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26 | amending s. 1002.82, F.S.; requiring the Department of
 27 | Education to review school readiness program plans
 28 | every 3 years, rather than every 2 years; amending s.
 29 | 1002.85, F.S.; requiring early learning coalitions to
 30 | submit school readiness program plans to the
 31 | department every 3 years, rather than every 2 years;
 32 | amending s. 1003.4935, F.S.; deleting a requirement
 33 | that the department collect and report certain data
 34 | relating to a middle school career and professional
 35 | academy or a career-themed course; repealing s.
 36 | 1003.4995, F.S., relating to the fine arts report
 37 | prepared by the Commissioner of Education; repealing
 38 | s. 1003.4996, F.S., relating to the Competency-Based
 39 | Education Pilot Program; amending s. 1003.49965, F.S.;
 40 | authorizing, rather than requiring, a school district
 41 | to hold an Art in the Capitol Competition; amending s.
 42 | 1003.51, F.S.; deleting a requirement regarding
 43 | assessment procedures for Department of Juvenile
 44 | Justice education programs; revising requirements for
 45 | which assessment results must be included in a
 46 | student's discharge packet; revising requirements for
 47 | when a district school board must face sanctions for
 48 | unsatisfactory performance in its Department of
 49 | Juvenile Justice programs; amending s. 1003.621, F.S.;
 50 | deleting a requirement for academically high-

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51 performing school districts to submit an annual report
 52 to the state board; repealing s. 1004.925, F.S.,
 53 relating to automotive service technology education
 54 programs and certification; amending s. 1006.28, F.S.;
 55 revising the definition of the term "adequate
 56 instructional materials"; authorizing school districts
 57 to assess a processing fee for certain objections to
 58 materials; providing requirements for the assessment
 59 of such fee; providing for the return of such fee
 60 under certain circumstances; requiring certain
 61 information published and regularly updated by the
 62 Department of Education to be sorted by grade level;
 63 deleting a timeframe requirement for each district
 64 school superintendent to notify the department about
 65 instructional materials; deleting a requirement for
 66 such notification; authorizing, rather than requiring,
 67 a school principal to collect the purchase price of
 68 instructional materials lost, destroyed, or
 69 unnecessarily damaged by a student; amending s.
 70 1006.283, F.S.; deleting a timeframe requirement for a
 71 district school superintendent to certify to the
 72 department that certain instructional materials meet
 73 applicable state standards; amending s. 1007.33, F.S.;
 74 deleting a provision authorizing the Board of Trustees
 75 of St. Petersburg College to establish certain degree

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76 | programs; amending s. 1008.25, F.S.; revising
 77 | requirements for the administration of the coordinated
 78 | screening and progress monitoring system; providing
 79 | requirements for the administration of such system for
 80 | students in the summer prekindergarten program;
 81 | amending s. 1008.31, F.S.; revising a provision
 82 | relating to the "No Child Left Behind Act of 2001";
 83 | amending s. 1008.332, F.S.; revising a provision
 84 | relating to the No Child Left Behind Act to relate to
 85 | the Every Student Succeeds Act; deleting a requirement
 86 | for certain committee members to annually report to
 87 | specified entities; amending s. 1008.34, F.S.;
 88 | requiring that certain changes made by the state board
 89 | to components in the school grades model or to the
 90 | school grading scale go into effect in the following
 91 | school year or later; conforming cross-references;
 92 | amending s. 1008.345, F.S.; deleting a requirement for
 93 | the department to develop an annual feedback report;
 94 | deleting a requirement for the Commissioner of
 95 | Education to review specified feedback reports and
 96 | submit findings to the state board; deleting certain
 97 | requirements for a report the commissioner produces
 98 | annually for the state board and Legislature; revising
 99 | what information certain community assessment team
 100 | recommendations are based on; amending s. 1008.45,

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101 F.S.; deleting a requirement that the state board
 102 provide a specified annual evaluation; amending ss.
 103 1000.05, 1002.31, 1002.321, 1002.33, 1002.455,
 104 1008.22, 1008.37, and 1013.841, F.S.; conforming
 105 provisions and cross-references to changes made by the
 106 act; providing an effective date.

107

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

109

110 Section 1. Subsection (5) of section 1001.02, Florida
 111 Statutes, is amended to read:

112 1001.02 General powers of State Board of Education.—

113 (5) The State Board of Education is responsible for
 114 reviewing and administering the state program of support for the
 115 Florida College System institutions and, ~~subject to existing~~
 116 ~~law, shall establish the tuition and out-of-state fees for~~
 117 ~~developmental education and for credit instruction that may be~~
 118 ~~counted toward an associate in arts degree, an associate in~~
 119 ~~applied science degree, or an associate in science degree.~~

120 Section 2. Subsection (17) of section 1001.03, Florida
 121 Statutes, is amended to read:

122 1001.03 Specific powers of State Board of Education.—

123 ~~(17) PLAN SPECIFYING GOALS AND OBJECTIVES. By July 1,~~
 124 ~~2013, the State Board of Education shall identify performance~~
 125 ~~metrics for the Florida College System and develop a plan that~~

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126 ~~specifies goals and objectives for each Florida College System~~
 127 ~~institution. The plan must include:~~

128 ~~(a) Performance metrics and standards common for all~~
 129 ~~institutions and metrics and standards unique to institutions~~
 130 ~~depending on institutional core missions, including, but not~~
 131 ~~limited to, remediation success, retention, graduation,~~
 132 ~~employment, transfer rates, licensure passage, excess hours,~~
 133 ~~student loan burden and default rates, job placement, faculty~~
 134 ~~awards, and highly respected rankings for institution and~~
 135 ~~program achievements.~~

136 ~~(b) Student enrollment and performance data delineated by~~
 137 ~~method of instruction, including, but not limited to,~~
 138 ~~traditional, online, and distance learning instruction.~~

139 Section 3. Paragraphs (c) and (d) of subsection (4) of
 140 section 1002.3105, Florida Statutes, are amended to read:

141 1002.3105 Academically Challenging Curriculum to Enhance
 142 Learning (ACCEL) options.—

143 (4) ACCEL REQUIREMENTS.—

144 (c) If a student participates in an ACCEL option pursuant
 145 to the parental request under subparagraph (b)1., a performance
 146 contract is not required but may be used at the discretion of
 147 the principal ~~must be executed by the student, the parent, and~~
 148 ~~the principal. At a minimum, the performance contract must~~
 149 ~~require compliance with:~~

150 ~~1. Minimum student attendance requirements.~~

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151 ~~2. Minimum student conduct requirements.~~

152 ~~3. ACCEL option requirements established by the principal,~~

153 ~~which may include participation in extracurricular activities,~~

154 ~~educational outings, field trips, interscholastic competitions,~~

155 ~~and other activities related to the ACCEL option selected.~~

156 ~~(d)~~ If a principal initiates a student's participation in

157 an ACCEL option, the student's parent must be notified. A

158 performance contract, ~~pursuant to paragraph (c),~~ is not required

159 when a principal initiates participation but may be used at the

160 discretion of the principal.

161 Section 4. Section 1002.311, Florida Statutes, is

162 repealed.

163 Section 5. Subsection (19) of section 1002.34, Florida

164 Statutes, is amended to read:

165 1002.34 Charter technical career centers.-

166 ~~(19) EVALUATION; REPORT. The Commissioner of Education~~

167 ~~shall provide for an annual comparative evaluation of charter~~

168 ~~technical career centers and public technical centers. The~~

169 ~~evaluation may be conducted in cooperation with the sponsor,~~

170 ~~through private contracts, or by department staff. At a minimum,~~

171 ~~the comparative evaluation must address the demographic and~~

172 ~~socioeconomic characteristics of the students served, the types~~

173 ~~and costs of services provided, and the outcomes achieved. By~~

174 ~~December 30 of each year, the Commissioner of Education shall~~

175 ~~submit to the Governor, the President of the Senate, the Speaker~~

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176 ~~of the House of Representatives, and the Senate and House~~
 177 ~~committees that have responsibility for secondary and~~
 178 ~~postsecondary career and technical education a report of the~~
 179 ~~comparative evaluation completed for the previous school year.~~

180 Section 6. Paragraphs (c) through (e) of subsection (1) of
 181 section 1002.45, Florida Statutes, are redesignated as
 182 paragraphs (b) through (d), respectively, and present paragraphs
 183 (b), (c), and (e) of that subsection, subsection (2), paragraph
 184 (d) of subsection (3), subsection (5), and paragraph (a) of
 185 subsection (6) are amended to read:

186 1002.45 Virtual instruction programs.—

187 (1) PROGRAM.—

188 ~~(b)1. Each school district shall provide at least one~~
 189 ~~option for part-time and full-time virtual instruction for~~
 190 ~~students residing within the school district. All school~~
 191 ~~districts must provide parents with timely written notification~~
 192 ~~of at least one open enrollment period for full-time students of~~
 193 ~~90 days or more which ends 30 days before the first day of the~~
 194 ~~school year. A school district virtual instruction program shall~~
 195 ~~consist of the following:~~

196 a. ~~Full-time and part-time virtual instruction for~~
 197 ~~students enrolled in kindergarden through grade 12.~~

198 b. ~~Full-time or part-time virtual instruction for students~~
 199 ~~enrolled in dropout prevention and academic intervention~~
 200 ~~programs under s. 1003.53, Department of Juvenile Justice~~

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201 ~~education programs under s. 1003.52, core-curricula courses to~~
 202 ~~meet class size requirements under s. 1003.03, or Florida~~
 203 ~~College System institutions under this section.~~

204 ~~2. Each virtual instruction program established under~~
 205 ~~paragraph (c) by a school district either directly or through a~~
 206 ~~contract with an approved virtual instruction program provider~~
 207 ~~shall operate under its own Master School Identification Number~~
 208 ~~as prescribed by the department.~~

209 (b)~~(e)~~ To provide students residing within the school
 210 district the option of participating in virtual instruction
 211 programs ~~as required by paragraph (b)~~, a school district may:

212 1. Contract with the Florida Virtual School or establish a
 213 franchise of the Florida Virtual School pursuant to s.
 214 1002.37(2) ~~for the provision of a program under paragraph (b)~~.

215 2. Contract with an approved virtual instruction program
 216 provider under subsection (2) ~~for the provision of a full-time~~
 217 ~~or part-time program under paragraph (b)~~.

218 3. Enter into an agreement with other school districts to
 219 allow the participation of its students in an approved virtual
 220 instruction program provided by the other school district. The
 221 agreement must indicate a process for the transfer of funds
 222 required by paragraph (6) (b) .

223 4. Establish school district operated part-time or full-
 224 time kindergarten through grade 12 virtual instruction programs.

225 5. Enter into an agreement with a virtual charter school

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226 | authorized by the school district under s. 1002.33.

227 |

228 | Contracts under subparagraph 1. or subparagraph 2. may include
 229 | multidistrict contractual arrangements executed by a regional
 230 | consortium service organization established pursuant to s.
 231 | 1001.451 for its member districts. A multidistrict contractual
 232 | arrangement or an agreement under subparagraph 3. is not subject
 233 | to s. 1001.42(4)(d) and does not require the participating
 234 | school districts to be contiguous. ~~These arrangements may be
 235 | used to fulfill the requirements of paragraph (b).~~

236 | (d)~~(e)~~ Each school district shall:

237 | 1. Provide to the department by each October 1~~7~~, a copy of
 238 | each contract and the amount paid per unweighted full-time
 239 | equivalent virtual student for services procured pursuant to
 240 | subparagraphs (b)1. and 2. ~~(e)1. and 2.~~

241 | 2. Expend any difference in the amount of funds per
 242 | unweighted full-time equivalent virtual student allocated to the
 243 | school district pursuant to subsection (6) and the amount paid
 244 | per unweighted full-time equivalent virtual student by the
 245 | school district for a contract executed pursuant to subparagraph
 246 | (b)1. ~~(e)1.~~ or subparagraph (b)2. ~~(e)2.~~ on acquiring computer
 247 | and device hardware and associated operating system software
 248 | that comply with the requirements of s. 1001.20(4)(a)1.b.

249 | 3. Provide to the department by September 1 of each year
 250 | an itemized list of items acquired in subparagraph 2.

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251 4. Limit the enrollment of full-time equivalent virtual
 252 students residing outside of the school district providing the
 253 virtual instruction pursuant to paragraph (b) ~~(e)~~ to no more
 254 than those that can be funded from state Florida Education
 255 Finance Program funds.

256 (2) PROVIDER QUALIFICATIONS.—

257 (a) The department shall annually publish on its website a
 258 list of providers approved by the State Board of Education to
 259 offer virtual instruction programs. To be approved, a virtual
 260 instruction program provider must document that it:

261 1. ~~Is nonsectarian in its programs, admission policies,~~
 262 ~~employment practices, and operations;~~

263 ~~2.~~ Complies with the antidiscrimination provisions of s.
 264 1000.05;

265 ~~2.3.~~ Locates an administrative office or offices in this
 266 state, requires its administrative staff to be state residents,
 267 requires all instructional staff to be Florida-certified
 268 teachers under chapter 1012 and conducts background screenings
 269 for all employees or contracted personnel, as required by s.
 270 1012.32, using state and national criminal history records;

271 ~~3.4.~~ Electronically provides to parents and students
 272 specific information that includes, but is not limited to, the
 273 following teacher-parent and teacher-student contact information
 274 for each course:

275 a. How to contact the instructor via phone, e-mail, or

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276 | online messaging tools.

277 | b. How to contact technical support via phone, e-mail, or
278 | online messaging tools.

279 | c. How to contact the administration office via phone, e-
280 | mail, or online messaging tools.

281 | d. Any requirement for regular contact with the instructor
282 | for the course and clear expectations for meeting the
283 | requirement.

284 | e. The requirement that the instructor in each course
285 | must, at a minimum, conduct one contact with the parent and the
286 | student each month;

287 | 4.5- Possesses prior, successful experience offering
288 | virtual instruction courses to elementary, middle, or high
289 | school students as demonstrated by quantified student learning
290 | gains in each subject area and grade level provided for
291 | consideration as an instructional program option. However, for a
292 | virtual instruction program provider without sufficient prior,
293 | successful experience offering online courses, the State Board
294 | of Education may conditionally approve the virtual instruction
295 | program provider to offer courses measured pursuant to
296 | subparagraph (7)(a)2. Conditional approval shall be valid for 1
297 | school year only and, based on the virtual instruction program
298 | provider's experience in offering the courses, the State Board
299 | of Education may grant approval to offer a virtual instruction
300 | program;

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301 ~~5.6.~~ Is accredited by a regional accrediting association
 302 as defined by State Board of Education rule;

303 ~~6.7.~~ Ensures instructional and curricular quality through
 304 a detailed curriculum and student performance accountability
 305 plan that addresses every subject and grade level it intends to
 306 provide through contract with the school district, including:

307 a. Courses and programs that meet the standards of the
 308 International Association for K-12 Online Learning and the
 309 Southern Regional Education Board.

310 b. Instructional content and services that align with, and
 311 measure student attainment of, student proficiency in the state
 312 academic standards.

313 c. Mechanisms that determine and ensure that a student has
 314 satisfied requirements for grade level promotion and high school
 315 graduation with a standard diploma, as appropriate;

316 ~~7.8.~~ Publishes, in accordance with disclosure requirements
 317 adopted in rule by the State Board of Education, as part of its
 318 application as an approved virtual instruction program provider
 319 and in all contracts negotiated pursuant to this section:

320 a. Information and data about the curriculum of each full-
 321 time and part-time virtual instruction program.

322 b. School policies and procedures.

323 c. Certification status and physical location of all
 324 administrative and instructional personnel.

325 d. Hours and times of availability of instructional

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326 | personnel.

327 | e. Student-teacher ratios.

328 | f. Student completion and promotion rates.

329 | g. Student, educator, and school performance

330 | accountability outcomes;

331 | 8.9. If the approved virtual instruction program provider

332 | is a Florida College System institution, employs instructors who

333 | meet the certification requirements for instructional staff

334 | under chapter 1012; and

335 | 9.10. Performs an annual financial audit of its accounts

336 | and records conducted by an independent auditor who is a

337 | certified public accountant licensed under chapter 473. The

338 | independent auditor shall conduct the audit in accordance with

339 | rules adopted by the Auditor General and in compliance with

340 | generally accepted auditing standards, and include a report on

341 | financial statements presented in accordance with generally

342 | accepted accounting principles. The audit report shall be

343 | accompanied by a written statement from the approved virtual

344 | instruction program provider in response to any deficiencies

345 | identified within the audit report and shall be submitted by the

346 | approved virtual instruction program provider to the State Board

347 | of Education and the Auditor General no later than 9 months

348 | after the end of the preceding fiscal year.

349 | (b) An approved virtual instruction program provider that

350 | maintains compliance with all requirements of this section shall

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351 retain its approved status for a period of 3 school years after
 352 the date of approval by the State Board of Education.

353 (3) VIRTUAL INSTRUCTION PROGRAM REQUIREMENTS.—Each virtual
 354 instruction program under this section must:

355 (d) Provide each full-time student enrolled in the virtual
 356 instruction program who qualifies for free or reduced-price
 357 school lunches under the National School Lunch Act, or who is on
 358 the direct certification list, and who does not have a computer
 359 or Internet access in his or her home with:

360 1. All equipment necessary for participants in the virtual
 361 instruction program, including, but not limited to, a computer,
 362 computer monitor, and printer, if a printer is necessary to
 363 participate in the virtual instruction program; and

364 2. Access to or reimbursement for all Internet services
 365 necessary for online delivery of instruction.

366
 367 A school district may provide each full-time student enrolled in
 368 the virtual instruction program with the equipment and access
 369 necessary for participation in the program.

370 (5) STUDENT PARTICIPATION REQUIREMENTS.—Each student
 371 enrolled in the school district's virtual instruction program
 372 authorized pursuant to paragraph (1)(b) ~~(1)(e)~~ must:

373 (a) Comply with the compulsory attendance requirements of
 374 s. 1003.21. Student attendance must be verified by the school
 375 district.

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376 (b) Take statewide assessments pursuant to s. 1008.22 and
 377 participate in the coordinated screening and progress monitoring
 378 system under s. 1008.25(9). Statewide assessments and progress
 379 monitoring may be administered within the school district in
 380 which such student resides, or as specified in the contract in
 381 accordance with s. 1008.24(3). If requested by the approved
 382 virtual instruction program provider or virtual charter school,
 383 the district of residence must provide the student with access
 384 to the district's testing facilities.

385 (6) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL
 386 FUNDING.—

387 (a) All virtual instruction programs established pursuant
 388 to paragraph (1)(b) ~~(1)(c)~~ are subject to the requirements of s.
 389 1011.61(1)(c)1.b.(III), (IV), (VI), and (4), and the school
 390 district providing the virtual instruction program shall report
 391 the full-time equivalent students in a manner prescribed by the
 392 department. A school district may report a full-time equivalent
 393 student for credit earned by a student who is enrolled in a
 394 virtual instruction course provided by the district which was
 395 completed after the end of the regular school year if the full-
 396 time equivalent student is reported no later than the deadline
 397 for amending the final full-time equivalent student membership
 398 report for that year.

399 Section 7. Paragraph (e) of subsection (2) of section
 400 1002.82, Florida Statutes, is amended to read:

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401 1002.82 Department of Education; powers and duties.-

402 (2) The department shall:

403 (e) Review each early learning coalition's school
 404 readiness program plan every 3 ~~2~~ years and provide final
 405 approval of the plan and any amendments submitted.

406 Section 8. Subsection (2) of section 1002.85, Florida
 407 Statutes, is amended to read:

408 1002.85 Early learning coalition plans.-

409 (2) Each early learning coalition must ~~biennially~~ submit a
 410 school readiness program plan every 3 years to the department
 411 before the expenditure of funds. A coalition may not implement
 412 its school readiness program plan until it receives approval
 413 from the department. A coalition may not implement any revision
 414 to its school readiness program plan until the coalition submits
 415 the revised plan to and receives approval from the department.
 416 If the department rejects a plan or revision, the coalition must
 417 continue to operate under its previously approved plan. The plan
 418 must include, but is not limited to:

419 (a) The coalition's operations, including its membership
 420 and business organization, and the coalition's articles of
 421 incorporation and bylaws if the coalition is organized as a
 422 corporation. If the coalition is not organized as a corporation
 423 or other business entity, the plan must include the contract
 424 with a fiscal agent.

425 (b) The coalition's procedures for implementing the

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426 requirements of this part, including:
 427 1. Single point of entry.
 428 2. Uniform waiting list.
 429 3. Eligibility and enrollment processes and local
 430 eligibility priorities for children pursuant to s. 1002.87.
 431 4. Parent access and choice.
 432 5. Sliding fee scale and policies on applying the waiver
 433 or reduction of fees in accordance with s. 1002.84(9).
 434 6. Use of preassessments and postassessments, as
 435 applicable.
 436 7. Use of contracted slots, as applicable, based on the
 437 results of the assessment required under paragraph (i).
 438 (c) A detailed description of the coalition's quality
 439 activities and services, including, but not limited to:
 440 1. Resource and referral and school-age child care.
 441 2. Infant and toddler early learning.
 442 3. Inclusive early learning programs.
 443 4. Quality improvement strategies that strengthen teaching
 444 practices and increase child outcomes.
 445 (d) A detailed budget that outlines estimated expenditures
 446 for state, federal, and local matching funds at the lowest level
 447 of detail available by other-cost-accumulator code number; all
 448 estimated sources of revenue with identifiable descriptions; a
 449 listing of full-time equivalent positions; contracted
 450 subcontractor costs with related annual compensation amount or

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451 hourly rate of compensation; and a capital improvements plan
 452 outlining existing fixed capital outlay projects and proposed
 453 capital outlay projects that will begin during the budget year.

454 (e) A detailed accounting, in the format prescribed by the
 455 department, of all revenues and expenditures during the 2
 456 previous state fiscal years ~~year~~. Revenue sources should be
 457 identifiable, and expenditures should be reported by two
 458 categories: state and federal funds and local matching funds.

459 (f) Updated policies and procedures, including those
 460 governing procurement, maintenance of tangible personal
 461 property, maintenance of records, information technology
 462 security, and disbursement controls.

463 (g) A description of the procedures for monitoring school
 464 readiness program providers, including in response to a parental
 465 complaint, to determine that the standards prescribed in ss.
 466 1002.82 and 1002.88 are met using a standard monitoring tool
 467 adopted by the department. Providers determined to be high risk
 468 by the coalition as demonstrated by substantial findings of
 469 violations of law shall be monitored more frequently.

470 (h) Documentation that the coalition has solicited and
 471 considered comments regarding the proposed school readiness
 472 program plan from the local community.

473 (i) An assessment of local priorities within the county or
 474 multicounty region based on the needs of families and provider
 475 capacity using available community data.

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476 Section 9. Subsection (3) of section 1003.4935, Florida
 477 Statutes, is amended to read:

478 1003.4935 Middle grades career and professional academy
 479 courses and career-themed courses.—

480 ~~(3) Beginning with the 2012-2013 school year, if a school~~
 481 ~~district implements a middle school career and professional~~
 482 ~~academy or a career-themed course, the Department of Education~~
 483 ~~shall collect and report student achievement data pursuant to~~
 484 ~~performance factors identified under s. 1003.492(3) for students~~
 485 ~~enrolled in an academy or a career-themed course.~~

486 Section 10. Section 1003.4995, Florida Statutes, is
 487 repealed.

488 Section 11. Section 1003.4996, Florida Statutes, is
 489 repealed.

490 Section 12. Subsection (2) of section 1003.49965, Florida
 491 Statutes, is amended to read:

492 1003.49965 Art in the Capitol Competition.—

493 (2) A ~~Each~~ school district may ~~shall~~ annually hold an Art
 494 in the Capitol Competition for all public, private, and home
 495 education students in grades 6 through 8. Submissions shall be
 496 judged by a selection committee consisting of art teachers whose
 497 students have not submitted artwork for consideration.

498 Section 13. Paragraphs (g) and (r) of subsection (2) of
 499 section 1003.51, Florida Statutes, are amended to read:

500 1003.51 Other public educational services.—

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501 (2) The State Board of Education shall adopt rules
 502 articulating expectations for effective education programs for
 503 students in Department of Juvenile Justice programs, including,
 504 but not limited to, education programs in juvenile justice
 505 prevention, day treatment, residential, and detention programs.
 506 The rule shall establish policies and standards for education
 507 programs for students in Department of Juvenile Justice programs
 508 and shall include the following:

509 (g) Assessment procedures that, ~~which~~:

510 ~~1. For prevention, day treatment, and residential~~
 511 ~~programs, include appropriate academic and career assessments~~
 512 ~~administered at program entry and exit that are selected by the~~
 513 ~~Department of Education in partnership with representatives from~~
 514 ~~the Department of Juvenile Justice, district school boards, and~~
 515 ~~education providers. Assessments must be completed within the~~
 516 ~~first 10 school days after a student's entry into the program.~~

517 ~~2.~~ provide for determination of the areas of academic need
 518 and strategies for appropriate intervention and instruction for
 519 each student in a detention facility within 5 school days after
 520 the student's entry into the program and for the administration
 521 of ~~administer~~ a research-based assessment that will assist the
 522 student in determining his or her educational and career options
 523 and goals within 22 school days after the student's entry into
 524 the program. The results of the these assessments required under
 525 this paragraph and s. 1003.52(3)(d), together with a portfolio

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526 depicting the student's academic and career accomplishments,
 527 must ~~shall~~ be included in the discharge packet assembled for
 528 each student.

529 (r) A series of graduated sanctions for district school
 530 boards whose educational programs in Department of Juvenile
 531 Justice programs are considered to be unsatisfactory and for
 532 instances in which district school boards fail to meet standards
 533 prescribed by law, rule, or State Board of Education policy.
 534 These sanctions must ~~shall~~ include the option of requiring a
 535 district school board to contract with a provider or another
 536 district school board if the educational program at the
 537 Department of Juvenile Justice program is performing below
 538 minimum standards ~~and, after 6 months, is still performing below~~
 539 ~~minimum standards.~~

540 Section 14. Subsection (4) of section 1003.621, Florida
 541 Statutes, is amended to read:

542 1003.621 Academically high-performing school districts.—It
 543 is the intent of the Legislature to recognize and reward school
 544 districts that demonstrate the ability to consistently maintain
 545 or improve their high-performing status. The purpose of this
 546 section is to provide high-performing school districts with
 547 flexibility in meeting the specific requirements in statute and
 548 rules of the State Board of Education.

549 ~~(4) REPORTS.—The academically high-performing school~~
 550 ~~district shall submit to the State Board of Education and the~~

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551 ~~Legislature an annual report on December 1 which delineates the~~
 552 ~~performance of the school district relative to the academic~~
 553 ~~performance of students at each grade level in reading, writing,~~
 554 ~~mathematics, science, and any other subject that is included as~~
 555 ~~a part of the statewide assessment program in s. 1008.22. The~~
 556 ~~annual report shall be submitted in a format prescribed by the~~
 557 ~~Department of Education and shall include:~~

558 ~~(a) Longitudinal performance of students on statewide,~~
 559 ~~standardized assessments taken under s. 1008.22;~~

560 ~~(b) Longitudinal performance of students by grade level~~
 561 ~~and subgroup on statewide, standardized assessments taken under~~
 562 ~~s. 1008.22;~~

563 ~~(c) Longitudinal performance regarding efforts to close~~
 564 ~~the achievement gap;~~

565 ~~(d)1. Number and percentage of students who take an~~
 566 ~~Advanced Placement Examination; and~~

567 ~~2. Longitudinal performance regarding students who take an~~
 568 ~~Advanced Placement Examination by demographic group,~~
 569 ~~specifically by age, gender, race, and Hispanic origin, and by~~
 570 ~~participation in the National School Lunch Program;~~

571 ~~(e) Evidence of compliance with subsection (1); and~~

572 ~~(f) A description of each waiver and the status of each~~
 573 ~~waiver.~~

574 Section 15. Section 1004.925, Florida Statutes, is
 575 repealed.

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576 Section 16. Paragraph (a) of subsection (1), paragraphs
 577 (a) and (e) of subsection (2), paragraph (b) of subsection (3),
 578 and paragraph (b) of subsection (4) of section 1006.28, Florida
 579 Statutes, are amended to read:

580 1006.28 Duties of district school board, district school
 581 superintendent; and school principal regarding K-12
 582 instructional materials.—

583 (1) DEFINITIONS.—

584 (a) As used in this section, the term:

585 1. "Adequate instructional materials" means a sufficient
 586 number of student or site licenses or sets of materials that are
 587 available in bound, unbound, kit, or package form and may
 588 consist of hardbacked or softbacked textbooks, electronic
 589 content, consumables, learning laboratories, manipulatives,
 590 electronic media, and computer courseware or software that serve
 591 as the basis for instruction ~~for each student~~ in the core
 592 subject areas of mathematics, language arts, social studies,
 593 science, reading, and literature.

594 2. "Instructional materials" has the same meaning as in s.
 595 1006.29(2).

596 3. "Library media center" means any collection of books,
 597 ebooks, periodicals, or videos maintained and accessible on the
 598 site of a school, including in classrooms.

599 (2) DISTRICT SCHOOL BOARD.—The district school board has
 600 the constitutional duty and responsibility to select and provide

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601 adequate instructional materials for all students in accordance
 602 with the requirements of this part. The district school board
 603 also has the following specific duties and responsibilities:

604 (a) Courses of study; adoption.—Adopt courses of study,
 605 including instructional materials, for use in the schools of the
 606 district.

607 1. Each district school board is responsible for the
 608 content of all instructional materials and any other materials
 609 used in a classroom, made available in a school or classroom
 610 library, or included on a reading list, whether adopted and
 611 purchased from the state-adopted instructional materials list,
 612 adopted and purchased through a district instructional materials
 613 program under s. 1006.283, or otherwise purchased or made
 614 available.

615 2. Each district school board must adopt a policy
 616 regarding an objection by a parent or a resident of the county
 617 to the use of a specific material, which clearly describes a
 618 process to handle all objections and provides for resolution.
 619 The objection form, as prescribed by State Board of Education
 620 rule, and the district school board's process must be easy to
 621 read and understand and be easily accessible on the homepage of
 622 the school district's website. The objection form must also
 623 identify the school district point of contact and contact
 624 information for the submission of an objection. The process must
 625 provide the parent or resident the opportunity to proffer

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626 | evidence to the district school board that:

627 | a. An instructional material does not meet the criteria of
 628 | s. 1006.31(2) or s. 1006.40(3)(d) if it was selected for use in
 629 | a course or otherwise made available to students in the school
 630 | district but was not subject to the public notice, review,
 631 | comment, and hearing procedures under s. 1006.283(2)(b)8., 9.,
 632 | and 11.

633 | b. Any material used in a classroom, made available in a
 634 | school or classroom library, or included on a reading list
 635 | contains content which:

636 | (I) Is pornographic or prohibited under s. 847.012;

637 | (II) Depicts or describes sexual conduct as defined in s.
 638 | 847.001(19), unless such material is for a course required by s.
 639 | 1003.46, s. 1003.42(2)(n)1.g., or s. 1003.42(2)(n)3., or
 640 | identified by State Board of Education rule;

641 | (III) Is not suited to student needs and their ability to
 642 | comprehend the material presented; or

643 | (IV) Is inappropriate for the grade level and age group
 644 | for which the material is used.

645 |
 646 | A school district may assess a \$100 processing fee for each
 647 | objection submitted by a parent or resident who does not have a
 648 | student enrolled in the school where the material is located if
 649 | the parent or resident has objected to more than five materials
 650 | during the calendar year. The school district must return to the

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651 | parent or resident the processing fee for each objection that is
 652 | upheld. Any material that is subject to an objection on the
 653 | basis of sub-sub-subparagraph b.(I) or sub-sub-subparagraph
 654 | b.(II) must be removed within 5 school days after ~~of~~ receipt of
 655 | the objection and remain unavailable to students of that school
 656 | until the objection is resolved. Parents shall have the right to
 657 | read passages from any material that is subject to an objection.
 658 | If the school board denies a parent the right to read passages
 659 | due to content that meets the requirements under sub-sub-
 660 | subparagraph b.(I), the school district shall discontinue the
 661 | use of the material. If the district school board finds that any
 662 | material meets the requirements under sub-subparagraph a. or
 663 | that any other material contains prohibited content under sub-
 664 | sub-subparagraph b.(I), the school district shall discontinue
 665 | use of the material. If the district school board finds that any
 666 | other material contains prohibited content under sub-sub-
 667 | subparagraphs b.(II)-(IV), the school district shall discontinue
 668 | use of the material for any grade level or age group for which
 669 | such use is inappropriate or unsuitable.

670 | 3. Each district school board must establish a process by
 671 | which the parent of a public school student or a resident of the
 672 | county may contest the district school board's adoption of a
 673 | specific instructional material. The parent or resident must
 674 | file a petition, on a form provided by the school board, within
 675 | 30 calendar days after the adoption of the instructional

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676 material by the school board. The school board must make the
 677 form available to the public and publish the form on the school
 678 district's website. The form must be signed by the parent or
 679 resident, include the required contact information, and state
 680 the objection to the instructional material based on the
 681 criteria of s. 1006.31(2) or s. 1006.40(3)(d). Within 30 days
 682 after the 30-day period has expired, the school board must, for
 683 all petitions timely received, conduct at least one open public
 684 hearing before an unbiased and qualified hearing officer. The
 685 hearing officer may not be an employee or agent of the school
 686 district. The hearing is not subject to the provisions of
 687 chapter 120; however, the hearing must provide sufficient
 688 procedural protections to allow each petitioner an adequate and
 689 fair opportunity to be heard and present evidence to the hearing
 690 officer. The school board's decision after convening a hearing
 691 is final and not subject to further petition or review.

692 4. Meetings of committees convened for the purpose of
 693 ranking, eliminating, or selecting instructional materials for
 694 recommendation to the district school board must be noticed and
 695 open to the public in accordance with s. 286.011. Any committees
 696 convened for such purposes must include parents of students who
 697 will have access to such materials.

698 5. Meetings of committees convened for the purpose of
 699 resolving an objection by a parent or resident to specific
 700 materials must be noticed and open to the public in accordance

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701 with s. 286.011. Any committees convened for such purposes must
 702 include parents of students who will have access to such
 703 materials.

704 6. If a parent disagrees with the determination made by
 705 the district school board on the objection to the use of a
 706 specific material, a parent may request the Commissioner of
 707 Education to appoint a special magistrate who is a member of The
 708 Florida Bar in good standing and who has at least 5 years'
 709 experience in administrative law. The special magistrate shall
 710 determine facts relating to the school district's determination,
 711 consider information provided by the parent and the school
 712 district, and render a recommended decision for resolution to
 713 the State Board of Education within 30 days after receipt of the
 714 request by the parent. The State Board of Education must approve
 715 or reject the recommended decision at its next regularly
 716 scheduled meeting that is more than 7 calendar days and no more
 717 than 30 days after the date the recommended decision is
 718 transmitted. The costs of the special magistrate shall be borne
 719 by the school district. The State Board of Education shall adopt
 720 rules, including forms, necessary to implement this
 721 subparagraph.

722 (e) Public participation.—Publish on its website, in a
 723 searchable format prescribed by the department, a list of all
 724 instructional materials, including those used to provide
 725 instruction required by s. 1003.42. Each district school board

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726 must:

727 1. Provide access to all materials, excluding teacher
 728 editions, in accordance with s. 1006.283(2)(b)8.a. before the
 729 district school board takes any official action on such
 730 materials. This process must include reasonable safeguards
 731 against the unauthorized use, reproduction, and distribution of
 732 instructional materials considered for adoption.

733 2. Select, approve, adopt, or purchase all materials as a
 734 separate line item on the agenda and provide a reasonable
 735 opportunity for public comment. The use of materials described
 736 in this paragraph may not be selected, approved, or adopted as
 737 part of a consent agenda.

738 3. Annually, beginning June 30, 2023, submit to the
 739 Commissioner of Education a report that identifies:

740 a. Each material for which the school district received an
 741 objection pursuant to subparagraph (a)2., including the grade
 742 level and course the material was used in, for the school year
 743 and the specific objections thereto.

744 b. Each material that was removed or discontinued.

745 c. Each material that was not removed or discontinued and
 746 the rationale for not removing or discontinuing the material.

747

748 The department shall publish and regularly update a list of
 749 materials that were removed or discontinued, sorted by grade
 750 level, as a result of an objection and disseminate the list to

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751 school districts for consideration in their selection
752 procedures.

753 (3) DISTRICT SCHOOL SUPERINTENDENT.—

754 (b) Each district school superintendent shall annually
755 notify the department ~~by April 1 of each year~~ the state-adopted
756 instructional materials that will be requisitioned for use in
757 his or her school district. ~~The notification shall include a~~
758 ~~district school board plan for instructional materials use to~~
759 ~~assist in determining if adequate instructional materials have~~
760 ~~been requisitioned.~~

761 (4) SCHOOL PRINCIPAL.—The school principal has the
762 following duties for the management and care of materials at the
763 school:

764 (b) *Money collected for lost or damaged instructional*
765 *materials; enforcement.*—The school principal may ~~shall~~ collect
766 from each student or the student's parent the purchase price of
767 any instructional material the student has lost, destroyed, or
768 unnecessarily damaged and to report and transmit the money
769 collected to the district school superintendent. A student who
770 fails to pay such sum may be suspended ~~the failure to collect~~
771 ~~such sum upon reasonable effort by the school principal may~~
772 ~~result in the suspension of the student~~ from participation in
773 extracurricular activities. A student may satisfy ~~or~~
774 ~~satisfaction of the debt by the student~~ through community
775 service activities at the school site as determined by the

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776 school principal, pursuant to policies adopted by district
777 school board rule.

778 Section 17. Subsection (1) of section 1006.283, Florida
779 Statutes, is amended to read:

780 1006.283 District school board instructional materials
781 review process.—

782 (1) A district school board or consortium of school
783 districts may implement an instructional materials program that
784 includes the review, recommendation, adoption, and purchase of
785 instructional materials. The district school superintendent
786 shall annually certify to the department ~~by March 31 of each~~
787 ~~year~~ that all instructional materials for core courses used by
788 the district are aligned with applicable state standards. A list
789 of the core instructional materials that will be used or
790 purchased for use by the school district shall be included in
791 the certification.

792 Section 18. Subsection (4) of section 1007.33, Florida
793 Statutes, is amended to read:

794 1007.33 Site-determined baccalaureate degree access.—

795 (4) A Florida College System institution may:

796 (a) Offer specified baccalaureate degree programs through
797 formal agreements between the Florida College System institution
798 and other regionally accredited postsecondary educational
799 institutions pursuant to s. 1007.22.

800 (b) Offer baccalaureate degree programs that were

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801 authorized by law before ~~prior to~~ July 1, 2009.

802 (c) Establish a first or subsequent baccalaureate degree
 803 program for purposes of meeting district, regional, or statewide
 804 workforce needs if approved by the State Board of Education
 805 under this section.

806
 807 ~~The Board of Trustees of St. Petersburg College is authorized to~~
 808 ~~establish one or more bachelor of applied science degree~~
 809 ~~programs based on an analysis of workforce needs in Pinellas,~~
 810 ~~Pasco, and Hernando Counties and other counties approved by the~~
 811 ~~Department of Education. For each program selected, St.~~
 812 ~~Petersburg College must offer a related associate in science or~~
 813 ~~associate in applied science degree program, and the~~
 814 ~~baccalaureate degree level program must be designed to~~
 815 ~~articulate fully with at least one associate in science degree~~
 816 ~~program. The college is encouraged to develop articulation~~
 817 ~~agreements for enrollment of graduates of related associate in~~
 818 ~~applied science degree programs. The Board of Trustees of St.~~
 819 ~~Petersburg College is authorized to establish additional~~
 820 ~~baccalaureate degree programs if it determines a program is~~
 821 ~~warranted and feasible based on each of the factors in paragraph~~
 822 ~~(5)(d). Prior to developing or proposing a new baccalaureate~~
 823 ~~degree program, St. Petersburg College shall engage in need,~~
 824 ~~demand, and impact discussions with the state university in its~~
 825 ~~service district and other local and regional, accredited~~

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826 ~~postsecondary providers in its region. Documentation, data, and~~
 827 ~~other information from inter-institutional discussions regarding~~
 828 ~~program need, demand, and impact shall be provided to the~~
 829 ~~college's board of trustees to inform the program approval~~
 830 ~~process. Employment at St. Petersburg College is governed by the~~
 831 ~~same laws that govern Florida College System institutions,~~
 832 ~~except that upper-division faculty are eligible for continuing~~
 833 ~~contracts upon the completion of the fifth year of teaching.~~
 834 ~~Employee records for all personnel shall be maintained as~~
 835 ~~required by s. 1012.81.~~

836 Section 19. Paragraph (b) of subsection (9) of section
 837 1008.25, Florida Statutes, is amended, to read:

838 1008.25 Public school student progression; student
 839 support; coordinated screening and progress monitoring;
 840 reporting requirements.—

841 (9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

842 (b) Beginning with the 2022-2023 school year, private
 843 Voluntary Prekindergarten Education Program providers and public
 844 schools must participate in the coordinated screening and
 845 progress monitoring system pursuant to this paragraph.

846 1. For students in the school-year Voluntary
 847 Prekindergarten Education Program through grade 2, the
 848 coordinated screening and progress monitoring system must be
 849 administered at least three times within a ~~program year or~~
 850 ~~school year, as applicable,~~ with the first administration

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851 occurring no later than the first 30 instructional days after a
 852 student's enrollment or the start of the ~~program year or~~ school
 853 year, the second administration occurring midyear, and the third
 854 administration occurring within the last 30 days of the ~~program~~
 855 ~~or~~ school year pursuant to state board rule. The state board may
 856 adopt alternate timeframes to address nontraditional school year
 857 calendars ~~or summer programs~~ to ensure the coordinated screening
 858 and progress monitoring program is administered a minimum of
 859 three times within a year ~~or program~~.

860 2. For students in the summer prekindergarten program, the
 861 coordinated screening and progress monitoring system must be
 862 administered two times, with the first administration occurring
 863 no later than the first 10 instructional days after a student's
 864 enrollment or the start of the summer prekindergarten program,
 865 and the second administration occurring within the last 10 days
 866 of the summer prekindergarten program pursuant to state board
 867 rule.

868 3.2. For grades 3 through 10 English Language Arts and
 869 grades 3 through 8 Mathematics, the coordinated screening and
 870 progress monitoring system must be administered at the
 871 beginning, middle, and end of the school year pursuant to state
 872 board rule. The end-of-year administration of the coordinated
 873 screening and progress monitoring system must be a comprehensive
 874 progress monitoring assessment administered in accordance with
 875 the scheduling requirements under s. 1008.22(7) (c).

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876 Section 20. Paragraph (c) of subsection (1) of section
877 1008.31, Florida Statutes, is amended to read:

878 1008.31 Florida's Early Learning-20 education performance
879 accountability system; legislative intent; mission, goals, and
880 systemwide measures; data quality improvements.-

881 (1) LEGISLATIVE INTENT.-It is the intent of the
882 Legislature that:

883 (c) The Early Learning-20 education performance
884 accountability system comply with the requirements of the "Every
885 Student Succeeds Act of 2015", Pub. L. No. 114-95, ~~"No Child~~
886 ~~Left Behind Act of 2001,"~~ Pub. L. No. 107-110, and the
887 Individuals with Disabilities Education Act (IDEA).

888 Section 21. Section 1008.332, Florida Statutes, is amended
889 to read:

890 1008.332 Committee of practitioners pursuant to federal
891 Every Student Succeeds ~~No Child Left Behind~~ Act.-The Department
892 of Education shall establish a committee of practitioners
893 pursuant to federal requirements of the Every Student Succeeds
894 ~~No Child Left Behind~~ Act of 2015 ~~2001~~. The committee members
895 shall be appointed by the Commissioner of Education ~~and shall~~
896 ~~annually report to the Governor, the President of the Senate,~~
897 ~~and the Speaker of the House of Representatives by January 1.~~
898 The committee shall meet regularly and is authorized to review
899 potential rules and policies that will be considered by the
900 State Board of Education.

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901 Section 22. Paragraph (c) of subsection (3) and subsection
 902 (5) of section 1008.34, Florida Statutes, are amended to read:

903 1008.34 School grading system; school report cards;
 904 district grade.—

905 (3) DESIGNATION OF SCHOOL GRADES.—

906 (c)1. The calculation of a school grade shall be based on
 907 the percentage of points earned from the components listed in
 908 subparagraph (b)1. and, if applicable, subparagraph (b)2. The
 909 State Board of Education shall adopt in rule a school grading
 910 scale that sets the percentage of points needed to earn each of
 911 the school grades listed in subsection (2). There shall be at
 912 least five percentage points separating the percentage
 913 thresholds needed to earn each of the school grades. The state
 914 board shall annually review the percentage of school grades of
 915 "A" and "B" for the school year to determine whether to adjust
 916 the school grading scale upward for the following school year's
 917 school grades. The first adjustment would occur no earlier than
 918 the 2023-2024 school year. An adjustment must be made if the
 919 percentage of schools earning a grade of "A" or "B" in the
 920 current year represents 75 percent or more of all graded schools
 921 within a particular school type, which consists of elementary,
 922 middle, high, and combination. The adjustment must reset the
 923 minimum required percentage of points for each grade of "A,"
 924 "B," "C," or "D" at the next highest percentage ending in the
 925 numeral 5 or 0, whichever is closest to the current percentage.

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926 Annual reviews of the percentage of schools earning a grade of
 927 "A" or "B" and adjustments to the required points must be
 928 suspended when the following grading scale for a specific school
 929 type is achieved:

930 a. Ninety percent or more of the points for a grade of
 931 "A."

932 b. Eighty to eighty-nine percent of the points for a grade
 933 of "B."

934 c. Seventy to seventy-nine percent of the points for a
 935 grade of "C."

936 d. Sixty to sixty-nine percent of the points for a grade
 937 of "D."

938
 939 When the state board adjusts the grading scale upward, the state
 940 board must inform the public of the degree of the adjustment and
 941 its anticipated impact on school grades. Any changes made by the
 942 state board to components in the school grades model or to the
 943 school grading scale shall go into effect in the following
 944 school year, at the earliest.

945 2. The calculation of school grades may not include any
 946 provision that would raise or lower the school's grade beyond
 947 the percentage of points earned. Extra weight may not be added
 948 in the calculation of any components.

949 (5) DISTRICT GRADE.—Beginning with the 2014-2015 school
 950 year, a school district's grade shall include a district-level

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951 calculation of the components under paragraph (3)(b). This
 952 calculation methodology captures each eligible student in the
 953 district who may have transferred among schools within the
 954 district or is enrolled in a school that does not receive a
 955 grade. The department shall develop a district report card that
 956 includes the district grade; the information required under s.
 957 1008.345(3) ~~s. 1008.345(5)~~; measures of the district's progress
 958 in closing the achievement gap between higher-performing student
 959 subgroups and lower-performing student subgroups; measures of
 960 the district's progress in demonstrating Learning Gains of its
 961 highest-performing students; measures of the district's success
 962 in improving student attendance; the district's grade-level
 963 promotion of students scoring achievement levels 1 and 2 on
 964 statewide, standardized English Language Arts and Mathematics
 965 assessments; and measures of the district's performance in
 966 preparing students for the transition from elementary to middle
 967 school, middle to high school, and high school to postsecondary
 968 institutions and careers.

969 Section 23. Subsections (5) through (7) of section
 970 1008.345, Florida Statutes, are renumbered as subsections (3)
 971 through (5), respectively, and present subsections (3), (4), and
 972 (5) and paragraph (d) of present subsection (6) of that section
 973 are amended to read:

974 1008.345 Implementation of state system of school
 975 improvement and education accountability.-

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976 ~~(3) The annual feedback report shall be developed by the~~
 977 ~~Department of Education.~~

978 ~~(4) The commissioner shall review each district school~~
 979 ~~board's feedback report and submit findings to the State Board~~
 980 ~~of Education. If adequate progress is not being made toward~~
 981 ~~implementing and maintaining a system of school improvement and~~
 982 ~~education accountability, the State Board of Education shall~~
 983 ~~direct the commissioner to prepare and implement a corrective~~
 984 ~~action plan. The commissioner and State Board of Education shall~~
 985 ~~monitor the development and implementation of the corrective~~
 986 ~~action plan.~~

987 (3)(5) The commissioner shall annually report to the State
 988 Board of Education and the Legislature and recommend changes in
 989 state policy necessary to foster school improvement and
 990 education accountability. The report must ~~shall~~ include:

991 ~~(a)~~ for each school district:

992 (a)1. The percentage of students, by school and grade
 993 level, demonstrating learning growth in English Language Arts
 994 and mathematics.

995 (b)2. The percentage of students, by school and grade
 996 level, in both the highest and lowest quartiles demonstrating
 997 learning growth in English Language Arts and mathematics.

998 (c)3. The information contained in the school district's
 999 annual report required pursuant to s. 1008.25(10).

1000 ~~(b) Intervention and support strategies used by school~~

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1001 ~~districts whose students in both the highest and lowest~~
 1002 ~~quartiles exceed the statewide average learning growth for~~
 1003 ~~students in those quartiles.~~

1004 ~~(c) Intervention and support strategies used by school~~
 1005 ~~districts whose schools provide educational services to youth in~~
 1006 ~~Department of Juvenile Justice programs that demonstrate~~
 1007 ~~learning growth in English Language Arts and mathematics that~~
 1008 ~~exceeds the statewide average learning growth for students in~~
 1009 ~~those subjects.~~

1010 ~~(d) Based upon a review of each school district's reading~~
 1011 ~~instruction plan submitted pursuant to s. 1003.4201,~~
 1012 ~~intervention and support strategies used by school districts~~
 1013 ~~that were effective in improving the reading performance of~~
 1014 ~~students, as indicated by student performance data, who are~~
 1015 ~~identified as having a substantial reading deficiency pursuant~~
 1016 ~~to s. 1008.25(5)(a).~~

1017
 1018 School reports must ~~shall~~ be distributed pursuant to this
 1019 subsection and s. 1001.42(18)(c) and according to rules adopted
 1020 by the State Board of Education.

1021 ~~(4)-(6)~~

1022 (d) The commissioner shall assign a community assessment
 1023 team to each school district or governing board with a school
 1024 that earned a grade of "D" or "F" pursuant to s. 1008.34 to
 1025 review the school performance data and determine causes for the

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1026 low performance, including the role of school, area, and
 1027 district administrative personnel. The community assessment team
 1028 shall review a high school's graduation rate calculated without
 1029 high school equivalency diploma recipients for the past 3 years,
 1030 disaggregated by student ethnicity. The team shall make
 1031 recommendations to the school board or the governing board and
 1032 to the State Board of Education ~~based on the interventions and~~
 1033 ~~support strategies identified pursuant to subsection (5) to~~
 1034 address the causes of the school's low performance and to
 1035 incorporate the strategies into the school improvement plan. The
 1036 assessment team shall include, but not be limited to, a
 1037 department representative, parents, business representatives,
 1038 educators, representatives of local governments, and community
 1039 activists, and shall represent the demographics of the community
 1040 from which they are appointed.

1041 Section 24. Subsection (3) of section 1008.45, Florida
 1042 Statutes, is amended to read:

1043 1008.45 Florida College System institution accountability
 1044 process.—

1045 (3) ~~The State Board of Education shall address within the~~
 1046 ~~annual evaluation of the performance of the executive director,~~
 1047 ~~and the Florida College System institution boards of trustees~~
 1048 shall address within the annual evaluation of the presidents,
 1049 the achievement of the performance goals established by the
 1050 accountability process.

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1051 Section 25. Paragraph (d) of subsection (2) of section
 1052 1000.05, Florida Statutes, is amended to read:
 1053 1000.05 Discrimination against students and employees in
 1054 the Florida K-20 public education system prohibited; equality of
 1055 access required.-
 1056 (2)
 1057 (d) Students may be separated by sex for a single-gender
 1058 program ~~as provided under s. 1002.311~~, for any portion of a
 1059 class that deals with human reproduction, or during
 1060 participation in bodily contact sports. For the purpose of this
 1061 section, bodily contact sports include wrestling, boxing, rugby,
 1062 ice hockey, football, basketball, and other sports in which the
 1063 purpose or major activity involves bodily contact.
 1064 Section 26. Paragraph (b) of subsection (2) of section
 1065 1002.31, Florida Statutes, is amended to read:
 1066 1002.31 Controlled open enrollment; public school parental
 1067 choice.-
 1068 (2)
 1069 (b) Each school district and charter school capacity
 1070 determinations for its schools, by grade level, must be updated
 1071 every 12 weeks and be identified on the school district and
 1072 charter school's websites. In determining the capacity of each
 1073 district school, the district school board shall incorporate the
 1074 specifications, plans, elements, and commitments contained in
 1075 the school district educational facilities plan and the long-

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1076 term work programs required under s. 1013.35. Each charter
 1077 school governing board shall determine capacity based upon its
 1078 charter school contract. Each virtual charter school and each
 1079 school district with a contract with an approved virtual
 1080 instruction program provider shall determine capacity based upon
 1081 the enrollment requirements established under s. 1002.45(1)(d)4.
 1082 ~~s. 1002.45(1)(e)4.~~

1083 Section 27. Subsection (3) of section 1002.321, Florida
 1084 Statutes, is amended to read:

1085 1002.321 Digital learning.—

1086 (3) CUSTOMIZED AND ACCELERATED LEARNING.—A school district
 1087 must establish ~~multiple~~ opportunities for student participation
 1088 in part-time and full-time kindergarten through grade 12 virtual
 1089 instruction. Options include, but are not limited to:

1090 (a) School district operated part-time or full-time
 1091 virtual instruction programs under s. 1002.45 ~~s. 1002.45(1)(b)~~
 1092 for kindergarten through grade 12 students enrolled in the
 1093 school district. A full-time program shall operate under its own
 1094 Master School Identification Number.

1095 (b) Florida Virtual School instructional services
 1096 authorized under s. 1002.37.

1097 (c) Blended learning instruction provided by charter
 1098 schools authorized under s. 1002.33.

1099 (d) Virtual charter school instruction authorized under s.
 1100 1002.33.

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1101 (e) Courses delivered in the traditional school setting by
 1102 personnel providing direct instruction through virtual
 1103 instruction or through blended learning courses consisting of
 1104 both traditional classroom and online instructional techniques
 1105 pursuant to s. 1003.498.

1106 (f) Virtual courses offered in the course code directory
 1107 to students within the school district or to students in other
 1108 school districts throughout the state pursuant to s. 1003.498.

1109 Section 28. Subsection (1), paragraph (a) of subsection
 1110 (6), and paragraph (a) of subsection (10) of section 1002.33,
 1111 Florida Statutes, are amended to read:

1112 1002.33 Charter schools.—

1113 (1) AUTHORIZATION.—All charter schools in Florida are
 1114 public schools and shall be part of the state's program of
 1115 public education. A charter school may be formed by creating a
 1116 new school or converting an existing public school to charter
 1117 status. A charter school may operate a virtual charter school
 1118 pursuant to s. 1002.45(1)(c) ~~s. 1002.45(1)(d)~~ to provide online
 1119 instruction to students, pursuant to s. 1002.455, in
 1120 kindergarten through grade 12. The school district in which the
 1121 student enrolls in the virtual charter school shall report the
 1122 student for funding pursuant to s. 1011.61(1)(c)1.b.(VI), and
 1123 the home school district shall not report the student for
 1124 funding. An existing charter school that is seeking to become a
 1125 virtual charter school must amend its charter or submit a new

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1126 application pursuant to subsection (6) to become a virtual
 1127 charter school. A virtual charter school is subject to the
 1128 requirements of this section; however, a virtual charter school
 1129 is exempt from subparagraph (7)(a)13., subsections (18) and
 1130 (19), paragraph (20)(c), and s. 1003.03. A public school may not
 1131 use the term charter in its name unless it has been approved
 1132 under this section.

1133 (6) APPLICATION PROCESS AND REVIEW.—Charter school
 1134 applications are subject to the following requirements:

1135 (a) A person or entity seeking to open a charter school
 1136 shall prepare and submit an application on the standard
 1137 application form prepared by the Department of Education which:

1138 1. Demonstrates how the school will use the guiding
 1139 principles and meet the statutorily defined purpose of a charter
 1140 school.

1141 2. Provides a detailed curriculum plan that illustrates
 1142 how students will be provided services to attain the state
 1143 academic standards.

1144 3. Contains goals and objectives for improving student
 1145 learning and measuring that improvement. These goals and
 1146 objectives must indicate how much academic improvement students
 1147 are expected to show each year, how success will be evaluated,
 1148 and the specific results to be attained through instruction.

1149 4. Describes the reading curriculum and differentiated
 1150 strategies that will be used for students reading at grade level

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1151 or higher and a separate curriculum and strategies for students
 1152 who are reading below grade level. Reading instructional
 1153 strategies for foundational skills shall include phonics
 1154 instruction for decoding and encoding as the primary
 1155 instructional strategy for word reading. Instructional
 1156 strategies may not employ the three-cueing system model of
 1157 reading or visual memory as a basis for teaching word reading.
 1158 Such strategies may include visual information and strategies
 1159 that improve background and experiential knowledge, add context,
 1160 and increase oral language and vocabulary to support
 1161 comprehension, but may not be used to teach word reading. A
 1162 sponsor shall deny an application if the school does not propose
 1163 a reading curriculum that is consistent with effective teaching
 1164 strategies that are grounded in scientifically based reading
 1165 research.

1166 5. Contains an annual financial plan for each year
 1167 requested by the charter for operation of the school for up to 5
 1168 years. This plan must contain anticipated fund balances based on
 1169 revenue projections, a spending plan based on projected revenues
 1170 and expenses, and a description of controls that will safeguard
 1171 finances and projected enrollment trends.

1172 6. Discloses the name of each applicant, governing board
 1173 member, and all proposed education services providers; the name
 1174 and sponsor of any charter school operated by each applicant,
 1175 each governing board member, and each proposed education

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1176 services provider that has closed and the reasons for the
 1177 closure; and the academic and financial history of such charter
 1178 schools, which the sponsor shall consider in deciding whether to
 1179 approve or deny the application.

1180 7. Contains additional information a sponsor may require,
 1181 which shall be attached as an addendum to the charter school
 1182 application described in this paragraph.

1183 8. For the establishment of a virtual charter school,
 1184 documents that the applicant has contracted with a provider of
 1185 virtual instruction services pursuant to s. 1002.45(1)(c) ~~s.~~
 1186 ~~1002.45(1)(d)~~.

1187 9. Describes the mathematics curriculum and differentiated
 1188 strategies that will be used for students performing at grade
 1189 level or higher and a separate mathematics curriculum and
 1190 strategies for students who are performing below grade level.

1191 (10) ELIGIBLE STUDENTS.—

1192 (a)1. A charter school may be exempt from the requirements
 1193 of s. 1002.31 if the school is open to any student covered in an
 1194 interdistrict agreement and any student residing in the school
 1195 district in which the charter school is located.

1196 2. A virtual charter school when enrolling students shall
 1197 comply with the applicable requirements of s. 1002.31 and with
 1198 the enrollment requirements established under s. 1002.45(1)(d)4.
 1199 ~~s. 1002.45(1)(e)4.~~

1200 3. A charter lab school shall be open to any student

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1201 eligible to attend the lab school as provided in s. 1002.32 or
 1202 who resides in the school district in which the charter lab
 1203 school is located.

1204 4. Any eligible student shall be allowed interdistrict
 1205 transfer to attend a charter school when based on good cause.
 1206 Good cause shall include, but is not limited to, geographic
 1207 proximity to a charter school in a neighboring school district.

1208 Section 29. Subsections (1), (2), and (5) of section
 1209 1002.455, Florida Statutes, are amended to read:

1210 1002.455 Student eligibility for K-12 virtual
 1211 instruction.—All students, including home education and private
 1212 school students, are eligible to participate in any of the
 1213 following virtual instruction options:

1214 (1) School district operated part-time or full-time
 1215 kindergarten through grade 12 virtual instruction programs
 1216 pursuant to s. 1002.45(1)(b)4. ~~s. 1002.45(1)(e)4.~~ to students
 1217 within the school district.

1218 (2) Part-time or full-time virtual charter school
 1219 instruction authorized pursuant to s. 1002.45(1)(b)5. ~~s.~~
 1220 ~~1002.45(1)(e)5.~~ to students within the school district or to
 1221 students in other school districts throughout the state pursuant
 1222 to s. 1002.31; however, the school district enrolling the full-
 1223 time equivalent virtual student shall comply with the enrollment
 1224 requirements established under s. 1002.45(1)(d)4. ~~s.~~
 1225 ~~1002.45(1)(e)4.~~

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1226 (5) Virtual instruction provided by a school district
 1227 through a contract with an approved virtual instruction program
 1228 provider pursuant to s. 1002.45(1)(b)2. ~~s. 1002.45(1)(c)2.~~ to
 1229 students within the school district or to students in other
 1230 school districts throughout the state pursuant to s. 1002.31;
 1231 however the school district enrolling the full-time equivalent
 1232 virtual student shall comply with the enrollment requirements
 1233 established under s. 1002.45(1)(d)4. ~~s. 1002.45(1)(e)4.~~

1234 Section 30. Paragraph (a) of subsection (3) and paragraph
 1235 (e) of subsection (7) of section 1008.22, Florida Statutes, are
 1236 amended to read:

1237 1008.22 Student assessment program for public schools.—

1238 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
 1239 Commissioner of Education shall design and implement a
 1240 statewide, standardized assessment program aligned to the core
 1241 curricular content established in the state academic standards.
 1242 The commissioner also must develop or select and implement a
 1243 common battery of assessment tools that will be used in all
 1244 juvenile justice education programs in the state. These tools
 1245 must accurately measure the core curricular content established
 1246 in the state academic standards. Participation in the assessment
 1247 program is mandatory for all school districts and all students
 1248 attending public schools, including adult students seeking a
 1249 standard high school diploma under s. 1003.4282 and students in
 1250 Department of Juvenile Justice education programs, except as

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1251 otherwise provided by law. If a student does not participate in
 1252 the assessment program, the school district must notify the
 1253 student's parent and provide the parent with information
 1254 regarding the implications of such nonparticipation. The
 1255 statewide, standardized assessment program shall be designed and
 1256 implemented as follows:

1257 (a) Statewide, standardized comprehensive assessments.—

1258 1. The statewide, standardized English Language Arts (ELA)
 1259 assessments shall be administered to students in grades 3
 1260 through 10. Retake opportunities for the grade 10 ELA assessment
 1261 must be provided. Reading passages and writing prompts for ELA
 1262 assessments shall incorporate grade-level core curricula content
 1263 from social studies. The statewide, standardized Mathematics
 1264 assessments shall be administered annually in grades 3 through
 1265 8. The statewide, standardized Science assessment shall be
 1266 administered annually at least once at the elementary and middle
 1267 grades levels. In order to earn a standard high school diploma,
 1268 a student who has not earned a passing score on the grade 10 ELA
 1269 assessment must earn a passing score on the assessment retake or
 1270 earn a concordant score as authorized under subsection (9).

1271 2. Beginning with the 2022-2023 school year, the end-of-
 1272 year comprehensive progress monitoring assessment administered
 1273 pursuant to s. 1008.25(9)(b)3. ~~s. 1008.25(9)(b)2.~~ is the
 1274 statewide, standardized ELA assessment for students in grades 3
 1275 through 10 and the statewide, standardized Mathematics

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1276 assessment for students in grades 3 through 8.
 1277 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—
 1278 (e) A school district may not schedule more than 5 percent
 1279 of a student's total school hours in a school year to administer
 1280 statewide, standardized assessments; the coordinated screening
 1281 and progress monitoring system under s. 1008.25(9)(b)3. ~~s.~~
 1282 ~~1008.25(9)(b)2.~~; and district-required local assessments. The
 1283 district must secure written consent from a student's parent
 1284 before administering district-required local assessments that,
 1285 after applicable statewide, standardized assessments and
 1286 coordinated screening and progress monitoring are scheduled,
 1287 exceed the 5 percent test administration limit for that student
 1288 under this paragraph. The 5 percent test administration limit
 1289 for a student under this paragraph may be exceeded as needed to
 1290 provide test accommodations that are required by an IEP or are
 1291 appropriate for an English language learner who is currently
 1292 receiving services in a program operated in accordance with an
 1293 approved English language learner district plan pursuant to s.
 1294 1003.56. Notwithstanding this paragraph, a student may choose
 1295 within a school year to take an examination or assessment
 1296 adopted by State Board of Education rule pursuant to this
 1297 section and ss. 1007.27, 1008.30, and 1008.44.
 1298 Section 31. Subsection (4) of section 1008.37, Florida
 1299 Statutes, is amended to read:
 1300 1008.37 Postsecondary feedback of information to high

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1301 schools.—

1302 (4) As a part of the school improvement plan pursuant to
 1303 s. 1008.345, the State Board of Education shall ensure that each
 1304 school district and high school develops strategies to improve
 1305 student readiness for the public postsecondary level ~~based on~~
 1306 ~~annual analysis of the feedback report data.~~

1307 Section 32. Paragraph (a) of subsection (4) of section
 1308 1013.841, Florida Statutes, is amended to read:

1309 1013.841 End of year balance of Florida College System
 1310 institution funds.—

1311 (4) A Florida College System institution identified in
 1312 paragraph (3)(b) must include in its carry forward spending plan
 1313 the estimated cost per planned expenditure and a timeline for
 1314 completion of the expenditure. Authorized expenditures in a
 1315 carry forward spending plan may include:

1316 (a) Commitment of funds to a public education capital
 1317 outlay project for which an appropriation was previously
 1318 provided, which requires additional funds for completion, and
 1319 which is included in the list required by s. 1001.03(18)(d) ~~s.~~
 1320 ~~1001.03(19)(d)~~;

1321 Section 33. This act shall take effect July 1, 2024.