, storage, care, and use
 2050 of all instructional materials and furnish such other
 2051 instructional materials as may be needed. ~~The district school~~
 2052 ~~board shall ensure that~~ Instructional materials used must be in

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2053 ~~the district are~~ consistent with the district goals and
 2054 objectives and the course descriptions established in rule of
 2055 the State Board of Education, as well as with the applicable
 2056 Next Generation Sunshine State ~~and district performance~~
 2057 Standards provided for in s. 1003.41 ~~1001.03(1)~~.

2058 (c) Other instructional materials.—Provide such other
 2059 teaching accessories and aids as are needed for the school
 2060 district's educational program.

2061 (d) School library media services; establishment and
 2062 maintenance.—Establish and maintain a program of school library
 2063 media services for all public schools in the district, including
 2064 school library media centers, or school library media centers
 2065 open to the public, and, in addition such traveling or
 2066 circulating libraries as may be needed for the proper operation
 2067 of the district school system.

2068 (2) DISTRICT SCHOOL SUPERINTENDENT.—

2069 (a) The district school superintendent has the duty to
 2070 recommend such plans for improving, providing, distributing,
 2071 accounting for, and caring for instructional materials and other
 2072 instructional aids as will result in general improvement of the
 2073 district school system, as prescribed in this part, in
 2074 accordance with adopted district school board rules prescribing
 2075 the duties and responsibilities of the district school
 2076 superintendent regarding the requisition, purchase, receipt,
 2077 storage, distribution, use, conservation, records, and reports
 2078 of, and management practices and property accountability
 2079 concerning, instructional materials, and providing for an

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2080 evaluation of any instructional materials to be requisitioned
 2081 that have not been used previously in the district's schools.
 2082 The district school superintendent must keep adequate records
 2083 and accounts for all financial transactions for funds collected
 2084 pursuant to subsection (3), ~~as a component of the educational~~
 2085 ~~service delivery scope in a school district best financial~~
 2086 ~~management practices review under s. 1008.35.~~

2087 Section 63. Subsection (2) of section 1006.31, Florida
 2088 Statutes, is amended to read:

2089 1006.31 Duties of the Department of Education and school
 2090 district instructional materials reviewer.—The duties of the
 2091 instructional materials reviewer are:

2092 (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use evaluate
 2093 ~~carefully all instructional materials submitted, in order to~~
 2094 ~~ascertain which instructional materials, if any, submitted for~~
 2095 ~~consideration implement~~ the selection criteria listed in s.
 2096 1006.34(2)(b) developed by the department and recommend for
 2097 adoption only those instructional materials aligned with the
 2098 Next Generation Sunshine State those curricular objectives
 2099 ~~included within applicable performance~~ Standards provided for in
 2100 s. 1003.41 ~~1001.03(1)~~.

2101 (a) When recommending instructional materials for use in
 2102 the schools, each reviewer shall include only instructional
 2103 materials that accurately portray the ethnic, socioeconomic,
 2104 cultural, and racial diversity of our society, including men and
 2105 women in professional, career, and executive roles, and the role
 2106 and contributions of the entrepreneur and labor in the total

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2107 development of this state and the United States.

2108 (b) When recommending instructional materials for use in
 2109 the schools, each reviewer shall include only materials that
 2110 accurately portray, whenever appropriate, humankind's place in
 2111 ecological systems, including the necessity for the protection
 2112 of our environment and conservation of our natural resources and
 2113 the effects on the human system of the use of tobacco, alcohol,
 2114 controlled substances, and other dangerous substances.

2115 (c) When recommending instructional materials for use in
 2116 the schools, each reviewer shall require such materials as he or
 2117 she deems necessary and proper to encourage thrift, fire
 2118 prevention, and humane treatment of people and animals.

2119 (d) When recommending instructional materials for use in
 2120 the schools, each reviewer shall require, when appropriate to
 2121 the comprehension of students, that materials for social
 2122 science, history, or civics classes contain the Declaration of
 2123 Independence and the Constitution of the United States. A
 2124 reviewer may not recommend any instructional materials for use
 2125 in the schools which contain any matter reflecting unfairly upon
 2126 persons because of their race, color, creed, national origin,
 2127 ancestry, gender, or occupation.

2128 (e) Any instructional material recommended by each
 2129 reviewer for use in the schools shall be, to the satisfaction of
 2130 each reviewer, accurate, objective, and current and suited to
 2131 the needs and comprehension of students at their respective
 2132 grade levels. Reviewers shall consider for adoption materials
 2133 developed for academically talented students such as those

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2134 enrolled in advanced placement courses.

2135 Section 64. Paragraph (b) of subsection (2) of section
2136 1006.34, Florida Statutes, is amended to read:

2137 1006.34 Powers and duties of the commissioner and the
2138 department in selecting and adopting instructional materials.—

2139 (2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—

2140 (b) In the selection of instructional materials, library
2141 media, and other reading material used in the public school
2142 system, the standards used to determine the propriety of the
2143 material shall include:

2144 1. The age of the students who normally could be expected
2145 to have access to the material.

2146 2. The educational purpose to be served by the material.

2147 ~~In considering instructional materials for classroom use,~~
2148 Priority shall be given to the selection of materials that align
2149 with the Next Generation Sunshine State Standards as provided
2150 for in s. 1003.41 ~~which encompass the state and district school~~
2151 ~~board performance standards provided for in s. 1001.03(1) and~~
2152 ~~which~~ include the instructional objectives contained within the
2153 curriculum frameworks for career and technical education and
2154 adult and adult general education adopted ~~approved~~ by rule of
2155 the State Board of Education under s. 1004.92.

2156 3. The degree to which the material would be supplemented
2157 and explained by mature classroom instruction as part of a
2158 normal classroom instructional program.

2159 4. The consideration of the broad racial, ethnic,
2160 socioeconomic, and cultural diversity of the students of this

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2161 state.

2162

2163 Any instructional material containing pornography or otherwise
 2164 prohibited by s. 847.012 may not be used or made available
 2165 within any public school.

2166 Section 65. Subsection (2) and paragraph (a) of subsection
 2167 (3) of section 1006.40, Florida Statutes, are amended, and
 2168 subsection (8) is added to that section, to read:

2169 1006.40 Use of instructional materials allocation;
 2170 instructional materials, library books, and reference books;
 2171 repair of books.—

2172 (2) Each district school board must purchase current
 2173 instructional materials to provide each student with a major
 2174 tool of instruction in core courses of the subject areas of
 2175 mathematics, language arts, science, social studies, reading,
 2176 and literature for kindergarten through grade 12. Such purchase
 2177 must be made within the first 3 years after the effective date
 2178 of the adoption cycle unless a district school board or a
 2179 consortium of school districts has implemented an instructional
 2180 materials program pursuant to s. 1006.283. ~~For the 2012-2013~~
 2181 ~~mathematics adoption, a district using a comprehensive~~
 2182 ~~mathematics instructional materials program adopted in the 2009-~~
 2183 ~~2010 adoption shall be deemed in compliance with this subsection~~
 2184 ~~if it provides each student with such additional state-adopted~~
 2185 ~~materials as may be necessary to align the previously adopted~~
 2186 ~~comprehensive program to common core standards and the other~~
 2187 ~~criteria of the 2012-2013 mathematics adoption.~~

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2188 (3) (a) Beginning with ~~By~~ the 2015-2016 fiscal year, each
 2189 district school board shall use at least 50 percent of the
 2190 annual allocation for the purchase of digital or electronic
 2191 instructional materials that align with state standards included
 2192 on the state-adopted list, except as otherwise authorized in
 2193 paragraphs (b) and (c). ~~This section does not apply to a~~
 2194 ~~district school board or a consortium of school districts which~~
 2195 ~~implements an instructional materials program pursuant to s.~~
 2196 ~~1006.283, except that by the 2015-2016 fiscal year, each~~
 2197 ~~district school board shall use at least 50 percent of the~~
 2198 ~~annual allocation for the purchase of digital or electronic~~
 2199 ~~instructional materials that align with state standards.~~

2200 (8) Subsections (3), (4), and (6) do not apply to a
 2201 district school board or a consortium of school districts that
 2202 implements an instructional materials program pursuant to s.
 2203 1006.283 except that, by the 2015-2016 fiscal year, each
 2204 district school board shall use at least 50 percent of the
 2205 annual instructional materials allocation for the purchase of
 2206 digital or electronic instructional materials that align with
 2207 state standards adopted by the State Board of Education pursuant
 2208 to s. 1003.41.

2209 Section 66. Section 1006.42, Florida Statutes, is amended
 2210 to read:

2211 1006.42 Responsibility of students and parents for
 2212 instructional materials.—

2213 ~~(1)~~ All instructional materials purchased under the
 2214 provisions of this part are the property of the district school

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2215 board. When distributed to the students, these instructional
 2216 materials are on loan to the students while they are pursuing
 2217 their courses of study and are to be returned at the direction
 2218 of the school principal or the teacher in charge. Each parent of
 2219 a student to whom or for whom instructional materials have been
 2220 issued, is liable for any loss or destruction of, or unnecessary
 2221 damage to, the instructional materials or for failure of the
 2222 student to return the instructional materials when directed by
 2223 the school principal or the teacher in charge, and shall pay for
 2224 such loss, destruction, or unnecessary damage as provided under
 2225 s. 1006.28(3) ~~by law.~~

2226 ~~(2) Nothing in this part shall be construed to prohibit~~
 2227 ~~parents from exercising their right to purchase instructional~~
 2228 ~~materials from the district school board.~~

2229 Section 67. Section 1007.02, Florida Statutes, is amended
 2230 to read:

2231 1007.02 ~~Access to postsecondary education and meaningful~~
 2232 ~~careers for~~ Students with disabilities; ~~popular name;~~
 2233 definition.-

2234 ~~(1) This section shall be known by the popular name the~~
 2235 ~~"Enhanced New Needed Opportunity for Better Life and Education~~
 2236 ~~for Students with Disabilities (ENNOBLES) Act."~~

2237 ~~(2)~~ For the purposes of this chapter act, the term
 2238 "student with a disability" means a ~~any~~ student who is
 2239 documented as having an intellectual disability; a hearing
 2240 impairment, including deafness; a speech or language impairment;
 2241 a visual impairment, including blindness; an emotional or

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2242 behavioral disability; an orthopedic or other health impairment;
 2243 an autism spectrum disorder; a traumatic brain injury; or a
 2244 specific learning disability, including, but not limited to,
 2245 dyslexia, dyscalculia, or developmental aphasia.

2246 Section 68. Paragraph (a) of subsection (1) and subsection
 2247 (3) of section 1007.2615, Florida Statutes, are amended to read:

2248 1007.2615 American Sign Language; findings; foreign-
 2249 language credits authorized; teacher licensing.—

2250 (1) LEGISLATIVE FINDINGS; PURPOSE.—

2251 (a) The Legislature finds that:

2252 1. American Sign Language (ASL) is a fully developed
 2253 visual-gestural language with distinct grammar, syntax, and
 2254 symbols and is one of hundreds of signed languages of the world.

2255 2. ASL is recognized as the language of the American deaf
 2256 community and is the fourth most commonly used language in the
 2257 United States and Canada.

2258 3. The American deaf community is a group of citizens who
 2259 are members of a unique culture who share ASL as their common
 2260 language.

2261 ~~4. Thirty-three state legislatures have adopted~~
 2262 ~~legislation recognizing ASL as a language that should be taught~~
 2263 ~~in schools.~~

2264 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF
 2265 EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN
 2266 FOR POSTSECONDARY EDUCATION PROVIDERS.—

2267 ~~(a) The Commissioner of Education shall appoint a seven-~~
 2268 ~~member task force that includes representatives from two state~~

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2269 ~~universities and one private college or university located~~
 2270 ~~within this state which currently offer a 4-year deaf education~~
 2271 ~~or sign language interpretation program as a part of their~~
 2272 ~~respective curricula, two representatives from the Florida~~
 2273 ~~American Sign Language Teachers' Association (FASLTA), and two~~
 2274 ~~representatives from Florida College System institutions located~~
 2275 ~~within this state which have established Interpreter Training~~
 2276 ~~Programs (ITPs). This task force shall develop and submit to the~~
 2277 ~~Commissioner of Education a report that contains the most up-to-~~
 2278 ~~date information about American Sign Language (ASL) and~~
 2279 ~~guidelines for developing and maintaining ASL courses as a part~~
 2280 ~~of the curriculum. This information must be made available to~~
 2281 ~~any administrator of a public or an independent school upon~~
 2282 ~~request of the administrator.~~

2283 ~~(a) (b)~~ By January 1, 2005, The State Board of Education
 2284 shall adopt rules establishing licensing/certification standards
 2285 to be applied to teachers who teach American Sign Language (ASL)
 2286 ~~ASL~~ as part of a school curriculum. ~~In developing the rules, the~~
 2287 ~~state board shall consult with the task force established under~~
 2288 ~~paragraph (a).~~

2289 ~~(b) (e)~~ An ASL teacher must be certified by the Department
 2290 of Education ~~by July 1, 2009.~~

2291 ~~(c) (d)~~ The Commissioner of Education shall work with
 2292 providers of postsecondary education, except for state
 2293 universities, to develop and implement a plan to ensure that
 2294 these institutions in this state will accept secondary school
 2295 credits in ASL as credits in a foreign language and to encourage

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2296 postsecondary institutions to offer ASL courses to students as a
 2297 fulfillment of the requirement for studying a foreign language.

2298 Section 69. Subsection (4) of section 1007.263, Florida
 2299 Statutes, is amended to read:

2300 1007.263 Florida College System institutions; admissions
 2301 of students.—Each Florida College System institution board of
 2302 trustees is authorized to adopt rules governing admissions of
 2303 students subject to this section and rules of the State Board of
 2304 Education. These rules shall include the following:

2305 (4) A student who has been awarded a special diploma under
 2306 ~~as defined in s. 1003.438~~ or a certificate of completion under
 2307 ~~as defined in s. 1003.4282 1003.428(7)(b)~~ is eligible to enroll
 2308 in certificate career education programs.

2309
 2310 Each board of trustees shall establish policies that notify
 2311 students about developmental education options for improving
 2312 their communication or computation skills that are essential to
 2313 performing college-level work, including tutoring, extended time
 2314 in gateway courses, free online courses, adult basic education,
 2315 adult secondary education, or private provider instruction.

2316 Section 70. Subsection (1) of section 1007.264, Florida
 2317 Statutes, is amended to read:

2318 1007.264 Persons with disabilities; admission to
 2319 postsecondary educational institutions; substitute requirements;
 2320 rules and regulations.—

2321 (1) A ~~Any~~ student with a disability, ~~as defined in s.~~
 2322 ~~1007.02(2)~~, who is otherwise eligible shall be eligible for

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2323 reasonable substitution for any requirement for admission into a
 2324 public postsecondary educational institution where documentation
 2325 can be provided that the person's failure to meet the admission
 2326 requirement is related to the disability.

2327 Section 71. Subsection (1) of section 1007.265, Florida
 2328 Statutes, is amended to read:

2329 1007.265 Persons with disabilities; graduation, study
 2330 program admission, and upper-division entry; substitute
 2331 requirements; rules and regulations.—

2332 (1) A ~~Any~~ student with a disability, ~~as defined in s.~~
 2333 ~~1007.02(2)~~, in a public postsecondary educational institution
 2334 shall be eligible for reasonable substitution for any
 2335 requirement for graduation, for admission into a program of
 2336 study, or for entry into the upper division where documentation
 2337 can be provided that the person's failure to meet the
 2338 requirement is related to the disability and where failure to
 2339 meet the graduation requirement or program admission requirement
 2340 does not constitute a fundamental alteration in the nature of
 2341 the program.

2342 Section 72. Subsections (2) and (9) of section 1007.271,
 2343 Florida Statutes, are amended to read:

2344 1007.271 Dual enrollment programs.—

2345 (2) For the purpose of this section, an eligible secondary
 2346 student is a student who is enrolled in any of grades 6 through
 2347 12 in a Florida public ~~secondary~~ school or in a Florida private
 2348 ~~secondary~~ school that ~~which~~ is in compliance with s. 1002.42(2)
 2349 and provides a secondary curriculum pursuant to ~~s. 1003.428 or~~

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2350 s. 1003.4282. Students who are eligible for dual enrollment
 2351 pursuant to this section may enroll in dual enrollment courses
 2352 conducted during school hours, after school hours, and during
 2353 the summer term. However, if the student is projected to
 2354 graduate from high school before the scheduled completion date
 2355 of a postsecondary course, the student may not register for that
 2356 course through dual enrollment. The student may apply to the
 2357 postsecondary institution and pay the required registration,
 2358 tuition, and fees if the student meets the postsecondary
 2359 institution's admissions requirements under s. 1007.263.
 2360 Instructional time for dual enrollment may vary from 900 hours;
 2361 however, the full-time equivalent student membership value shall
 2362 be subject to the provisions in s. 1011.61(4). A ~~Any~~ student
 2363 enrolled as a dual enrollment student is exempt from the payment
 2364 of registration, tuition, and laboratory fees. Applied academics
 2365 for adult education instruction, developmental education, and
 2366 other forms of precollegiate instruction, as well as physical
 2367 education courses that focus on the physical execution of a
 2368 skill rather than the intellectual attributes of the activity,
 2369 are ineligible for inclusion in the dual enrollment program.
 2370 Recreation and leisure studies courses shall be evaluated
 2371 individually in the same manner as physical education courses
 2372 for potential inclusion in the program.

2373 (9) The Commissioner of Education shall appoint faculty
 2374 committees representing public school, Florida College System
 2375 institution, and university faculties to identify postsecondary
 2376 courses that meet the high school graduation requirements of ~~s.~~

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2377 | ~~1003.428~~ or s. 1003.4282 and to establish the number of
 2378 | postsecondary semester credit hours of instruction and
 2379 | equivalent high school credits earned through dual enrollment
 2380 | pursuant to this section that are necessary to meet high school
 2381 | graduation requirements. Such equivalencies shall be determined
 2382 | solely on comparable course content and not on seat time
 2383 | traditionally allocated to such courses in high school. The
 2384 | Commissioner of Education shall recommend to the State Board of
 2385 | Education those postsecondary courses identified to meet high
 2386 | school graduation requirements, based on mastery of course
 2387 | outcomes, by their course numbers, and all high schools shall
 2388 | accept these postsecondary education courses toward meeting the
 2389 | requirements of ~~s. 1003.428~~ or s. 1003.4282.

2390 | Section 73. Subsections (3), (7), and (8) of section
 2391 | 1008.22, Florida Statutes, are amended to read:

2392 | 1008.22 Student assessment program for public schools.—

2393 | (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
 2394 | Commissioner of Education shall design and implement a
 2395 | statewide, standardized assessment program aligned to the core
 2396 | curricular content established in the Next Generation Sunshine
 2397 | State Standards. The commissioner also must develop or select
 2398 | and implement a common battery of assessment tools that will be
 2399 | used in all juvenile justice education programs in the state.
 2400 | These tools must accurately measure the core curricular content
 2401 | established in the Next Generation Sunshine State Standards.
 2402 | Participation in the assessment program is mandatory for all
 2403 | school districts and all students attending public schools,

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2404 including adult students seeking a standard ~~an adult~~ high school
 2405 diploma under s. 1003.4282 and students in Department of
 2406 Juvenile Justice education programs, except as otherwise
 2407 provided by law ~~prescribed by the commissioner~~. If a student
 2408 does not participate in the assessment program, the school
 2409 district must notify the student's parent and provide the parent
 2410 with information regarding the implications of such
 2411 nonparticipation. The statewide, standardized assessment program
 2412 shall be designed and implemented as follows:

2413 (a) Statewide, standardized comprehensive assessments
 2414 ~~Florida Comprehensive Assessment Test (FCAT) until replaced by~~
 2415 ~~common core assessments.~~ The statewide, standardized FCAT
 2416 Reading assessment shall be administered annually in grades 3
 2417 through 10. The statewide, standardized Writing assessment shall
 2418 be administered annually at least once at the elementary,
 2419 middle, and high school levels. When the Reading and Writing
 2420 assessments are replaced by English Language Arts (ELA)
 2421 assessments, ELA assessments shall be administered to students
 2422 in grades 3 through 11. Retake opportunities for the grade 10
 2423 Reading assessment or, upon implementation, the grade 10 ELA
 2424 assessment must be provided. Students taking the ELA assessments
 2425 shall not take the statewide, standardized assessments in
 2426 Reading or Writing. ELA assessments shall be administered
 2427 online. The statewide, standardized; ~~FCAT~~ Mathematics assessment
 2428 shall be administered annually in grades 3 through 8. Students
 2429 taking a revised Mathematics assessment shall not take the
 2430 discontinued assessment. The statewide, standardized; ~~FCAT~~

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2431 ~~Writing shall be administered annually at least once at the~~
 2432 ~~elementary, middle, and high school levels; and FCAT Science~~
 2433 assessment shall be administered annually at least once at the
 2434 elementary and middle grades levels. In order to earn a standard
 2435 high school diploma, a student who has not earned a passing
 2436 score on the grade 10 FCAT Reading assessment or, upon
 2437 implementation, the grade 10 ELA assessment must earn a passing
 2438 score on the assessment retake or earn a concordant score as
 2439 authorized under subsection (7) ~~must participate in each retake~~
 2440 ~~of the assessment until the student earns a passing score. The~~
 2441 ~~commissioner shall recommend and the State Board of Education~~
 2442 ~~must adopt a score on both the SAT and ACT that is concordant to~~
 2443 ~~a passing score on grade 10 FCAT Reading that, if achieved by a~~
 2444 ~~student, meets the must-pass requirement for grade 10 FCAT~~
 2445 ~~Reading.~~

2446 (b) End-of-course (EOC) assessments.—EOC assessments must
 2447 be statewide, standardized, and developed or approved by the
 2448 Department of Education as follows:

2449 1. Statewide, standardized EOC assessments in mathematics
 2450 shall be administered according to this subparagraph. Beginning
 2451 with the 2010-2011 school year, all students enrolled in Algebra
 2452 I must take the Algebra I EOC assessment. Except as otherwise
 2453 provided in paragraph (c) this section, beginning with students
 2454 entering grade 9 in the 2011-2012 school year, a student who is
 2455 enrolled in Algebra I must earn a passing score on the Algebra I
 2456 EOC assessment or attain a comparative score as authorized under
 2457 subsection (8) in order to earn a standard high school diploma.

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2458 In order to earn a standard high school diploma, a student who
 2459 has not earned a passing score on the Algebra I EOC assessment
 2460 must earn a passing score on the assessment retake or a
 2461 comparative score as authorized under subsection (8) ~~must~~
 2462 ~~participate in each retake of the assessment until the student~~
 2463 ~~earns a passing score.~~ Beginning with the 2011-2012 school year,
 2464 all students enrolled in Geometry must take the Geometry EOC
 2465 assessment. Middle grades students enrolled in Algebra I, ~~or~~
 2466 Geometry, or Biology I must take the statewide, standardized EOC
 2467 assessment for those courses and shall ~~are~~ not ~~required to~~ take
 2468 the corresponding subject and grade-level statewide,
 2469 standardized assessment FCAT. When a statewide, standardized EOC
 2470 assessment in Algebra II is administered, all students enrolled
 2471 Algebra II must take the EOC assessment. Pursuant to the
 2472 commissioner's implementation schedule, student performance on
 2473 the Algebra II EOC assessment constitutes 30 percent of a
 2474 student's final course grade.

2475 2. Statewide, standardized EOC assessments in science
 2476 shall be administered according to this subparagraph. Beginning
 2477 with the 2011-2012 school year, all students enrolled in Biology
 2478 I must take the Biology I EOC assessment. Beginning with
 2479 students entering grade 9 in the 2013-2014 school year,
 2480 performance on the Biology I EOC assessment constitutes 30
 2481 percent of the student's final course grade.

2482 3. ~~During the 2012-2013 school year, an EOC assessment in~~
 2483 ~~civics education shall be administered as a field test at the~~
 2484 ~~middle grades level.~~ Beginning with the 2013-2014 school year,

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2485 each student's performance on the statewide, standardized middle
 2486 grades Civics EOC assessment ~~in civics education~~ constitutes 30
 2487 percent of the student's final course grade in civics education.

2488 4. The commissioner may select one or more nationally
 2489 developed comprehensive examinations, which may include
 2490 examinations for a College Board Advanced Placement course,
 2491 International Baccalaureate course, or Advanced International
 2492 Certificate of Education course, or industry-approved
 2493 examinations to earn national industry certifications identified
 2494 in the Industry Certification Funding List, for use as EOC
 2495 assessments under this paragraph if the commissioner determines
 2496 that the content knowledge and skills assessed by the
 2497 examinations meet or exceed the grade-level expectations for the
 2498 core curricular content established for the course in the Next
 2499 Generation Sunshine State Standards. Use of any such examination
 2500 as an EOC assessment must be approved by the state board in
 2501 rule.

2502 5. Contingent upon funding provided in the General
 2503 Appropriations Act, including the appropriation of funds
 2504 received through federal grants, the commissioner may establish
 2505 an implementation schedule for the development and
 2506 administration of additional statewide, standardized EOC
 2507 assessments that must be approved by the state board, in rule.
 2508 If approved by the state board, student performance on such
 2509 assessments constitutes 30 percent of a student's final course
 2510 grade.

2511 6. All statewide, standardized EOC assessments must be

2512 administered online except as otherwise provided in paragraph
 2513 (c).

2514 (c) Students with disabilities; Florida Alternate
 2515 Assessment.—

2516 1. Each district school board must provide instruction to
 2517 prepare students with disabilities in the core content knowledge
 2518 and skills necessary for successful grade-to-grade progression
 2519 and high school graduation.

2520 2. A student with a disability, as defined in s. 1007.02
 2521 ~~1007.02(2)~~, for whom the individual education plan (IEP) team
 2522 determines that the statewide, standardized assessments under
 2523 this section cannot accurately measure the student's abilities,
 2524 taking into consideration all allowable accommodations, shall
 2525 have assessment results waived for the purpose of receiving a
 2526 course grade and a standard high school diploma. Such waiver
 2527 shall be designated on the student's transcript. The statement
 2528 of waiver shall be limited to a statement that performance on an
 2529 assessment was waived for the purpose of receiving a course
 2530 grade or a standard high school diploma, as applicable.

2531 3. The State Board of Education shall adopt rules, based
 2532 upon recommendations of the commissioner, for the provision of
 2533 assessment accommodations for students with disabilities and for
 2534 students who have limited English proficiency.

2535 a. Accommodations that negate the validity of a statewide,
 2536 standardized assessment are not allowed during the
 2537 administration of the assessment. However, instructional
 2538 accommodations are allowed in the classroom if identified in a

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2539 student's IEP. Students using instructional accommodations in
 2540 the classroom that are not allowed on a statewide, standardized
 2541 assessment may have assessment results waived if the IEP team
 2542 determines that the assessment cannot accurately measure the
 2543 student's abilities.

2544 b. If a student is provided with instructional
 2545 accommodations in the classroom that are not allowed as
 2546 accommodations for statewide, standardized assessments, the
 2547 district must inform the parent in writing and provide the
 2548 parent with information regarding the impact on the student's
 2549 ability to meet expected performance levels. A parent must
 2550 provide signed consent for a student to receive classroom
 2551 instructional accommodations that would not be available or
 2552 permitted on a statewide, standardized assessment and
 2553 acknowledge in writing that he or she understands the
 2554 implications of such instructional accommodations.

2555 c. If a student's IEP states that online administration of
 2556 a statewide, standardized assessment will significantly impair
 2557 the student's ability to perform, the assessment shall be
 2558 administered in hard copy.

2559 4. For students with significant cognitive disabilities,
 2560 the Department of Education shall provide for implementation of
 2561 the Florida Alternate Assessment to accurately measure the core
 2562 curricular content established in the Next Generation Sunshine
 2563 State Standards.

2564 (d) Implementation schedule ~~Common core assessments in~~
 2565 ~~English Language Arts (ELA) and mathematics.~~

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2566 ~~1. Contingent upon funding, common core assessments in ELA~~
 2567 ~~shall be administered to students in grades 3 through 11. Retake~~
 2568 ~~opportunities for the grade 10 assessment must be provided.~~
 2569 ~~Students taking the ELA assessments are not required to take the~~
 2570 ~~assessments in FCAT Reading or FCAT Writing. Common core ELA~~
 2571 ~~assessments shall be administered online.~~

2572 ~~2. Contingent upon funding, common core assessments in~~
 2573 ~~mathematics shall be administered to all students in grades 3~~
 2574 ~~through 8, and common core assessments in Algebra I, Geometry,~~
 2575 ~~and Algebra II shall be administered to students enrolled in~~
 2576 ~~those courses. Retake opportunities must be provided for the~~
 2577 ~~Algebra I assessment. Students may take the common core~~
 2578 ~~mathematics assessments pursuant to the Credit Acceleration~~
 2579 ~~Program (CAP) under s. 1003.4295(3). Students taking common core~~
 2580 ~~assessments in mathematics are not required to take FCAT~~
 2581 ~~Mathematics or statewide, standardized EOC assessments in~~
 2582 ~~mathematics. Common core mathematics assessments shall be~~
 2583 ~~administered online.~~

2584 ~~1.3.~~ The Commissioner State Board of Education shall
 2585 establish and publish on the department's website adopt rules
 2586 establishing an implementation schedule to transition from the
 2587 statewide, standardized FCAT Reading and, FCAT Writing
 2588 assessments to the ELA assessments and to the revised, FCAT
 2589 Mathematics assessments, including the, and Algebra I and
 2590 Geometry EOC assessments to common core assessments in English
 2591 Language Arts and mathematics. The schedule must take into
 2592 consideration funding, sufficient field and baseline data,

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2593 access to assessments, instructional alignment, and school
 2594 district readiness to administer the ~~common core~~ assessments
 2595 online. ~~Until the 10th grade common core ELA and Algebra I~~
 2596 ~~assessments become must-pass assessments, students must pass~~
 2597 ~~10th grade FCAT Reading and the Algebra I EOC assessment, or~~
 2598 ~~achieve a concordant or comparative score as authorized under~~
 2599 ~~this section, in order to earn a standard high school diploma~~
 2600 ~~under s. 1003.4282. Students taking 10th grade FCAT Reading or~~
 2601 ~~the Algebra I EOC assessment are not required to take the~~
 2602 ~~respective common core assessments.~~

2603 2.4. The Department of Education shall publish minimum and
 2604 recommended technology requirements that include specifications
 2605 for hardware, software, networking, security, and broadband
 2606 capacity to facilitate school district compliance with the
 2607 requirement that ~~common core~~ assessments be administered online.

2608 (e) Assessment scores and achievement levels.—

2609 1. All statewide, standardized EOC assessments and ~~FCAT~~
 2610 Reading, ~~FCAT~~ Writing, and ~~FCAT~~ Science assessments shall use
 2611 scaled scores and achievement levels. Achievement levels shall
 2612 range from 1 through 5, with level 1 being the lowest
 2613 achievement level, level 5 being the highest achievement level,
 2614 and level 3 indicating satisfactory performance on an
 2615 assessment. For purposes of the statewide, standardized FCAT
 2616 Writing assessment, student achievement shall be scored using a
 2617 scale of 1 through 6.

2618 2. The state board shall designate by rule a passing score
 2619 for each statewide, standardized ~~EOC and FCAT~~ assessment. ~~In~~

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2620 ~~addition, the state board shall designate a score for each~~
 2621 ~~statewide, standardized EOC assessment that indicates that a~~
 2622 ~~student is high achieving and has the potential to meet college-~~
 2623 ~~readiness standards by the time the student graduates from high~~
 2624 ~~school.~~

2625 3. If the commissioner seeks to revise a statewide,
 2626 standardized assessment and the revisions require the state
 2627 board to modify performance level scores, including the passing
 2628 score, the commissioner shall provide a copy of the proposed
 2629 scores and implementation plan to the President of the Senate
 2630 and the Speaker of the House of Representatives at least 90 days
 2631 before submission to the state board for review. Until the state
 2632 board adopts the modifications by rule, the commissioner shall
 2633 use calculations for scoring the assessment that adjust student
 2634 scores on the revised assessment for statistical equivalence to
 2635 student scores on the former assessment. The state board shall
 2636 adopt by rule the passing score for the revised assessment that
 2637 is statistically equivalent to the passing score on the
 2638 discontinued assessment for a student who is required to attain
 2639 a passing score on the discontinued assessment. The commissioner
 2640 may, with approval of the state board, discontinue
 2641 administration of the former assessment upon the graduation,
 2642 based on normal student progression, of students participating
 2643 in the final regular administration of the former assessment. If
 2644 the commissioner revises a statewide, standardized assessment
 2645 and the revisions require the state board to modify the passing
 2646 score, only students taking the assessment for the first time

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2647 after the rule is adopted are affected.

2648 (f) Assessment schedules and reporting of results.—The
 2649 Commissioner of Education shall establish schedules for the
 2650 administration of assessments and the reporting of student
 2651 assessment results. The commissioner shall consider the
 2652 observance of religious and school holidays when developing the
 2653 schedule. By August 1 of each year, the commissioner shall
 2654 notify each school district in writing and publish on the
 2655 department's website the assessment and reporting schedules for,
 2656 at a minimum, the school year following the upcoming school
 2657 year. The assessment and reporting schedules must provide the
 2658 earliest possible reporting of student assessment results to the
 2659 school districts. Assessment results for the statewide,
 2660 standardized ~~FCAT~~ Reading assessments, or upon implementation
 2661 the ELA assessments, and ~~FCAT~~ Mathematics assessments, including
 2662 the EOC assessments in Algebra I and Geometry, must be made
 2663 available no later than the week of June 8. The administration
 2664 of the statewide, standardized ~~FCAT~~ Writing assessment and the
 2665 Florida Alternate Assessment may be no earlier than the week of
 2666 March 1. School districts shall administer assessments in
 2667 accordance with the schedule established by the commissioner.

2668 (g) Prohibited activities.—A district school board shall
 2669 prohibit each public school from suspending a regular program of
 2670 curricula for purposes of administering practice assessments or
 2671 engaging in other assessment-preparation activities for a
 2672 statewide, standardized assessment. However, a district school
 2673 board may authorize a public school to engage in the following

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2674 assessment-preparation activities:

2675 1. Distributing to students sample assessment books and

2676 answer keys published by the Department of Education.

2677 2. Providing individualized instruction in assessment-

2678 taking strategies, without suspending the school's regular

2679 program of curricula, for a student who scores Level 1 or Level

2680 2 on a prior administration of an assessment.

2681 3. Providing individualized instruction in the content

2682 knowledge and skills assessed, without suspending the school's

2683 regular program of curricula, for a student who scores Level 1

2684 or Level 2 on a prior administration of an assessment or a

2685 student who, through a diagnostic assessment administered by the

2686 school district, is identified as having a deficiency in the

2687 content knowledge and skills assessed.

2688 4. Administering a practice assessment or engaging in

2689 other assessment-preparation activities that are determined

2690 necessary to familiarize students with the organization of the

2691 assessment, the format of assessment items, and the assessment

2692 directions or that are otherwise necessary for the valid and

2693 reliable administration of the assessment, as set forth in rules

2694 adopted by the State Board of Education with specific reference

2695 to this paragraph.

2696 (h) Contracts for assessments.—The commissioner shall

2697 provide for the assessments to be developed or obtained, as

2698 appropriate, through contracts and project agreements with

2699 private vendors, public vendors, public agencies, postsecondary

2700 educational institutions, or school districts. The commissioner

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2701 may enter into contracts for the continued administration of the
 2702 assessments authorized and funded by the Legislature. Contracts
 2703 may be initiated in 1 fiscal year and continue into the next
 2704 fiscal year and may be paid from the appropriations of either or
 2705 both fiscal years. The commissioner may negotiate for the sale
 2706 or lease of tests, scoring protocols, test scoring services, and
 2707 related materials developed pursuant to law.

2708 (7) CONCORDANT SCORES ~~FOR 10TH GRADE FCAT READING.~~ ~~Until~~
 2709 ~~the state transitions to common core English Language Arts~~
 2710 ~~assessments,~~ The Commissioner of Education must identify scores
 2711 on the SAT and ACT that if achieved satisfy the graduation
 2712 requirement that a student pass the grade 10 statewide,
 2713 standardized 10th grade FCAT Reading assessment or, upon
 2714 implementation, the grade 10 ELA assessment. The commissioner
 2715 may identify concordant scores on ~~other~~ assessments other than
 2716 the SAT and ACT as well. If the content or scoring procedures
 2717 change for the grade 10 Reading assessment or, upon
 2718 implementation, the grade 10 ELA assessment ~~10th grade FCAT~~
 2719 ~~Reading,~~ new concordant scores must be determined. If new
 2720 concordant scores are not timely adopted, the last-adopted
 2721 concordant scores remain in effect until such time as new scores
 2722 are adopted. The state board shall adopt concordant scores in
 2723 rule.

2724 (8) COMPARATIVE SCORES FOR END-OF-COURSE (EOC) ASSESSMENT
 2725 ~~ASSESSMENTS.~~ The Commissioner of Education must identify one or
 2726 more comparative scores for the Algebra I EOC assessment ~~and may~~
 2727 ~~identify comparative scores for the other EOC assessments.~~ If

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2728 the content or scoring procedures change for the EOC assessment
 2729 ~~assessments~~, new comparative scores must be determined. If new
 2730 comparative scores are not timely adopted, the last-adopted
 2731 comparative scores remain in effect until such time as new
 2732 scores are adopted. The state board shall adopt comparative
 2733 scores in rule.

2734 Section 74. Paragraph (h) of subsection (2), paragraph (a)
 2735 of subsection (4), paragraph (b) of subsection (6), and
 2736 paragraph (b) of subsection (7) of section 1008.25, Florida
 2737 Statutes, are amended to read:

2738 1008.25 Public school student progression; remedial
 2739 instruction; reporting requirements.—

2740 (2) COMPREHENSIVE STUDENT PROGRESSION PLAN.—Each district
 2741 school board shall establish a comprehensive plan for student
 2742 progression which must:

2743 (h) Provide instructional sequences by which students in
 2744 kindergarten through high school may attain progressively higher
 2745 levels of skill in the use of digital tools and applications.
 2746 The instructional sequences must include participation in
 2747 curricular and instructional options and the demonstration of
 2748 competence of standards required pursuant to ss. 1003.41 and
 2749 1003.4203 through attainment of industry certifications and
 2750 other means of demonstrating credit requirements identified
 2751 under ss. 1002.3105, 1003.4203, ~~1003.428~~, and 1003.4282.

2752 (4) ASSESSMENT AND REMEDIATION.—

2753 (a) Each student must participate in the statewide,
 2754 standardized assessment program required by s. 1008.22. Each

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2755 student who does not meet specific levels of performance on the
 2756 required assessments as determined by the district school board
 2757 or who scores below Level 3 on the statewide, standardized
 2758 Reading assessment or, upon implementation, the English Language
 2759 Arts assessment or on the statewide, standardized Mathematics
 2760 assessments in grades 3 through 8 and the Algebra I EOC
 2761 assessment ~~FCAT Reading or FCAT Mathematics or on the common~~
 2762 ~~core English Language Arts or mathematics assessments as~~
 2763 ~~applicable under s. 1008.22~~ must be provided with additional
 2764 diagnostic assessments to determine the nature of the student's
 2765 difficulty, the areas of academic need, and strategies for
 2766 appropriate intervention and instruction as described in
 2767 paragraph (b).

2768 (6) ELIMINATION OF SOCIAL PROMOTION.—

2769 (b) The district school board may only exempt students
 2770 from mandatory retention, as provided in paragraph (5) (b), for
 2771 good cause. Good cause exemptions shall be limited to the
 2772 following:

2773 1. Limited English proficient students who have had less
 2774 than 2 years of instruction in an English for Speakers of Other
 2775 Languages program.

2776 2. Students with disabilities whose individual education
 2777 plan indicates that participation in the statewide assessment
 2778 program is not appropriate, consistent with the requirements of
 2779 s. 1008.212 ~~State Board of Education rule.~~

2780 3. Students who demonstrate an acceptable level of
 2781 performance on an alternative standardized reading or English

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2782 Language Arts assessment approved by the State Board of
 2783 Education.

2784 4. A student who demonstrates through a student portfolio
 2785 that he or she is performing at least at Level 2 on the
 2786 statewide, standardized FCAT Reading assessment or, upon
 2787 implementation, the ~~common-core~~ English Language Arts
 2788 assessment, ~~as applicable under s. 1008.22.~~

2789 5. Students with disabilities who take the statewide,
 2790 standardized participate in FCAT Reading assessment or, upon
 2791 implementation, the ~~common-core~~ English Language Arts
 2792 assessment, ~~as applicable under s. 1008.22,~~ and who have an
 2793 individual education plan or a Section 504 plan that reflects
 2794 that the student has received intensive remediation in reading
 2795 or ~~and~~ English Language Arts for more than 2 years but still
 2796 demonstrates a deficiency and was previously retained in
 2797 kindergarten, grade 1, grade 2, or grade 3.

2798 6. Students who have received intensive remediation in
 2799 reading or ~~and~~ English Language Arts, ~~as applicable under s.~~
 2800 ~~1008.22,~~ for 2 or more years but still demonstrate a deficiency
 2801 and who were previously retained in kindergarten, grade 1, grade
 2802 2, or grade 3 for a total of 2 years. Intensive instruction for
 2803 students so promoted must include an altered instructional day
 2804 that includes specialized diagnostic information and specific
 2805 reading strategies for each student. The district school board
 2806 shall assist schools and teachers to implement reading
 2807 strategies that research has shown to be successful in improving
 2808 reading among low-performing readers.

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2809 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
 2810 STUDENTS.—
 2811 (b) Each school district shall:
 2812 1. Provide third grade students who are retained under the
 2813 provisions of paragraph (5) (b) with intensive instructional
 2814 services and supports to remediate the identified areas of
 2815 reading deficiency, including participation in the school
 2816 district's summer reading camp as required under paragraph (a)
 2817 and a minimum of 90 minutes of daily, uninterrupted,
 2818 scientifically research-based reading instruction which includes
 2819 phonemic awareness, phonics, fluency, vocabulary, and
 2820 comprehension and other strategies prescribed by the school
 2821 district, which may include, but are not limited to:
 2822 a. Integration of science and social studies content
 2823 within the 90-minute block.
 2824 b. Small group instruction.
 2825 c. Reduced teacher-student ratios.
 2826 d. More frequent progress monitoring.
 2827 e. Tutoring or mentoring.
 2828 f. Transition classes containing 3rd and 4th grade
 2829 students.
 2830 g. Extended school day, week, or year.
 2831 2. Provide written notification to the parent of a ~~any~~
 2832 student who is retained under the provisions of paragraph (5) (b)
 2833 that his or her child has not met the proficiency level required
 2834 for promotion and the reasons the child is not eligible for a
 2835 good cause exemption as provided in paragraph (6) (b). The

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2836 notification must comply with the provisions of s. 1002.20(15)
 2837 and must include a description of proposed interventions and
 2838 supports that will be provided to the child to remediate the
 2839 identified areas of reading deficiency.

2840 3. Implement a policy for the midyear promotion of a ~~any~~
 2841 student retained under the provisions of paragraph (5)(b) who
 2842 can demonstrate that he or she is a successful and independent
 2843 reader and performing at or above grade level in reading or,
 2844 upon implementation of ~~and~~ English Language Arts assessments,
 2845 performing at or above grade level in English Language Arts, ~~as~~
 2846 ~~applicable under s. 1008.22.~~ Tools that school districts may use
 2847 in reevaluating a ~~any~~ student retained may include subsequent
 2848 assessments, alternative assessments, and portfolio reviews, in
 2849 accordance with rules of the State Board of Education.

2850 4. Provide students who are retained under the provisions
 2851 of paragraph (5)(b) with a highly effective teacher as
 2852 determined by the teacher's performance evaluation under s.
 2853 1012.34.

2854 5. Establish at each school, when applicable, an Intensive
 2855 Acceleration Class for retained grade 3 students who
 2856 subsequently score Level 1 on the required statewide,
 2857 standardized assessment identified in s. 1008.22. The focus of
 2858 the Intensive Acceleration Class shall be to increase a child's
 2859 reading and English Language Arts skill level at least two grade
 2860 levels in 1 school year. The Intensive Acceleration Class shall:

2861 a. Be provided to a ~~any~~ student in grade 3 who scores
 2862 Level 1 on the statewide, standardized ~~FCAT~~ Reading assessment

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2863 or, upon implementation, the ~~common-core~~ English Language Arts
 2864 assessment, ~~as applicable under s. 1008.22,~~ and who was retained
 2865 in grade 3 the prior year because of scoring Level 1.

2866 b. Have a reduced teacher-student ratio.

2867 c. Provide uninterrupted reading instruction for the
 2868 majority of student contact time each day and incorporate
 2869 opportunities to master the grade 4 Next Generation Sunshine
 2870 State Standards in other core subject areas.

2871 d. Use a reading program that is scientifically research-
 2872 based and has proven results in accelerating student reading
 2873 achievement within the same school year.

2874 e. Provide intensive language and vocabulary instruction
 2875 using a scientifically research-based program, including use of
 2876 a speech-language therapist.

2877 Section 75. Paragraphs (b) and (c) of subsection (4) and
 2878 subsections (5) and (7) of section 1008.33, Florida Statutes,
 2879 are amended to read:

2880 1008.33 Authority to enforce public school improvement.—

2881 (4)

2882 (b) ~~Except as provided in subsection (5),~~ The turnaround
 2883 options available to a school district to address a school that
 2884 earns a grade of "F" are:

2885 1. Convert the school to a district-managed turnaround
 2886 school;

2887 2. Reassign students to another school and monitor the
 2888 progress of each reassigned student;

2889 3. Close the school and reopen the school as one or more

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2890 charter schools, each with a governing board that has a
 2891 demonstrated record of effectiveness;

2892 4. Contract with an outside entity that has a demonstrated
 2893 record of effectiveness to operate the school; or

2894 5. Implement a hybrid of turnaround options set forth in
 2895 subparagraphs 1.-4. or other turnaround models that have a
 2896 demonstrated record of effectiveness.

2897 (c) ~~Except for schools required to implement a turnaround~~
 2898 ~~option pursuant to subsection (5),~~ A school earning a grade of
 2899 "F" shall have a planning year followed by 2 full school years
 2900 to implement the initial turnaround option selected by the
 2901 school district and approved by the state board. Implementation
 2902 of the turnaround option is no longer required if the school
 2903 improves by at least one letter grade.

2904 ~~(5) A school that earns a grade of "F" within 2 years~~
 2905 ~~after raising its grade from a grade of "F" or that earns a~~
 2906 ~~grade of "F" within 2 years after exiting the lowest-performing~~
 2907 ~~category under s. 3, chapter 2009-144, Laws of Florida, must~~
 2908 ~~implement one of the turnaround options in subparagraphs~~
 2909 ~~(4)(b)2.-5.~~

2910 ~~(7) A school classified in the lowest-performing category~~
 2911 ~~under s. 3, chapter 2009-144, Laws of Florida, before July 1,~~
 2912 ~~2012, is not required to continue implementing any turnaround~~
 2913 ~~option unless the school earns a grade of "F" or a third~~
 2914 ~~consecutive "D" for the 2011-2012 school year. A school earning~~
 2915 ~~a grade of "F" or a third consecutive "D" for the 2011-2012~~
 2916 ~~school year may not restart the number of years it has been low~~

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2917 ~~performing by virtue of the 2012 amendments to this section.~~

2918 Section 76. Section 1008.331, Florida Statutes, is
 2919 repealed.

2920 Section 77. Subsection (2) of section 1008.3415, Florida
 2921 Statutes, is amended to read:

2922 1008.3415 School grade or school improvement rating for
 2923 exceptional student education centers.—

2924 (2) Notwithstanding s. 1008.34(3)(c)3., the achievement
 2925 scores and learning gains of a student with a disability who
 2926 attends an exceptional student education center and has not been
 2927 enrolled in or attended a public school other than an
 2928 exceptional student education center for grades K-12 within the
 2929 school district shall not be included in the calculation of the
 2930 home school's grade if the student is identified as an emergent
 2931 student on the alternate assessment ~~to~~ described in s.
 2932 1008.22(3)(c) ~~1008.22(3)(e)13.~~

2933 Section 78. Section 1008.35, Florida Statutes, is
 2934 repealed.

2935 Section 79. Subsection (3) of section 1009.22, Florida
 2936 Statutes, is amended to read:

2937 1009.22 Workforce education postsecondary student fees.—

2938 (3)(a) Except as otherwise provided by law, fees for
 2939 students who are nonresidents for tuition purposes must offset
 2940 the full cost of instruction. Residency of students shall be
 2941 determined as required in s. 1009.21. Fee-nonexempt students
 2942 enrolled in applied academics for adult education instruction
 2943 shall be charged fees equal to the fees charged for adult

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2944 general education programs. Each Florida College System
 2945 institution that conducts developmental education and applied
 2946 academics for adult education instruction in the same class
 2947 section may charge a single fee for both types of instruction.

2948 (b) Fees for continuing workforce education shall be
 2949 locally determined by the district school board or Florida
 2950 College System institution board of trustees. Expenditures for
 2951 the continuing workforce education program provided by the
 2952 Florida College System institution or school district must be
 2953 fully supported by fees. Enrollments in continuing workforce
 2954 education courses may not be counted for purposes of funding
 2955 full-time equivalent enrollment.

2956 (c) ~~Effective July 1, 2011,~~ For programs leading to a
 2957 career certificate or an applied technology diploma, the
 2958 standard tuition shall be \$2.22 per contact hour for residents
 2959 and nonresidents and the out-of-state fee shall be \$6.66 per
 2960 contact hour. For adult general education programs, a block
 2961 tuition of \$45 per half year or \$30 per term shall be assessed
 2962 for residents and nonresidents, and the out-of-state fee shall
 2963 be \$135 per half year or \$90 per term. Each district school
 2964 board and Florida College System institution board of trustees
 2965 shall adopt policies and procedures for the collection of and
 2966 accounting for the expenditure of the block tuition. All funds
 2967 received from the block tuition shall be used only for adult
 2968 general education programs. Students enrolled in adult general
 2969 education programs may not be assessed the fees authorized in
 2970 subsection (5), subsection (6), or subsection (7).

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2971 (d) ~~Beginning with the 2008-2009 fiscal year and each year~~
 2972 ~~thereafter,~~ The tuition and the out-of-state fee per contact
 2973 hour shall increase at the beginning of each fall semester at a
 2974 rate equal to inflation, unless otherwise provided in the
 2975 General Appropriations Act. The Office of Economic and
 2976 Demographic Research shall report the rate of inflation to the
 2977 President of the Senate, the Speaker of the House of
 2978 Representatives, the Governor, and the State Board of Education
 2979 each year prior to March 1. For purposes of this paragraph, the
 2980 rate of inflation shall be defined as the rate of the 12-month
 2981 percentage change in the Consumer Price Index for All Urban
 2982 Consumers, U.S. City Average, All Items, or successor reports as
 2983 reported by the United States Department of Labor, Bureau of
 2984 Labor Statistics, or its successor for December of the previous
 2985 year. In the event the percentage change is negative, the
 2986 tuition and out-of-state fee shall remain at the same level as
 2987 the prior fiscal year.

2988 (e) Each district school board and each Florida College
 2989 System institution board of trustees may adopt tuition and out-
 2990 of-state fees that ~~may~~ vary no more than 5 percent below or ~~and~~
 2991 5 percent above the combined total of the standard tuition and
 2992 out-of-state fees established in paragraph (c).

2993 ~~(f) The maximum increase in resident tuition for any~~
 2994 ~~school district or Florida College System institution during the~~
 2995 ~~2007-2008 fiscal year shall be 5 percent over the tuition~~
 2996 ~~charged during the 2006-2007 fiscal year.~~

2997 (f) ~~(g)~~ The State Board of Education may adopt, by rule,

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2998 the definitions and procedures that district school boards and
 2999 Florida College System institution boards of trustees shall use
 3000 in the calculation of cost borne by students.

3001 Section 80. Paragraph (a) of subsection (1) of section
 3002 1009.40, Florida Statutes, is amended to read:

3003 1009.40 General requirements for student eligibility for
 3004 state financial aid awards and tuition assistance grants.-

3005 (1) (a) The general requirements for eligibility of
 3006 students for state financial aid awards and tuition assistance
 3007 grants consist of the following:

3008 1. Achievement of the academic requirements of and
 3009 acceptance at a state university or Florida College System
 3010 institution; a nursing diploma school approved by the Florida
 3011 Board of Nursing; a Florida college or university which is
 3012 accredited by an accrediting agency recognized by the State
 3013 Board of Education; a ~~any~~ Florida institution the credits of
 3014 which are acceptable for transfer to state universities; a ~~any~~
 3015 career center; or a ~~any~~ private career institution accredited by
 3016 an accrediting agency recognized by the State Board of
 3017 Education.

3018 2. Residency in this state for no less than 1 year
 3019 preceding the award of aid or a tuition assistance grant for a
 3020 program established pursuant to s. 1009.50, s. 1009.505, s.
 3021 1009.51, s. 1009.52, s. 1009.53, ~~s. 1009.56~~, s. 1009.60, s.
 3022 1009.62, s. 1009.72, s. 1009.73, s. 1009.77, s. 1009.89, or s.
 3023 1009.891. Residency in this state must be for purposes other
 3024 than to obtain an education. Resident status for purposes of

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3025 receiving state financial aid awards shall be determined in the
 3026 same manner as resident status for tuition purposes pursuant to
 3027 s. 1009.21.

3028 3. Submission of certification attesting to the accuracy,
 3029 completeness, and correctness of information provided to
 3030 demonstrate a student's eligibility to receive state financial
 3031 aid awards or tuition assistance grants. Falsification of such
 3032 information shall result in the denial of a ~~any~~ pending
 3033 application and revocation of an ~~any~~ award or grant currently
 3034 held to the extent that no further payments shall be made.
 3035 Additionally, students who knowingly make false statements in
 3036 order to receive state financial aid awards or tuition
 3037 assistance grants commit a misdemeanor of the second degree
 3038 subject to the provisions of s. 837.06 and shall be required to
 3039 return all state financial aid awards or tuition assistance
 3040 grants wrongfully obtained.

3041 Section 81. Subsection (1) of section 1009.531, Florida
 3042 Statutes, is amended to read:

3043 1009.531 Florida Bright Futures Scholarship Program;
 3044 student eligibility requirements for initial awards.-

3045 (1) ~~Effective January 1, 2008,~~ In order to be eligible for
 3046 an initial award from any of the three types of scholarships
 3047 under the Florida Bright Futures Scholarship Program, a student
 3048 must:

3049 (a) Be a Florida resident as defined in s. 1009.40 and
 3050 rules of the State Board of Education.

3051 (b) Earn a standard Florida high school diploma pursuant

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3052 to s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 or a high
 3053 school equivalency diploma ~~its equivalent~~ pursuant to ~~s.~~
 3054 ~~1003.428, s. 1003.4281, s. 1003.4282, or s. 1003.435~~ unless:

- 3055 1. The student completes a home education program
 3056 according to s. 1002.41; or
 3057 2. The student earns a high school diploma from a non-
 3058 Florida school while living with a parent or guardian who is on
 3059 military or public service assignment away from Florida.

3060 (c) Be accepted by and enroll in an eligible Florida
 3061 public or independent postsecondary education institution.

3062 (d) Be enrolled for at least 6 semester credit hours or
 3063 the equivalent in quarter hours or clock hours.

3064 (e) Not have been found guilty of, or entered a plea of
 3065 nolo contendere to, a felony charge, unless the student has been
 3066 granted clemency by the Governor and Cabinet sitting as the
 3067 Executive Office of Clemency.

3068 (f) Apply for a scholarship from the program by high
 3069 school graduation. However, a student who graduates from high
 3070 school midyear must apply no later than August 31 of the
 3071 student's graduation year in order to be evaluated for and, if
 3072 eligible, receive an award for the current academic year.

3073 Section 82. Paragraph (c) of subsection (3) of section
 3074 1009.532, Florida Statutes, is amended to read:

3075 1009.532 Florida Bright Futures Scholarship Program;
 3076 student eligibility requirements for renewal awards.-

3077 (3)

3078 (c) A student who is initially eligible in the 2012-2013

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3079 academic year and thereafter may receive an award for a maximum
 3080 of 100 percent of the number of credit hours required to
 3081 complete an associate degree program, a baccalaureate degree
 3082 program, or a postsecondary career certificate program or, for a
 3083 Florida Gold Seal Vocational Scholars award, may receive an
 3084 award for a maximum of 100 percent of the number of credit hours
 3085 or equivalent clock hours required to complete one of the
 3086 following at a Florida public or nonpublic education institution
 3087 that offers these specific programs: for an applied technology
 3088 diploma program as defined in s. 1004.02(7) ~~1004.02(8)~~, up to 60
 3089 credit hours or equivalent clock hours; for a technical degree
 3090 education program as defined in s. 1004.02(13) ~~1004.02(14)~~, up
 3091 to the number of hours required for a specific degree not to
 3092 exceed 72 credit hours or equivalent clock hours; or for a
 3093 career certificate program as defined in s. 1004.02(20)
 3094 ~~1004.02(21)~~, up to the number of hours required for a specific
 3095 certificate not to exceed 72 credit hours or equivalent clock
 3096 hours. A student who transfers from one of these program levels
 3097 to another program level becomes eligible for the higher of the
 3098 two credit hour limits.

3099 Section 83. Paragraph (c) of subsection (4) of section
 3100 1009.536, Florida Statutes, is amended to read:

3101 1009.536 Florida Gold Seal Vocational Scholars award.—The
 3102 Florida Gold Seal Vocational Scholars award is created within
 3103 the Florida Bright Futures Scholarship Program to recognize and
 3104 reward academic achievement and career preparation by high
 3105 school students who wish to continue their education.

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3106 (4)
 3107 (c) A student who is initially eligible in the 2012-2013
 3108 academic year and thereafter may earn a Florida Gold Seal
 3109 Vocational Scholarship for a maximum of 100 percent of the
 3110 number of credit hours or equivalent clock hours required to
 3111 complete one of the following at a Florida public or nonpublic
 3112 education institution that offers these specific programs: for
 3113 an applied technology diploma program as defined in s.
 3114 1004.02(7) ~~1004.02(8)~~, up to 60 credit hours or equivalent clock
 3115 hours; for a technical degree education program as defined in s.
 3116 1004.02(13) ~~1004.02(14)~~, up to the number of hours required for
 3117 a specific degree not to exceed 72 credit hours or equivalent
 3118 clock hours; or for a career certificate program as defined in
 3119 s. 1004.02(20) ~~1004.02(21)~~, up to the number of hours required
 3120 for a specific certificate not to exceed 72 credit hours or
 3121 equivalent clock hours.

3122 Section 84. Section 1009.56, Florida Statutes, is
 3123 repealed.

3124 Section 85. Section 1009.69, Florida Statutes, is
 3125 repealed.

3126 Section 86. Subsection (1) of section 1009.91, Florida
 3127 Statutes, is amended to read:

3128 1009.91 Assistance programs and activities of the
 3129 department.—

3130 (1) The department may contract for the administration of
 3131 the student financial assistance programs as specifically
 3132 provided in ss. 295.01, 1009.29, ~~1009.56~~, and 1009.78.

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3133 Section 87. Paragraph (c) of subsection (2) of section
3134 1009.94, Florida Statutes, is amended to read:

3135 1009.94 Student financial assistance database.—

3136 (2) For purposes of this section, financial assistance
3137 includes:

3138 (c) Any financial assistance provided under s. 1009.50, s.
3139 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, ~~s.~~
3140 ~~1009.56~~, s. 1009.60, s. 1009.62, s. 1009.70, s. 1009.701, s.
3141 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s. 1009.89, or s.
3142 1009.891.

3143 Section 88. Part V of chapter 1009, Florida Statutes,
3144 consisting of sections 1009.99, 1009.991, 1009.992, 1009.993,
3145 1009.994, 1009.995, 1009.996, 1009.9965, 1009.997, 1009.9975,
3146 1009.9976, 1009.9977, 1009.9978, 1009.9979, 1009.998, 1009.9981,
3147 1009.9982, 1009.9983, 1009.9984, 1009.9985, 1009.9986,
3148 1009.9987, 1009.9988, 1009.9989, 1009.9990, 1009.9991,
3149 1009.9992, 1009.9993, and 1009.9994, is repealed.

3150 Section 89. Paragraphs (b) and (c) of subsection (3) of
3151 section 1011.71, Florida Statutes, are repealed.

3152 Section 90. Subsection (4) of section 1011.76, Florida
3153 Statutes, is repealed.

3154 Section 91. Paragraph (b) of subsection (1) of section
3155 1011.80, Florida Statutes, is amended to read:

3156 1011.80 Funds for operation of workforce education
3157 programs.—

3158 (1) As used in this section, the terms "workforce
3159 education" and "workforce education program" include:

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3160 (b) Career certificate programs, as defined in s.
 3161 1004.02(20) ~~1004.02(21)~~.

3162 Section 92. Paragraphs (b), (f), (j), (m), and (p) of
 3163 subsection (2) and subsection (6) of section 1012.05, Florida
 3164 Statutes, are amended to read:

3165 1012.05 Teacher recruitment and retention.—

3166 (2) The Department of Education shall:

3167 (b) Advertise in major newspapers, national professional
 3168 publications, and other professional publications and in public
 3169 and nonpublic postsecondary educational institutions, if needed.

3170 (f) Develop and distribute promotional materials related
 3171 to teaching as a career, if needed.

3172 ~~(j) Develop, in consultation with school district staff
 3173 including, but not limited to, district school superintendents,
 3174 district school board members, and district human resources
 3175 personnel, a long-range plan for educator recruitment and
 3176 retention.~~

3177 ~~(m) Develop and implement a First Response Center to
 3178 provide educator candidates one-stop shopping for information on
 3179 teaching careers in Florida and establish the Teacher Lifeline
 3180 Network to provide online support to beginning teachers and
 3181 those needing assistance.~~

3182 (n) ~~(p)~~ Notify each teacher, via e-mail, of each item in
 3183 the General Appropriations Act and legislation that affects
 3184 teachers, including, but not limited to, ~~the Excellent Teaching
 3185 Program,~~ the Florida Teachers Classroom Supply Assistance
 3186 Program, ~~liability insurance protection for teachers,~~ death

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3187 benefits for teachers, substantive legislation, rules of the
 3188 State Board of Education, and issues concerning student
 3189 achievement.

3190 ~~(6) The Commissioner of Education shall take steps that~~
 3191 ~~provide flexibility and consistency in meeting the highly~~
 3192 ~~qualified teacher criteria as defined in the No Child Left~~
 3193 ~~Behind Act of 2001 through a High, Objective, Uniform State~~
 3194 ~~Standard of Evaluation (HOUSSE).~~

3195 Section 93. Paragraph (b) of subsection (1) of section
 3196 1012.22, Florida Statutes, is amended to read:

3197 1012.22 Public school personnel; powers and duties of the
 3198 district school board.—The district school board shall:

3199 (1) Designate positions to be filled, prescribe
 3200 qualifications for those positions, and provide for the
 3201 appointment, compensation, promotion, suspension, and dismissal
 3202 of employees as follows, subject to the requirements of this
 3203 chapter:

3204 (b) Time to act on nominations.—The district school board
 3205 shall act no ~~not~~ later than 3 weeks following the receipt of
 3206 statewide, standardized assessment scores and data under s.
 3207 1008.22 and, ~~including~~ school grades, or June 30, whichever is
 3208 later, on the district school superintendent's nominations of
 3209 supervisors, principals, and members of the instructional staff.

3210 Section 94. Subsection (9) of section 1012.33, Florida
 3211 Statutes, is repealed.

3212 Section 95. Paragraph (b) of subsection (1), paragraph (a)
 3213 of subsection (3), and subsection (6) of section 1012.34,

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3214 Florida Statutes, are amended to read:

3215 1012.34 Personnel evaluation procedures and criteria.—

3216 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

3217 (b) The department must approve each school district's
 3218 instructional personnel and school administrator evaluation
 3219 systems. The department shall monitor each district's
 3220 implementation of its instructional personnel and school
 3221 administrator evaluation systems for compliance with the
 3222 requirements of this section and s. 1012.3401.

3223 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
 3224 personnel and school administrator performance evaluations must
 3225 be based upon the performance of students assigned to their
 3226 classrooms or schools, as provided in this section. Pursuant to
 3227 this section, a school district's performance evaluation is not
 3228 limited to basing unsatisfactory performance of instructional
 3229 personnel and school administrators solely upon student
 3230 performance, but may include other criteria approved to evaluate
 3231 instructional personnel and school administrators' performance,
 3232 or any combination of student performance and other approved
 3233 criteria. Evaluation procedures and criteria must comply with,
 3234 but are not limited to, the following:

3235 (a) A performance evaluation must be conducted for each
 3236 employee at least once a year, except that a classroom teacher,
 3237 as defined in s. 1012.01(2)(a), excluding substitute teachers,
 3238 who is newly hired by the district school board must be observed
 3239 and evaluated at least twice in the first year of teaching in
 3240 the school district. The performance evaluation must be based

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3241 upon sound educational principles and contemporary research in
 3242 effective educational practices. The evaluation criteria must
 3243 include:

3244 1. Performance of students.—At least 50 percent of a
 3245 performance evaluation must be based upon data and indicators of
 3246 student learning growth assessed annually by statewide
 3247 assessments or, for subjects and grade levels not measured by
 3248 statewide assessments, by school district assessments as
 3249 provided in s. 1008.22(6) ~~1008.22(8)~~. Each school district must
 3250 use the formula adopted pursuant to paragraph (7)(a) for
 3251 measuring student learning growth in all courses associated with
 3252 statewide assessments and must select an equally appropriate
 3253 formula for measuring student learning growth for all other
 3254 grades and subjects, except as otherwise provided in subsection
 3255 (7).

3256 a. For classroom teachers, as defined in s. 1012.01(2)(a),
 3257 excluding substitute teachers, the student learning growth
 3258 portion of the evaluation must include growth data for students
 3259 assigned to the teacher over the course of at least 3 years. If
 3260 less than 3 years of data are available, the years for which
 3261 data are available must be used and the percentage of the
 3262 evaluation based upon student learning growth may be reduced to
 3263 not less than 40 percent.

3264 b. For instructional personnel who are not classroom
 3265 teachers, the student learning growth portion of the evaluation
 3266 must include growth data on statewide assessments for students
 3267 assigned to the instructional personnel over the course of at

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3268 | least 3 years, or may include a combination of student learning
 3269 | growth data and other measurable student outcomes that are
 3270 | specific to the assigned position, provided that the student
 3271 | learning growth data accounts for not less than 30 percent of
 3272 | the evaluation. If less than 3 years of student growth data are
 3273 | available, the years for which data are available must be used
 3274 | and the percentage of the evaluation based upon student learning
 3275 | growth may be reduced to not less than 20 percent.

3276 | c. For school administrators, the student learning growth
 3277 | portion of the evaluation must include growth data for students
 3278 | assigned to the school over the course of at least 3 years. If
 3279 | less than 3 years of data are available, the years for which
 3280 | data are available must be used and the percentage of the
 3281 | evaluation based upon student learning growth may be reduced to
 3282 | not less than 40 percent.

3283 | 2. Instructional practice.—Evaluation criteria used when
 3284 | annually observing classroom teachers, as defined in s.
 3285 | 1012.01(2)(a), excluding substitute teachers, must include
 3286 | indicators based upon each of the Florida Educator Accomplished
 3287 | Practices adopted by the State Board of Education. For
 3288 | instructional personnel who are not classroom teachers,
 3289 | evaluation criteria must be based upon indicators of the Florida
 3290 | Educator Accomplished Practices and may include specific job
 3291 | expectations related to student support.

3292 | 3. Instructional leadership.—For school administrators,
 3293 | evaluation criteria must include indicators based upon each of
 3294 | the leadership standards adopted by the State Board of Education

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3295 | under s. 1012.986, including performance measures related to the
 3296 | effectiveness of classroom teachers in the school, the
 3297 | administrator's appropriate use of evaluation criteria and
 3298 | procedures, recruitment and retention of effective and highly
 3299 | effective classroom teachers, improvement in the percentage of
 3300 | instructional personnel evaluated at the highly effective or
 3301 | effective level, and other leadership practices that result in
 3302 | student learning growth. The system may include a means to give
 3303 | parents and instructional personnel an opportunity to provide
 3304 | input into the administrator's performance evaluation.

3305 | 4. Professional and job responsibilities.—For
 3306 | instructional personnel and school administrators, other
 3307 | professional and job responsibilities must be included as
 3308 | adopted by the State Board of Education. The district school
 3309 | board may identify additional professional and job
 3310 | responsibilities.

3311 | (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT
 3312 | EVALUATION SYSTEMS.—The district school board shall establish a
 3313 | procedure for annually reviewing instructional personnel and
 3314 | school administrator evaluation systems to determine compliance
 3315 | with this section and s. 1012.3401. All substantial revisions to
 3316 | an approved system must be reviewed and approved by the district
 3317 | school board before being used to evaluate instructional
 3318 | personnel or school administrators. Upon request by a school
 3319 | district, the department shall provide assistance in developing,
 3320 | improving, or reviewing an evaluation system.

3321 | Section 96. Section 1012.44, Florida Statutes, is amended

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3322 to read:

3323 1012.44 Qualifications for certain persons providing
 3324 speech-language services.—The State Board of Education shall
 3325 adopt rules for speech-language services to school districts
 3326 that qualify for the sparsity supplement as described in s.
 3327 1011.62(7). These services may be provided by baccalaureate
 3328 degree level persons for a period of 3 years. The rules shall
 3329 authorize the delivery of speech-language services by
 3330 baccalaureate degree level persons under the direction of a
 3331 certified speech-language pathologist with a master's degree or
 3332 higher. ~~By October 1, 2003, these rules shall be reviewed by the~~
 3333 ~~State Board of Education.~~

3334 Section 97. Section 1012.561, Florida Statutes, is amended
 3335 to read:

3336 1012.561 Address of record.—Each certified educator or
 3337 applicant for certification is solely responsible for
 3338 maintaining his or her current address with the Department of
 3339 Education and for notifying the department in writing of a
 3340 change of address. ~~By January 1, 2005, each educator and~~
 3341 ~~applicant for certification must have on file with the~~
 3342 ~~department a current mailing address. Thereafter,~~ A certified
 3343 educator or applicant for certification who is employed by a
 3344 district school board shall notify his or her employing school
 3345 district within 10 days after a change of address. At a minimum,
 3346 the employing district school board shall notify the department
 3347 monthly of the addresses of the certified educators or
 3348 applicants for certification in the manner prescribed by the

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3349 department. A certified educator or applicant for certification
 3350 who is not employed by a district school board shall personally
 3351 notify the department in writing within 30 days after a change
 3352 of address. The department shall permit electronic notification;
 3353 however, it is the responsibility of the certified educator or
 3354 applicant for certification to ensure that the department has
 3355 received the electronic notification.

3356 Section 98. Section 1012.595, Florida Statutes, is
 3357 repealed.

3358 Section 99. Section 1012.72, Florida Statutes, is
 3359 repealed.

3360 Section 100. Subsections (2), (3), and (4) of section
 3361 1012.885, Florida Statutes, are amended to read:

3362 1012.885 Remuneration of Florida College System
 3363 institution presidents; limitations.-

3364 ~~(2) LIMITATION ON COMPENSATION.—Notwithstanding any other~~
 3365 ~~law, resolution, or rule to the contrary, a Florida College~~
 3366 ~~System institution president may not receive more than \$225,000~~
 3367 ~~in remuneration annually from appropriated state funds. Only~~
 3368 ~~compensation, as defined in s. 121.021(22), provided to a~~
 3369 ~~Florida College System institution president may be used in~~
 3370 ~~calculating benefits under chapter 121.~~

3371 (2)-(3) EXCEPTIONS.—This section does not prohibit a ~~any~~
 3372 party from providing cash or cash-equivalent compensation from
 3373 funds that are not appropriated state funds to a Florida College
 3374 System institution president in excess of the limit in
 3375 subsection (3)-(2). If a party is unable or unwilling to fulfill

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3376 an obligation to provide cash or cash-equivalent compensation to
 3377 a Florida College System institution president as permitted
 3378 under this subsection, appropriated state funds may not be used
 3379 to fulfill such obligation.

3380 (3)~~(4)~~ LIMITATION ON REMUNERATION.—Notwithstanding a law,
 3381 resolution, or rule to the contrary ~~the provisions of this~~
 3382 ~~section,~~ a Florida College System institution president may not
 3383 receive more than \$200,000 in remuneration from appropriated
 3384 state funds. Only compensation, as defined in s. 121.021(22),
 3385 provided to a Florida College System institution president may
 3386 be used in calculating benefits under chapter 121.

3387 Section 101. Subsections (2), (3), and (4) of section
 3388 1012.975, Florida Statutes, are amended to read:

3389 1012.975 Remuneration of state university presidents;
 3390 limitations.—

3391 ~~(2) LIMITATION ON COMPENSATION.—Notwithstanding any other~~
 3392 ~~law, resolution, or rule to the contrary, a state university~~
 3393 ~~president may not receive more than \$225,000 in remuneration~~
 3394 ~~annually from public funds. Only compensation, as such term is~~
 3395 ~~defined in s. 121.021(22), provided to a state university~~
 3396 ~~president may be used in calculating benefits under chapter 121.~~

3397 (2)~~(3)~~ EXCEPTIONS.—This section does not prohibit a ~~any~~
 3398 party from providing cash or cash-equivalent compensation from
 3399 funds that are not public funds to a state university president
 3400 in excess of the limit in subsection (3)~~(2)~~. If a party is
 3401 unable or unwilling to fulfill an obligation to provide cash or
 3402 cash-equivalent compensation to a state university president as

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3403 permitted under this subsection, public funds may not be used to
 3404 fulfill such obligation.

3405 (3)~~(4)~~ LIMITATION ON REMUNERATION.—Notwithstanding a law,
 3406 resolution, or rule to the contrary ~~the provisions of this~~
 3407 ~~section,~~ a state university president may not receive more than
 3408 \$200,000 in remuneration from public funds. Only compensation,
 3409 as defined in s. 121.021(22), provided to a state university
 3410 president may be used in calculating benefits under chapter 121.

3411 Section 102. Subsection (12) of section 1012.98, Florida
 3412 Statutes, is amended to read:

3413 1012.98 School Community Professional Development Act.—

3414 (12) The department shall require teachers in grades K-12
 3415 ~~1-12~~ to participate in continuing education training provided by
 3416 the Department of Children and Family Services on identifying
 3417 and reporting child abuse and neglect.

3418 Section 103. Paragraph (f) of subsection (2) of section
 3419 1013.35, Florida Statutes, is amended to read:

3420 1013.35 School district educational facilities plan;
 3421 definitions; preparation, adoption, and amendment; long-term
 3422 work programs.—

3423 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL
 3424 FACILITIES PLAN.—

3425 (f) Not less than once every 5 years, the district school
 3426 board shall have an ~~a financial management and performance~~ audit
 3427 conducted of the district's educational planning and
 3428 construction activities ~~of the district~~. An operational audit
 3429 conducted by ~~the Office of Program Policy Analysis and~~

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3430 ~~Government Accountability and~~ the Auditor General pursuant to s.
 3431 11.45 ~~1008.35~~ satisfies this requirement.

3432 Section 104. Section 1013.47, Florida Statutes, is amended
 3433 to read:

3434 1013.47 Substance of contract; contractors to give bond;
 3435 penalties.—Each board shall develop contracts consistent with
 3436 this chapter and statutes governing public facilities. Such a
 3437 contract must contain the drawings and specifications of the
 3438 work to be done and the material to be furnished, the time limit
 3439 in which the construction is to be completed, the time and
 3440 method by which payments are to be made upon the contract, and
 3441 the penalty to be paid by the contractor for a ~~any~~ failure to
 3442 comply with the terms of the contract. The board may require the
 3443 contractor to pay a penalty for any failure to comply with the
 3444 terms of the contract and may provide an incentive for early
 3445 completion. Upon accepting a satisfactory bid, the board shall
 3446 enter into a contract with the party or parties whose bid has
 3447 been accepted. The contractor shall furnish the board with a
 3448 performance and payment bond as set forth in s. 255.05. A board
 3449 or other public entity may not require a contractor to secure a
 3450 surety bond under s. 255.05 from a specific agent or bonding
 3451 company. ~~Notwithstanding any other provision of this section, if~~
 3452 ~~25 percent or more of the costs of any construction project is~~
 3453 ~~paid out of a trust fund established pursuant to 31 U.S.C. s.~~
 3454 ~~1243(a)(1), laborers and mechanics employed by contractors or~~
 3455 ~~subcontractors on such construction will be paid wages not less~~
 3456 ~~than those prevailing on similar construction projects in the~~

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3457 ~~locality, as determined by the Secretary of Labor in accordance~~
 3458 ~~with the Davis-Bacon Act, as amended.~~ A person, firm, or
 3459 corporation that constructs any part of any educational plant,
 3460 or addition thereto, on the basis of any unapproved plans or in
 3461 violation of any plans approved in accordance with the
 3462 provisions of this chapter and rules of the State Board of
 3463 Education or regulations of the Board of Governors relating to
 3464 building standards or specifications is subject to forfeiture of
 3465 the surety bond and unpaid compensation in an amount sufficient
 3466 to reimburse the board for any costs that will need to be
 3467 incurred in making any changes necessary to assure that all
 3468 requirements are met and is also guilty of a misdemeanor of the
 3469 second degree, punishable as provided in s. 775.082 or s.
 3470 775.083, for each separate violation.

3471 Section 105. Section 1013.49, Florida Statutes, is
 3472 repealed.

3473 Section 106. Section 1013.512, Florida Statutes, is
 3474 repealed.

3475 Section 107. Section 1013.54, Florida Statutes, is
 3476 repealed.

3477 Section 108. Section 20 of chapter 2010-24, Laws of
 3478 Florida, is repealed.

3479 Section 109. This act shall take effect upon becoming a
 3480 law.