

By the Committee on Appropriations; and Senator Gaetz

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1 A bill to be entitled
2 An act relating to education; amending s. 1001.42,
3 F.S.; revising the duties of a district school board;
4 creating s. 1001.67, F.S.; establishing a
5 collaboration between the state board and the
6 Legislature to designate certain Florida College
7 System institutions as distinguished colleges;
8 specifying standards for the designation; requiring
9 the state board to award the designation to certain
10 Florida College System institutions; providing that
11 the designated institutions are eligible for funding
12 as specified in the General Appropriations Act;
13 amending s. 1002.20, F.S.; revising public school
14 choice options available to students to include CAPE
15 digital tools, CAPE industry certifications, and
16 collegiate high school programs; authorizing parents
17 of public school students to seek private educational
18 choice options through the Florida Personal Learning
19 Scholarship Accounts Program under certain
20 circumstances; revising student eligibility
21 requirements for participating in high school athletic
22 competitions; authorizing public schools to provide
23 transportation to students participating in open
24 enrollment; amending s. 1002.31, F.S.; requiring each
25 district school board and charter school governing
26 board to authorize a parent to have his or her child
27 participate in controlled open enrollment; requiring
28 the school district to report the student for purposes
29 of the school district's funding; authorizing a school
30 district to provide transportation to such students;
31 requiring that each district school board adopt and
32 publish on its website a controlled open enrollment

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33 process; specifying criteria for the process;
34 prohibiting a school district from delaying or
35 preventing a student who participates in controlled
36 open enrollment from being immediately eligible to
37 participate in certain activities; amending s.
38 1002.33, F.S.; making technical changes relating to
39 requirements for the creation of a virtual charter
40 school; conforming cross-references; specifying that a
41 sponsor may not require a charter school to adopt the
42 sponsor's reading plan and that charter schools are
43 eligible for the research-based reading allocation if
44 certain criteria are met; revising required contents
45 of charter school applications; conforming provisions
46 regarding the appeal process for denial of a high-
47 performing charter school application; requiring an
48 applicant to provide the sponsor with a copy of an
49 appeal to an application denial; authorizing a charter
50 school to defer the opening of its operations for up
51 to a specified time; requiring the charter school to
52 provide written notice to certain entities by a
53 specified date; revising provisions relating to long-
54 term charters and charter terminations; specifying
55 notice requirements for voluntary closure of a charter
56 school; deleting a requirement that students in a
57 blended learning course receive certain instruction in
58 a classroom setting; providing that a student may not
59 be dismissed from a charter school based on his or her
60 academic performance; requiring a charter school
61 applicant to provide monthly financial statements

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62 before opening; requiring a sponsor to review each
63 financial statement of a charter school to identify
64 the existence of certain conditions; providing for the
65 automatic termination of a charter contract if certain
66 conditions are met; requiring a sponsor to notify
67 certain parties when a charter contract is terminated
68 for specific reasons; authorizing governing board
69 members to hold a certain number of public meetings
70 and participate in such meetings in person or through
71 communications media technology; revising charter
72 school student eligibility requirements; revising
73 requirements for payments to charter schools; allowing
74 for the use of certain surpluses and assets by
75 specific entities for certain educational purposes;
76 providing for an injunction under certain
77 circumstances; establishing the administrative fee
78 that a sponsor may withhold for charter schools
79 operating in a critical need area; providing an
80 exemption from certain administrative fees; amending
81 s. 1002.37, F.S.; revising the calculation of "full-
82 time equivalent student"; conforming a cross-
83 reference; amending s. 1002.45, F.S.; conforming
84 cross-references; deleting a provision related to
85 educational funding for students enrolled in certain
86 virtual education courses; revising conditions for
87 termination of a virtual instruction provider's
88 contract; creating s. 1003.3101, F.S.; requiring each
89 school district board to establish a classroom teacher
90 transfer process for parents, to approve or deny a

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91 transfer request within a certain timeframe, to notify
92 a parent of a denial, and to post an explanation of
93 the transfer process in the student handbook or a
94 similar publication; amending s. 1003.4295, F.S.;
95 revising the purpose of the Credit Acceleration
96 Program; requiring students to earn passing scores on
97 specified assessments and examinations to earn course
98 credit; amending s. 1004.935, F.S.; deleting the
99 scheduled termination of the Adults with Disabilities
100 Workforce Education Pilot Program; changing the name
101 of the program to the "Adults with Disabilities
102 Workforce Education Program"; amending s. 1006.15,
103 F.S.; defining the term "eligible to participate";
104 conforming provisions to changes made by the act;
105 prohibiting a school district from delaying or
106 preventing a student who participates in open
107 controlled enrollment from being immediately eligible
108 to participate in certain activities; authorizing a
109 transfer student to immediately participate in
110 interscholastic or intrascholastic activities under
111 certain circumstances; prohibiting a school district
112 or the Florida High School Athletic Association
113 (FHSAA) from declaring a transfer student ineligible
114 under certain circumstances; amending s. 1006.20,
115 F.S.; requiring the FHSAA to allow a private school to
116 maintain full membership in the association or to join
117 by sport; prohibiting the FHSAA from discouraging a
118 private school from maintaining membership in the
119 FHSAA and another athletic association; authorizing

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120 the FHSAA to allow a public school to apply for
121 consideration to join another athletic association;
122 specifying penalties for recruiting violations;
123 requiring a school to forfeit a competition in which a
124 student who was recruited by specified adults
125 participated; revising circumstances under which a
126 student may be declared ineligible; requiring student
127 ineligibility to be established by a preponderance of
128 the evidence; amending s. 1009.893, F.S.; changing the
129 name of the "Florida National Merit Scholar Incentive
130 Program" to the "Benacquisto Scholarship Program";
131 providing that a student who receives a scholarship
132 award under the program will be referred to as a
133 Benacquisto Scholar; encouraging all eligible Florida
134 public or independent postsecondary educational
135 institutions, and requiring all eligible state
136 universities, to become college sponsors of the
137 National Merit Scholarship Program; amending s.
138 1011.61, F.S.; revising the definition of "full-time
139 equivalent student"; amending s. 1011.62, F.S.;
140 conforming a cross-reference; revising the calculation
141 for certain supplemental funds for exceptional student
142 education programs; requiring the funds to be prorated
143 under certain circumstances; revising the funding of
144 full-time equivalent values for students who earn CAPE
145 industry certifications through dual enrollment;
146 deleting a provision prohibiting a teacher's bonus
147 from exceeding a specified amount; creating a
148 federally connected student supplement for school

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149 districts; specifying eligibility requirements and
150 calculations for allocations of the supplement;
151 amending s. 1011.71, F.S.; conforming a cross-
152 reference; amending s. 1012.42, F.S.; authorizing a
153 parent of a child whose teacher is teaching outside
154 the teacher's field to request that the child be
155 transferred to another classroom teacher within the
156 school and grade in which the child is currently
157 enrolled within a specified timeframe; specifying that
158 a transfer does not provide a parent the right to
159 choose a specific teacher; amending s. 1012.56, F.S.;
160 authorizing a charter school to develop and operate a
161 professional development certification and education
162 competency program; creating s. 1012.583, F.S.;
163 requiring the Department of Education to incorporate
164 training in youth suicide awareness and prevention
165 into certain instructional personnel continuing
166 education or inservice training requirements;
167 requiring the department, in consultation with the
168 Statewide Office for Suicide Prevention and suicide
169 prevention experts, to develop a list of approved
170 materials for the training; specifying requirements
171 for training materials; requiring the training to be
172 included in the existing continuing education or
173 inservice training requirements; providing that no
174 cause of action results from the implementation of
175 this act; providing for rulemaking; amending ss.
176 1012.795 and 1012.796, F.S.; conforming provisions to
177 changes made by the act; providing effective dates.

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

Section 1. Present subsection (27) of section 1001.42, Florida Statutes, is redesignated as subsection (28), and a new subsection (27) is added to that section, to read:

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

(27) VISITATION OF SCHOOLS.—Visit the schools, observe the management and instruction, give suggestions for improvement, and advise citizens with the view of promoting interest in education and improving the school.

Section 2. Section 1001.67, Florida Statutes, is created to read:

1001.67 Distinguished Florida College System Program.—A collaborative partnership is established between the State Board of Education and the Legislature to recognize the excellence of Florida's highest-performing Florida College system institutions.

(1) EXCELLENCE STANDARDS.—The following excellence standards are established for the program:

(a) A 150 percent-of-normal-time completion rate of 50 percent or higher, as calculated by the Division of Florida Colleges.

(b) A 150 percent-of-normal-time completion rate for Pell Grant recipients of 40 percent or higher, as calculated by the Division of Florida Colleges.

(c) A retention rate of 70 percent or higher, as calculated

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207 by the Division of Florida Colleges.

208 (d) A continuing education, or transfer, rate of 72 percent
209 or higher for students graduating with an associate of arts
210 degree, as reported by the Florida Education and Training
211 Placement Information Program (FETPIP).

212 (e) A licensure passage rate on the National Council
213 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
214 percent or higher for first-time exam takers, as reported by the
215 Board of Nursing.

216 (f) A job placement or continuing education rate of 88
217 percent or higher for workforce programs, as reported by FETPIP.

218 (g) A time-to-degree for students graduating with an
219 associate of arts degree of 2.25 years or less for first-time-
220 in-college students with accelerated college credits, as
221 reported by the Southern Regional Education Board.

222 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
223 Education shall designate each Florida College System
224 institution that meets five of the seven standards identified in
225 subsection (1) as a distinguished college.

226 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida College System
227 institution designated as a distinguished college by the State
228 Board of Education is eligible for funding as specified in the
229 General Appropriations Act.

230 Section 3. Paragraphs (a) and (b) of subsection (6),
231 subsection (16), paragraph (a) of subsection (17), and paragraph
232 (a) of subsection (22) of section 1002.20, Florida Statutes, are
233 amended to read:

234 1002.20 K-12 student and parent rights.—Parents of public
235 school students must receive accurate and timely information

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236 regarding their child's academic progress and must be informed
237 of ways they can help their child to succeed in school. K-12
238 students and their parents are afforded numerous statutory
239 rights including, but not limited to, the following:

240 (6) EDUCATIONAL CHOICE.—

241 (a) *Public educational school choices.*—Parents of public
242 school students may seek any ~~whatever~~ public educational school
243 choice options that are applicable and available to students
244 throughout the state ~~in their school districts~~. These options
245 may include controlled open enrollment, single-gender programs,
246 lab schools, virtual instruction programs, charter schools,
247 charter technical career centers, magnet schools, alternative
248 schools, special programs, auditory-oral education programs,
249 advanced placement, dual enrollment, International
250 Baccalaureate, International General Certificate of Secondary
251 Education (pre-AICE), CAPE digital tools, CAPE industry
252 certifications, collegiate high school programs, Advanced
253 International Certificate of Education, early admissions, credit
254 by examination or demonstration of competency, the New World
255 School of the Arts, the Florida School for the Deaf and the
256 Blind, and the Florida Virtual School. These options may also
257 include the public educational ~~school~~ choice options of the
258 Opportunity Scholarship Program and the McKay Scholarships for
259 Students with Disabilities Program.

260 (b) *Private educational ~~school~~ choices.*—Parents of public
261 school students may seek private educational ~~school~~ choice
262 options under certain programs.

263 1. Under the McKay Scholarships for Students with
264 Disabilities Program, the parent of a public school student with

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265 a disability may request and receive a McKay Scholarship for the
266 student to attend a private school in accordance with s.
267 1002.39.

268 2. Under the Florida Tax Credit Scholarship Program, the
269 parent of a student who qualifies for free or reduced-price
270 school lunch or who is currently placed, or during the previous
271 state fiscal year was placed, in foster care as defined in s.
272 39.01 may seek a scholarship from an eligible nonprofit
273 scholarship-funding organization in accordance with s. 1002.395.

274 3. Under the Florida Personal Learning Scholarship Accounts
275 Program, the parent of a student with a qualifying disability
276 may apply for a personal learning scholarship to be used for
277 individual educational needs in accordance with s. 1002.385.

278 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
279 REPORTS; FISCAL TRANSPARENCY.—Parents of public school students
280 have the right ~~are entitled~~ to an easy-to-read report card about
281 the school's grade designation or, if applicable under s.
282 1008.341, the school's improvement rating, and the school's
283 accountability report, including the school financial report as
284 required under s. 1010.215. The school financial report must be
285 provided to the parents and indicate the average amount of money
286 expended per student in the school, which must also be included
287 in the student handbook or a similar publication.

288 (17) ATHLETICS; PUBLIC HIGH SCHOOL.—

289 (a) *Eligibility*.—Eligibility requirements for all students
290 participating in high school athletic competition must allow a
291 student to be immediately eligible in the school in which he or
292 she first enrolls each school year, the school in which the
293 student makes himself or herself a candidate for an athletic

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294 team by engaging in practice before enrolling, or the school to
295 which the student has transferred ~~with approval of the district~~
296 ~~school board~~, in accordance with ~~the provisions of s.~~
297 1006.20(2)(a).

298 (22) TRANSPORTATION.—

299 (a) *Transportation to school.*—Public school students shall
300 be provided transportation to school, in accordance with ~~the~~
301 ~~provisions of s. 1006.21(3)(a).~~ Public school students may be
302 provided transportation to school in accordance with the
303 controlled open enrollment provisions of s. 1002.31(2).

304 Section 4. Section 1002.31, Florida Statutes, is amended to
305 read:

306 1002.31 Controlled open enrollment; Public school parental
307 choice.—

308 (1) As used in this section, “controlled open enrollment”
309 means a public education delivery system that allows school
310 districts to make student school assignments using parents’
311 indicated preferential educational ~~school~~ choice as a
312 significant factor.

313 (2) (a) Beginning by the 2017-2018 school year, as part of a
314 school district’s or charter school’s controlled open enrollment
315 process, and in addition to the existing public school choice
316 programs provided in s. 1002.20(6)(a), each district school
317 board or charter school shall allow a parent from any school
318 district in the state whose child is not subject to a current
319 expulsion or suspension order to enroll his or her child in and
320 transport his or her child to any public school, including
321 charter schools, that has not reached capacity in the district,
322 subject to the maximum class size pursuant to s. 1003.03 and s.

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323 1, Art. IX of the State Constitution. The school district or
324 charter school shall accept the student, pursuant to that school
325 district's or charter school's controlled open enrollment
326 process, and report the student for purposes of the school
327 district's or charter school's funding pursuant to the Florida
328 Education Finance Program. A school district or charter school
329 may provide transportation to students described under this
330 section.

331 (b) Each school district and charter school capacity
332 determinations for its schools must be current and must be
333 identified on the school district and charter school's websites.
334 In determining the capacity of each district school, the
335 district school board shall incorporate the specifications,
336 plans, elements, and commitments contained in the school
337 district educational facilities plan and the long-term work
338 programs required under s. 1013.35. Each charter school
339 governing board shall determine capacity based upon its charter
340 school contract.

341 (c) Each district school board and charter school governing
342 board must provide preferential treatment in its controlled open
343 enrollment process to all of the following:

344 1. Dependent children of active duty military personnel
345 whose move resulted from military orders.

346 2. Children who have been relocated due to a foster care
347 placement in a different school zone.

348 3. Children who move due to a court ordered change in
349 custody due to separation or divorce, or the serious illness or
350 death of a custodial parent.

351 4. Students residing in the school district.

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352 (d) As part of its controlled open enrollment process, a
353 charter school must provide preferential treatment in its
354 controlled open enrollment participation process to the
355 enrollment limitations pursuant to s. 1002.33(10)(e)1., 2., 5.,
356 6., and 7, if these special purposes are identified in the
357 charter agreement. Each charter school shall annually by January
358 1 post on its website the application process required to
359 participate in controlled open enrollment, consistent with this
360 section and s. 1002.33.

361 (e) Students residing in the district, including charter
362 school students, may not be displaced by a student from another
363 district seeking enrollment under the controlled open enrollment
364 process.

365 (f) For purposes of continuity of educational choice, a
366 student who transfers pursuant to this section may remain at the
367 school chosen by the parent until the student completes the
368 highest grade level at the school ~~may offer controlled open~~
369 ~~enrollment within the public schools which is in addition to the~~
370 ~~existing choice programs such as virtual instruction programs,~~
371 ~~magnet schools, alternative schools, special programs, advanced~~
372 ~~placement, and dual enrollment.~~

373 ~~(3) Each district school board offering controlled open~~
374 ~~enrollment shall adopt by rule and post on its website the~~
375 ~~process required to participate in controlled open enrollment.~~
376 The process ~~a controlled open enrollment plan which must:~~

377 (a) Adhere to federal desegregation requirements.

378 (b) Allow ~~Include an application process required to~~
379 ~~participate in controlled open enrollment that allows parents to~~
380 ~~declare school preferences, including placement of siblings~~

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381 within the same school.

382 (c) Provide a lottery procedure to determine student
383 assignment and establish an appeals process for hardship cases.

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

386 (e) Maintain socioeconomic, demographic, and racial
387 balance.

388 (f) Address the availability of transportation.

389 (g) Maintain existing academic eligibility criteria for
390 public school choice programs pursuant to s. 1002.20(6)(a).

391 (h) Identify schools that have not reached capacity, as
392 determined by the school district.

393 (i) Ensure that each district school board adopts a policy
394 to provide preferential treatment pursuant to paragraph (2)(c).

395 (4) In accordance with the reporting requirements of s.
396 1011.62, each district school board shall annually report the
397 number of students exercising public school choice, by type
398 ~~attending the various types of public schools of choice in the~~
399 ~~district, in accordance with including schools such as virtual~~
400 ~~instruction programs, magnet schools, and public charter~~
401 ~~schools, according to~~ rules adopted by the State Board of
402 Education.

403 (5) For a school or program that is a public school of
404 choice under this section, the calculation for compliance with
405 maximum class size pursuant to s. 1003.03 is the average number
406 of students at the school level.

407 (6)(a) A school district or charter school may not delay
408 eligibility or otherwise prevent a student participating in
409 controlled open enrollment or a choice program from being

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410 immediately eligible to participate in interscholastic and
411 intrascholastic extracurricular activities.

412 (b) A student participating in a sport at a school may not
413 participate in that same sport at another school during that
414 school year, unless the student meets one of the following
415 criteria:

416 1. Dependent children of active duty military personnel
417 whose move resulted from military orders.

418 2. Children who have been relocated due to a foster care
419 placement in a different school zone.

420 3. Children who move due to a court ordered change in
421 custody due to separation or divorce, or the serious illness or
422 death of a custodial parent.

423 4. Authorized for good cause in district or charter school
424 policy.

425 Section 5. Paragraph (a) of subsection (2), paragraphs (a)
426 and (b) of subsection (6), paragraphs (a) and (d) of subsection
427 (7), paragraphs (g), (n), and (p) of subsection (9), paragraph
428 (d) of subsection (10), paragraph (b) of subsection (17), and
429 paragraph (a) of subsection (20) of section 1002.33, Florida
430 Statutes, are amended to read:

431 1002.33 Charter schools.—

432 (2) GUIDING PRINCIPLES; PURPOSE.—

433 (a) Charter schools in Florida shall be guided by the
434 following principles:

435 1. Meet high standards of student achievement while
436 providing parents flexibility to choose among diverse
437 educational opportunities within the state's public school
438 system.

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439 2. Promote enhanced academic success and financial
440 efficiency by aligning responsibility with accountability.

441 3. Provide parents with sufficient information on whether
442 their child is reading at grade level and whether the child
443 gains at least a year's worth of learning for every year spent
444 in the charter school. For a student who exhibits a substantial
445 deficiency in reading, as determined by the charter school, the
446 school shall notify the parent of the deficiency, the intensive
447 interventions and supports used, and the student's progress in
448 accordance with s. 1008.25(5).

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

451 (a) A person or entity seeking ~~wishing~~ to open a charter
452 school shall prepare and submit an application on a model
453 application form prepared by the Department of Education which:

454 1. Demonstrates how the school will use the guiding
455 principles and meet the statutorily defined purpose of a charter
456 school.

457 2. Provides a detailed curriculum plan that illustrates how
458 students will be provided services to attain the Sunshine State
459 Standards.

460 3. Contains goals and objectives for improving student
461 learning and measuring that improvement. These goals and
462 objectives must indicate how much academic improvement students
463 are expected to show each year, how success will be evaluated,
464 and the specific results to be attained through instruction.

465 4. Describes the reading curriculum and differentiated
466 strategies that will be used for students reading at grade level
467 or higher and a separate curriculum and strategies for students

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468 who are reading below grade level. A sponsor shall deny an
469 application ~~a charter~~ if the school does not propose a reading
470 curriculum that is evidence-based and includes explicit,
471 systematic, and multisensory reading instructional strategies;
472 however, a sponsor may not require the charter school to
473 implement the reading plan adopted by the school district
474 pursuant to s. 1011.62(9) consistent with effective teaching
475 strategies that are grounded in scientifically based reading
476 research.

477 5. Contains an annual financial plan for each year
478 requested by the charter for operation of the school for up to 5
479 years. This plan must contain anticipated fund balances based on
480 revenue projections, a spending plan based on projected revenues
481 and expenses, and a description of controls that will safeguard
482 finances and projected enrollment trends.

483 6. Discloses the name of each applicant, governing board
484 member, and all proposed education services providers; the name
485 and sponsor of any charter school operated by each applicant,
486 each governing board member, and each proposed education
487 services provider that has closed and the reasons for the
488 closure; and the academic and financial history of such charter
489 schools, which the sponsor shall consider in deciding whether to
490 approve or deny the application.

491 ~~7.6.~~ Contains additional information a sponsor may require,
492 which shall be attached as an addendum to the charter school
493 application described in this paragraph.

494 ~~8.7.~~ For the establishment of a virtual charter school,
495 documents that the applicant has contracted with a provider of
496 virtual instruction services pursuant to s. 1002.45(1)(d).

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497 (b) A sponsor shall receive and review all applications for
498 a charter school using the ~~an~~ evaluation instrument developed by
499 the Department of Education. A sponsor shall receive and
500 consider charter school applications received on or before
501 August 1 of each calendar year for charter schools to be opened
502 at the beginning of the school district's next school year, or
503 to be opened at a time agreed to by the applicant and the
504 sponsor. A sponsor may not refuse to receive a charter school
505 application submitted before August 1 and may receive an
506 application submitted later than August 1 if it chooses. In
507 order to facilitate greater collaboration in the application
508 process, an applicant may submit a draft charter school
509 application on or before May 1 with an application fee of \$500.
510 If a draft application is timely submitted, the sponsor shall
511 review and provide feedback as to material deficiencies in the
512 application by July 1. The applicant shall then have until
513 August 1 to resubmit a revised and final application. The
514 sponsor may approve the draft application. Except as provided
515 for a draft application, a sponsor may not charge an applicant
516 for a charter any fee for the processing or consideration of an
517 application, and a sponsor may not base its consideration or
518 approval of a final application upon the promise of future
519 payment of any kind. Before approving or denying any final
520 application, the sponsor shall allow the applicant, upon receipt
521 of written notification, at least 7 calendar days to make
522 technical or nonsubstantive corrections and clarifications,
523 including, but not limited to, corrections of grammatical,
524 typographical, and like errors or missing signatures, if such
525 errors are identified by the sponsor as cause to deny the final

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526 application.

527 1. In order to facilitate an accurate budget projection
528 process, a sponsor shall be held harmless for FTE students who
529 are not included in the FTE projection due to approval of
530 charter school applications after the FTE projection deadline.
531 In a further effort to facilitate an accurate budget projection,
532 within 15 calendar days after receipt of a charter school
533 application, a sponsor shall report to the Department of
534 Education the name of the applicant entity, the proposed charter
535 school location, and its projected FTE.

536 2. In order to ensure fiscal responsibility, an application
537 for a charter school shall include a full accounting of expected
538 assets, a projection of expected sources and amounts of income,
539 including income derived from projected student enrollments and
540 from community support, and an expense projection that includes
541 full accounting of the costs of operation, including start-up
542 costs.

543 3.a. A sponsor shall by a majority vote approve or deny an
544 application no later than 60 calendar days after the application
545 is received, unless the sponsor and the applicant mutually agree
546 in writing to temporarily postpone the vote to a specific date,
547 at which time the sponsor shall by a majority vote approve or
548 deny the application. If the sponsor fails to act on the
549 application, an applicant may appeal to the State Board of
550 Education as provided in paragraph (c). If an application is
551 denied, the sponsor shall, within 10 calendar days after such
552 denial, articulate in writing the specific reasons, based upon
553 good cause, supporting its denial of the ~~charter~~ application and
554 shall provide the letter of denial and supporting documentation

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555 to the applicant and to the Department of Education.

556 b. An application submitted by a high-performing charter
557 school identified pursuant to s. 1002.331 may be denied by the
558 sponsor only if the sponsor demonstrates by clear and convincing
559 evidence that:

560 (I) The application does not materially comply with the
561 requirements in paragraph (a);

562 (II) The charter school proposed in the application does
563 not materially comply with the requirements in paragraphs
564 (9) (a) - (f);

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

568 (IV) The applicant has made a material misrepresentation or
569 false statement or concealed an essential or material fact
570 during the application process; or

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

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575 Material noncompliance is a failure to follow requirements or a
576 violation of prohibitions applicable to charter school
577 applications, which failure is quantitatively or qualitatively
578 significant either individually or when aggregated with other
579 noncompliance. An applicant is considered to be replicating a
580 high-performing charter school if the proposed school is
581 substantially similar to at least one of the applicant's high-
582 performing charter schools and the organization or individuals
583 involved in the establishment and operation of the proposed

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584 school are significantly involved in the operation of replicated
585 schools.

586 c. If the sponsor denies an application submitted by a
587 high-performing charter school, the sponsor must, within 10
588 calendar days after such denial, state in writing the specific
589 reasons, based upon the criteria in sub-subparagraph b.,
590 supporting its denial of the application and must provide the
591 letter of denial and supporting documentation to the applicant
592 and to the Department of Education. The applicant may appeal the
593 sponsor's denial of the application directly to the State Board
594 of Education and, if an appeal is filed, must provide a copy of
595 the appeal to the sponsor pursuant to paragraph (c) ~~sub-~~
596 subparagraph (c)3.b.

597 4. For budget projection purposes, the sponsor shall report
598 to the Department of Education the approval or denial of an a
599 ~~charter~~ application within 10 calendar days after such approval
600 or denial. In the event of approval, the report to the
601 Department of Education shall include the final projected FTE
602 for the approved charter school.

603 5. Upon approval of an a ~~charter~~ application, the initial
604 startup shall commence with the beginning of the public school
605 calendar for the district in which the charter is granted unless
606 the sponsor allows a waiver of this subparagraph for good cause.

607 (7) CHARTER.—The major issues involving the operation of a
608 charter school shall be considered in advance and written into
609 the charter. The charter shall be signed by the governing board
610 of the charter school and the sponsor, following a public
611 hearing to ensure community input.

612 (a) The charter shall address and criteria for approval of

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613 the charter shall be based on:

614 1. The school's mission, the students to be served, and the
615 ages and grades to be included.

616 2. The focus of the curriculum, the instructional methods
617 to be used, any distinctive instructional techniques to be
618 employed, and identification and acquisition of appropriate
619 technologies needed to improve educational and administrative
620 performance which include a means for promoting safe, ethical,
621 and appropriate uses of technology which comply with legal and
622 professional standards.

623 a. The charter shall ensure that reading is a primary focus
624 of the curriculum and that resources are provided to identify
625 and provide specialized instruction for students who are reading
626 below grade level. The curriculum and instructional strategies
627 for reading must be consistent with the Next Generation Sunshine
628 State Standards and evidence-based ~~grounded in scientifically~~
629 ~~based reading research~~.

630 b. In order to provide students with access to diverse
631 instructional delivery models, to facilitate the integration of
632 technology within traditional classroom instruction, and to
633 provide students with the skills they need to compete in the
634 21st century economy, the Legislature encourages instructional
635 methods for blended learning courses consisting of both
636 traditional classroom and online instructional techniques.
637 Charter schools may implement blended learning courses which
638 combine traditional classroom instruction and virtual
639 instruction. Students in a blended learning course must be full-
640 time students of the charter school and receive the online
641 instruction in a classroom setting at the charter school.

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642 Instructional personnel certified pursuant to s. 1012.55 who
643 provide virtual instruction for blended learning courses may be
644 employees of the charter school or may be under contract to
645 provide instructional services to charter school students. At a
646 minimum, such instructional personnel must hold an active state
647 or school district adjunct certification under s. 1012.57 for
648 the subject area of the blended learning course. The funding and
649 performance accountability requirements for blended learning
650 courses are the same as those for traditional courses.

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

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

657 b. How these baseline rates will be compared to rates of
658 academic progress achieved by these same students while
659 attending the charter school.

660 c. To the extent possible, how these rates of progress will
661 be evaluated and compared with rates of progress of other
662 closely comparable student populations.

663

664 The district school board is required to provide academic
665 student performance data to charter schools for each of their
666 students coming from the district school system, as well as
667 rates of academic progress of comparable student populations in
668 the district school system.

669 4. The methods used to identify the educational strengths
670 and needs of students and how well educational goals and

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671 performance standards are met by students attending the charter
672 school. The methods shall provide a means for the charter school
673 to ensure accountability to its constituents by analyzing
674 student performance data and by evaluating the effectiveness and
675 efficiency of its major educational programs. Students in
676 charter schools shall, at a minimum, participate in the
677 statewide assessment program created under s. 1008.22.

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

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

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

686 8. The ways by which the school will achieve a
687 racial/ethnic balance reflective of the community it serves or
688 within the racial/ethnic range of other public schools in the
689 same school district.

690 9. The financial and administrative management of the
691 school, including a reasonable demonstration of the professional
692 experience or competence of those individuals or organizations
693 applying to operate the charter school or those hired or
694 retained to perform such professional services and the
695 description of clearly delineated responsibilities and the
696 policies and practices needed to effectively manage the charter
697 school. A description of internal audit procedures and
698 establishment of controls to ensure that financial resources are
699 properly managed must be included. Both public sector and

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700 private sector professional experience shall be equally valid in
701 such a consideration.

702 10. The asset and liability projections required in the
703 application which are incorporated into the charter and shall be
704 compared with information provided in the annual report of the
705 charter school.

706 11. A description of procedures that identify various risks
707 and provide for a comprehensive approach to reduce the impact of
708 losses; plans to ensure the safety and security of students and
709 staff; plans to identify, minimize, and protect others from
710 violent or disruptive student behavior; and the manner in which
711 the school will be insured, including whether or not the school
712 will be required to have liability insurance, and, if so, the
713 terms and conditions thereof and the amounts of coverage.

714 12. The term of the charter which shall provide for
715 cancellation of the charter if insufficient progress has been
716 made in attaining the student achievement objectives of the
717 charter and if it is not likely that such objectives can be
718 achieved before expiration of the charter. The initial term of a
719 charter shall be for 4 or 5 years. In order to facilitate access
720 to long-term financial resources for charter school
721 construction, charter schools that are operated by a
722 municipality or other public entity as provided by law are
723 eligible for up to a 15-year charter, subject to approval by the
724 district school board. A charter lab school is eligible for a
725 charter for a term of up to 15 years. In addition, to facilitate
726 access to long-term financial resources for charter school
727 construction, charter schools that are operated by a private,
728 not-for-profit, s. 501(c)(3) status corporation are eligible for

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729 up to a 15-year charter, subject to approval by the district
730 school board. Such long-term charters remain subject to annual
731 review and may be terminated during the term of the charter, but
732 only according to the provisions set forth in subsection (8).

733 13. The facilities to be used and their location. The
734 sponsor may not require a charter school to have a certificate
735 of occupancy or a temporary certificate of occupancy for such a
736 facility earlier than 15 calendar days before the first day of
737 school.

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

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

744 16. A timetable for implementing the charter which
745 addresses the implementation of each element thereof and the
746 date by which the charter shall be awarded in order to meet this
747 timetable.

748 17. In the case of an existing public school that is being
749 converted to charter status, alternative arrangements for
750 current students who choose not to attend the charter school and
751 for current teachers who choose not to teach in the charter
752 school after conversion in accordance with the existing
753 collective bargaining agreement or district school board rule in
754 the absence of a collective bargaining agreement. However,
755 alternative arrangements shall not be required for current
756 teachers who choose not to teach in a charter lab school, except
757 as authorized by the employment policies of the state university

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758 which grants the charter to the lab school.

759 18. Full disclosure of the identity of all relatives
760 employed by the charter school who are related to the charter
761 school owner, president, chairperson of the governing board of
762 directors, superintendent, governing board member, principal,
763 assistant principal, or any other person employed by the charter
764 school who has equivalent decisionmaking authority. For the
765 purpose of this subparagraph, the term "relative" means father,
766 mother, son, daughter, brother, sister, uncle, aunt, first
767 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
768 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
769 stepfather, stepmother, stepson, stepdaughter, stepbrother,
770 stepsister, half brother, or half sister.

771 19. Implementation of the activities authorized under s.
772 1002.331 by the charter school when it satisfies the eligibility
773 requirements for a high-performing charter school. A high-
774 performing charter school shall notify its sponsor in writing by
775 March 1 if it intends to increase enrollment or expand grade
776 levels the following school year. The written notice shall
777 specify the amount of the enrollment increase and the grade
778 levels that will be added, as applicable.

779 (d)1. A charter may be terminated by a charter school's
780 governing board through voluntary closure. The decision to cease
781 operations must be determined at a public meeting. The governing
782 board shall notify the parents and sponsor of the public meeting
783 in writing before the public meeting. The governing board must
784 notify the sponsor, parents of enrolled students, and the
785 department in writing within 24 hours after the public meeting
786 of its determination. The notice shall state the charter

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787 school's intent to continue operations or the reason for the
788 closure and acknowledge that the governing board agrees to
789 follow the procedures for dissolution and reversion of public
790 funds pursuant to paragraphs (8) (e)-(g) and (9) (o) ~~Each charter~~
791 ~~school's governing board must appoint a representative to~~
792 ~~facilitate parental involvement, provide access to information,~~
793 ~~assist parents and others with questions and concerns, and~~
794 ~~resolve disputes. The representative must reside in the school~~
795 ~~district in which the charter school is located and may be a~~
796 ~~governing board member, charter school employee, or individual~~
797 ~~contracted to represent the governing board. If the governing~~
798 ~~board oversees multiple charter schools in the same school~~
799 ~~district, the governing board must appoint a separate individual~~
800 ~~representative for each charter school in the district. The~~
801 ~~representative's contact information must be provided annually~~
802 ~~in writing to parents and posted prominently on the charter~~
803 ~~school's website if a website is maintained by the school. The~~
804 ~~sponsor may not require that governing board members reside in~~
805 ~~the school district in which the charter school is located if~~
806 ~~the charter school complies with this paragraph.~~

807 ~~2. Each charter school's governing board must hold at least~~
808 ~~two public meetings per school year in the school district. The~~
809 ~~meetings must be noticed, open, and accessible to the public,~~
810 ~~and attendees must be provided an opportunity to receive~~
811 ~~information and provide input regarding the charter school's~~
812 ~~operations. The appointed representative and charter school~~
813 ~~principal or director, or his or her equivalent, must be~~
814 ~~physically present at each meeting.~~

815 (9) CHARTER SCHOOL REQUIREMENTS.-

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816 (g)1. In order to provide financial information that is
817 comparable to that reported for other public schools, charter
818 schools are to maintain all financial records that constitute
819 their accounting system:

820 a. In accordance with the accounts and codes prescribed in
821 the most recent issuance of the publication titled "Financial
822 and Program Cost Accounting and Reporting for Florida Schools";
823 or

824 b. At the discretion of the charter school's governing
825 board, a charter school may elect to follow generally accepted
826 accounting standards for not-for-profit organizations, but must
827 reformat this information for reporting according to this
828 paragraph.

829 2. Charter schools shall provide annual financial report
830 and program cost report information in the state-required
831 formats for inclusion in district reporting in compliance with
832 s. 1011.60(1). Charter schools that are operated by a
833 municipality or are a component unit of a parent nonprofit
834 organization may use the accounting system of the municipality
835 or the parent but must reformat this information for reporting
836 according to this paragraph.

837 3. A charter school shall, upon approval of the charter
838 contract, provide the sponsor with a concise, uniform, monthly
839 financial statement summary sheet that contains a balance sheet
840 and a statement of revenue, expenditures, and changes in fund
841 balance. The balance sheet and the statement of revenue,
842 expenditures, and changes in fund balance shall be in the
843 governmental funds format prescribed by the Governmental
844 Accounting Standards Board. A high-performing charter school

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845 pursuant to s. 1002.331 may provide a quarterly financial
846 statement in the same format and requirements as the uniform
847 monthly financial statement summary sheet. The sponsor shall
848 review each monthly or quarterly financial statement to identify
849 the existence of any conditions identified in s. 1002.345(1)(a).

850 4. A charter school shall maintain and provide financial
851 information as required in this paragraph. The financial
852 statement required in subparagraph 3. must be in a form
853 prescribed by the Department of Education.

854 (n)1. The director and a representative of the governing
855 board of a charter school that has earned a grade of "D" or "F"
856 pursuant to s. 1008.34 shall appear before the sponsor to
857 present information concerning each contract component having
858 noted deficiencies. The director and a representative of the
859 governing board shall submit to the sponsor for approval a
860 school improvement plan to raise student performance. Upon
861 approval by the sponsor, the charter school shall begin
862 implementation of the school improvement plan. The department
863 shall offer technical assistance and training to the charter
864 school and its governing board and establish guidelines for
865 developing, submitting, and approving such plans.

866 2.a. If a charter school earns three consecutive grades of
867 "D," two consecutive grades of "D" followed by a grade of "F,"
868 or two nonconsecutive grades of "F" within a 3-year period, the
869 charter school governing board shall choose one of the following
870 corrective actions:

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

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874 (II) Contract with an outside entity that has a
875 demonstrated record of effectiveness to operate the school;

876 (III) Reorganize the school under a new director or
877 principal who is authorized to hire new staff; or

878 (IV) Voluntarily close the charter school.

879 b. The charter school must implement the corrective action
880 in the school year following receipt of a third consecutive
881 grade of "D," a grade of "F" following two consecutive grades of
882 "D," or a second nonconsecutive grade of "F" within a 3-year
883 period.

884 c. The sponsor may annually waive a corrective action if it
885 determines that the charter school is likely to improve a letter
886 grade if additional time is provided to implement the
887 intervention and support strategies prescribed by the school
888 improvement plan. Notwithstanding this sub-subparagraph, a
889 charter school that earns a second consecutive grade of "F" is
890 subject to subparagraph 4.

891 d. A charter school is no longer required to implement a
892 corrective action if it improves by at least one letter grade.
893 However, the charter school must continue to implement
894 strategies identified in the school improvement plan. The
895 sponsor must annually review implementation of the school
896 improvement plan to monitor the school's continued improvement
897 pursuant to subparagraph 5.

898 e. A charter school implementing a corrective action that
899 does not improve by at least one letter grade after 2 full
900 school years of implementing the corrective action must select a
901 different corrective action. Implementation of the new
902 corrective action must begin in the school year following the

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903 implementation period of the existing corrective action, unless
904 the sponsor determines that the charter school is likely to
905 improve a letter grade if additional time is provided to
906 implement the existing corrective action. Notwithstanding this
907 sub-subparagraph, a charter school that earns a second
908 consecutive grade of "F" while implementing a corrective action
909 is subject to subparagraph 4.

910 3. A charter school with a grade of "D" or "F" that
911 improves by at least one letter grade must continue to implement
912 the strategies identified in the school improvement plan. The
913 sponsor must annually review implementation of the school
914 improvement plan to monitor the school's continued improvement
915 pursuant to subparagraph 5.

916 4. A charter school's charter contract is automatically
917 terminated if the school earns two consecutive grades of "F"
918 after all school grade appeals are final ~~The sponsor shall~~
919 ~~terminate a charter if the charter school earns two consecutive~~
920 ~~grades of "F" unless:~~

921 a. The charter school is established to turn around the
922 performance of a district public school pursuant to s.
923 1008.33(4)(b)3. Such charter schools shall be governed by s.
924 1008.33;

925 b. The charter school serves a student population the
926 majority of which resides in a school zone served by a district
927 public school that earned a grade of "F" in the year before the
928 charter school opened and the charter school earns at least a
929 grade of "D" in its third year of operation. The exception
930 provided under this sub-subparagraph does not apply to a charter
931 school in its fourth year of operation and thereafter; or

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932 c. The state board grants the charter school a waiver of
933 termination. The charter school must request the waiver within
934 15 days after the department's official release of school
935 grades. The state board may waive termination if the charter
936 school demonstrates that the Learning Gains of its students on
937 statewide assessments are comparable to or better than the
938 Learning Gains of similarly situated students enrolled in nearby
939 district public schools. The waiver is valid for 1 year and may
940 only be granted once. Charter schools that have been in
941 operation for more than 5 years are not eligible for a waiver
942 under this sub-subparagraph.

943
944 The sponsor shall notify the charter school's governing board,
945 the charter school principal, and the department in writing when
946 a charter contract is terminated under this subparagraph. The
947 letter of termination must meet the requirements of paragraph
948 (8) (c). A charter terminated under this subparagraph must follow
949 the procedures for dissolution and reversion of public funds
950 pursuant to paragraphs (8) (e)-(g) and (9) (o).

951 5. The director and a representative of the governing board
952 of a graded charter school that has implemented a school
953 improvement plan under this paragraph shall appear before the
954 sponsor at least once a year to present information regarding
955 the progress of intervention and support strategies implemented
956 by the school pursuant to the school improvement plan and
957 corrective actions, if applicable. The sponsor shall communicate
958 at the meeting, and in writing to the director, the services
959 provided to the school to help the school address its
960 deficiencies.

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961 6. Notwithstanding any provision of this paragraph except
962 sub-subparagraphs 4.a.-c., the sponsor may terminate the charter
963 at any time pursuant to subsection (8).

964 (p)1. Each charter school shall maintain a website that
965 enables the public to obtain information regarding the school;
966 the school's academic performance; the names of the governing
967 board members; the programs at the school; any management
968 companies, service providers, or education management
969 corporations associated with the school; the school's annual
970 budget and its annual independent fiscal audit; the school's
971 grade pursuant to s. 1008.34; and, on a quarterly basis, the
972 minutes of governing board meetings.

973 2. Each charter school's governing board must appoint a
974 representative to facilitate parental involvement, provide
975 access to information, assist parents and others with questions
976 and concerns, and resolve disputes. The representative must
977 reside in the school district in which the charter school is
978 located and may be a governing board member, a charter school
979 employee, or an individual contracted to represent the governing
980 board. If the governing board oversees multiple charter schools
981 in the same school district, the governing board must appoint a
982 separate representative for each charter school in the district.
983 The representative's contact information must be provided
984 annually in writing to parents and posted prominently on the
985 charter school's website. The sponsor may not require governing
986 board members to reside in the school district in which the
987 charter school is located if the charter school complies with
988 this subparagraph.

989 3. Each charter school's governing board must hold at least

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990 two public meetings per school year in the school district where
991 the charter school is located. The meetings must be noticed,
992 open, and accessible to the public, and attendees must be
993 provided an opportunity to receive information and provide input
994 regarding the charter school's operations. The appointed
995 representative and charter school principal or director, or his
996 or her designee, must be physically present at each meeting.

997 (10) ELIGIBLE STUDENTS.—

998 (d) A charter school may give enrollment preference to the
999 following student populations:

1000 1. Students who are siblings of a student enrolled in the
1001 charter school.

1002 2. Students who are the children of a member of the
1003 governing board of the charter school.

1004 3. Students who are the children of an employee of the
1005 charter school.

1006 4. Students who are the children of:

1007 a. An employee of the business partner of a charter school-
1008 in-the-workplace established under paragraph (15) (b) or a
1009 resident of the municipality in which such charter school is
1010 located; or

1011 b. A resident of a municipality that operates a charter
1012 school-in-a-municipality pursuant to paragraph (15) (c).

1013 5. Students who have successfully completed a voluntary
1014 prekindergarten education program under ss. 1002.51-1002.79
1015 provided by the charter school or the charter school's governing
1016 board during the previous year.

1017 6. Students who are the children of an active duty member
1018 of any branch of the United States Armed Forces.

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1019 7. Students who attended or are assigned to failing schools
1020 pursuant to s. 1002.38(2).

1021 (17) FUNDING.—Students enrolled in a charter school,
1022 regardless of the sponsorship, shall be funded as if they are in
1023 a basic program or a special program, the same as students
1024 enrolled in other public schools in the school district. Funding
1025 for a charter lab school shall be as provided in s. 1002.32.

1026 (b) The basis for the agreement for funding students
1027 enrolled in a charter school shall be the sum of the school
1028 district's operating funds from the Florida Education Finance
1029 Program as provided in s. 1011.62 and the General Appropriations
1030 Act, including gross state and local funds, discretionary
1031 lottery funds, and funds from the school district's current
1032 operating discretionary millage levy; divided by total funded
1033 weighted full-time equivalent students in the school district;
1034 multiplied by the weighted full-time equivalent students for the
1035 charter school. Charter schools whose students or programs meet
1036 the eligibility criteria in law are entitled to their
1037 proportionate share of categorical program funds included in the
1038 total funds available in the Florida Education Finance Program
1039 by the Legislature, including transportation, the research-based
1040 reading allocation, and the Florida digital classrooms
1041 allocation. Total funding for each charter school shall be
1042 recalculated during the year to reflect the revised calculations
1043 under the Florida Education Finance Program by the state and the
1044 actual weighted full-time equivalent students reported by the
1045 charter school during the full-time equivalent student survey
1046 periods designated by the Commissioner of Education.

1047 (20) SERVICES.—

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1048 (a)1. A sponsor shall provide certain administrative and
1049 educational services to charter schools. These services shall
1050 include contract management services; full-time equivalent and
1051 data reporting services; exceptional student education
1052 administration services; services related to eligibility and
1053 reporting duties required to ensure that school lunch services
1054 under the federal lunch program, consistent with the needs of
1055 the charter school, are provided by the school district at the
1056 request of the charter school, that any funds due to the charter
1057 school under the federal lunch program be paid to the charter
1058 school as soon as the charter school begins serving food under
1059 the federal lunch program, and that the charter school is paid
1060 at the same time and in the same manner under the federal lunch
1061 program as other public schools serviced by the sponsor or the
1062 school district; test administration services, including payment
1063 of the costs of state-required or district-required student
1064 assessments; processing of teacher certificate data services;
1065 and information services, including equal access to student
1066 information systems that are used by public schools in the
1067 district in which the charter school is located. Student
1068 performance data for each student in a charter school,
1069 including, but not limited to, FCAT scores, standardized test
1070 scores, previous public school student report cards, and student
1071 performance measures, shall be provided by the sponsor to a
1072 charter school in the same manner provided to other public
1073 schools in the district.

1074 2. A total administrative fee for the provision of such
1075 services shall be calculated based upon up to 5 percent of the
1076 available funds defined in paragraph (17) (b) for all students,

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1077 except that when 75 percent or more of the students enrolled in
1078 the charter school are exceptional students as defined in s.
1079 1003.01(3), the 5 percent of those available funds shall be
1080 calculated based on unweighted full-time equivalent students.
1081 However, a sponsor may only withhold up to a 5-percent
1082 administrative fee for enrollment for up to and including 250
1083 students. For charter schools with a population of 251 or more
1084 students, the difference between the total administrative fee
1085 calculation and the amount of the administrative fee withheld
1086 may only be used for capital outlay purposes specified in s.
1087 1013.62(2).

1088 3. For high-performing charter schools, as defined in s.
1089 1002.331 ~~ch. 2011-232~~, a sponsor may withhold a total
1090 administrative fee of up to 2 percent for enrollment up to and
1091 including 250 students per school.

1092 4. In addition, a sponsor may withhold only up to a 5-
1093 percent administrative fee for enrollment for up to and
1094 including 500 students within a system of charter schools which
1095 meets all of the following:

1096 a. Includes both conversion charter schools and
1097 nonconversion charter schools;

1098 b. Has all schools located in the same county;

1099 c. Has a total enrollment exceeding the total enrollment of
1100 at least one school district in the state;

1101 d. Has the same governing board; and

1102 e. Does not contract with a for-profit service provider for
1103 management of school operations.

1104 5. The difference between the total administrative fee
1105 calculation and the amount of the administrative fee withheld

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1106 pursuant to subparagraph 4. may be used for instructional and
1107 administrative purposes as well as for capital outlay purposes
1108 specified in s. 1013.62(2).

1109 6. For a high-performing charter school system that also
1110 meets the requirements in subparagraph 4., a sponsor may
1111 withhold a 2-percent administrative fee for enrollments up to
1112 and including 500 students per system.

1113 7. Sponsors shall not charge charter schools any additional
1114 fees or surcharges for administrative and educational services
1115 in addition to the maximum 5-percent administrative fee withheld
1116 pursuant to this paragraph.

1117 8. The sponsor of a virtual charter school may withhold a
1118 fee of up to 5 percent. The funds shall be used to cover the
1119 cost of services provided under subparagraph 1. and
1120 implementation of the school district's digital classrooms plan
1121 pursuant to s. 1011.62.

1122 Section 6. Paragraph (a) of subsection (3) of section
1123 1002.37, Florida Statutes, is amended to read:

1124 1002.37 The Florida Virtual School.—

1125 (3) Funding for the Florida Virtual School shall be
1126 provided as follows:

1127 (a)1. The calculation of "full-time equivalent student"
1128 shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject
1129 to s. 1011.61(4) ~~For a student in grades 9 through 12, a "full-~~
1130 ~~time equivalent student" is one student who has successfully~~
1131 ~~completed six full-credit courses that count toward the minimum~~
1132 ~~number of credits required for high school graduation. A student~~
1133 ~~who completes fewer than six full-credit courses is a fraction~~
1134 ~~of a full-time equivalent student. Half-credit course~~

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1135 ~~completions shall be included in determining a full-time~~
1136 ~~equivalent student.~~

1137 ~~2. For a student in kindergarten through grade 8, a "full-~~
1138 ~~time equivalent student" is one student who has successfully~~
1139 ~~completed six courses or the prescribed level of content that~~
1140 ~~counts toward promotion to the next grade. A student who~~
1141 ~~completes fewer than six courses or the prescribed level of~~
1142 ~~content shall be a fraction of a full-time equivalent student.~~

1143 ~~2.3.~~ For a student in a home education program, funding
1144 shall be provided in accordance with this subsection upon course
1145 completion if the parent verifies, upon enrollment for each
1146 course, that the student is registered with the school district
1147 as a home education student pursuant to s. 1002.41(1)(a).
1148 ~~Beginning in the 2016-2017 fiscal year, the reported full-time~~
1149 ~~equivalent students and associated funding of students enrolled~~
1150 ~~in courses requiring passage of an end-of-course assessment~~
1151 ~~under s. 1003.4282 to earn a standard high school diploma shall~~
1152 ~~be adjusted if the student does not pass the end-of-course~~
1153 ~~assessment. However, no adjustment shall be made for home~~
1154 ~~education program students who choose not to take an end-of-~~
1155 ~~course assessment or for a student who enrolls in a segmented~~
1156 ~~remedial course delivered online.~~

1157
1158 ~~For purposes of this paragraph, the calculation of "full-time~~
1159 ~~equivalent student" shall be as prescribed in s.~~
1160 ~~1011.61(1)(c)1.b.(V) and is subject to the requirements in s.~~
1161 ~~1011.61(4).~~

1162 Section 7. Paragraphs (c) and (d) of subsection (1),
1163 paragraph (e) of subsection (7), and paragraphs (c) and (d) of

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1164 subsection (8) of section 1002.45, Florida Statutes, are amended
1165 to read:

1166 1002.45 Virtual instruction programs.—

1167 (1) PROGRAM.—

1168 (c) To provide students with the option of participating in
1169 virtual instruction programs as required by paragraph (b), a
1170 school district may:

1171 1. Contract with the Florida Virtual School or establish a
1172 franchise of the Florida Virtual School for the provision of a
1173 program under paragraph (b). Using this option is subject to the
1174 requirements of this section and s. 1011.61(1)(c)1.b.(III) and
1175 (IV) and (4). A district may report full-time equivalent student
1176 membership for credit earned by a student who is enrolled in a
1177 virtual education course provided by the district which was
1178 completed after the end of the regular school year if the FTE is
1179 reported no later than the deadline for amending the final
1180 student membership report for that year.

1181 2. Contract with an approved provider under subsection (2)
1182 for the provision of a full-time or part-time program under
1183 paragraph (b).

1184 3. Enter into an agreement with other school districts to
1185 allow the participation of its students in an approved virtual
1186 instruction program provided by the other school district. The
1187 agreement must indicate a process for the transfer of funds
1188 required by paragraph (7)(e) ~~(7)(f)~~.

1189 4. Establish school district operated part-time or full-
1190 time kindergarten through grade 12 virtual instruction programs
1191 under paragraph (b) for students enrolled in the school
1192 district. A full-time program shall operate under its own Master

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1193 School Identification Number.

1194 5. Enter into an agreement with a virtual charter school
1195 authorized by the school district under s. 1002.33.

1196
1197 Contracts under subparagraph 1. or subparagraph 2. may include
1198 multidistrict contractual arrangements that may be executed by a
1199 regional consortium for its member districts. A multidistrict
1200 contractual arrangement or an agreement under subparagraph 3. is
1201 not subject to s. 1001.42(4)(d) and does not require the
1202 participating school districts to be contiguous. These
1203 arrangements may be used to fulfill the requirements of
1204 paragraph (b).

1205 (d) A virtual charter school may provide full-time virtual
1206 instruction for students in kindergarten through grade 12 if the
1207 virtual charter school has a charter approved pursuant to s.
1208 1002.33 authorizing full-time virtual instruction. A virtual
1209 charter school may:

- 1210 1. Contract with the Florida Virtual School.
1211 2. Contract with an approved provider under subsection (2).
1212 3. Enter into an agreement with a school district to allow
1213 the participation of the virtual charter school's students in
1214 the school district's virtual instruction program. The agreement
1215 must indicate a process for reporting of student enrollment and
1216 the transfer of funds required by paragraph (7) (e) ~~(7) (f)~~.

1217 (7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL
1218 FUNDING.—

1219 ~~(e) Beginning in the 2016-2017 fiscal year, the reported~~
1220 ~~full-time equivalent students and associated funding of students~~
1221 ~~enrolled in courses requiring passage of an end-of-course~~

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1222 ~~assessment under s. 1003.4282 to earn a standard high school~~
1223 ~~diploma shall be adjusted if the student does not pass the end-~~
1224 ~~of-course assessment. However, no adjustment shall be made for a~~
1225 ~~student who enrolls in a segmented remedial course delivered~~
1226 ~~online.~~

1227 (8) ASSESSMENT AND ACCOUNTABILITY.—

1228 (c) An approved provider that receives a school grade of
1229 "D" or "F" under s. 1008.34 or a school improvement rating of
1230 "Unsatisfactory" ~~"Declining"~~ under s. 1008.341 must file a
1231 school improvement plan with the department for consultation to
1232 determine the causes for low performance and to develop a plan
1233 for correction and improvement.

1234 (d) An approved provider's contract must be terminated if
1235 the provider receives a school grade of "D" or "F" under s.
1236 1008.34 or a school improvement rating of "Unsatisfactory"
1237 ~~"Declining"~~ under s. 1008.341 for 2 years during any consecutive
1238 4-year period or has violated any qualification requirement
1239 pursuant to subsection (2). A provider that has a contract
1240 terminated under this paragraph may not be an approved provider
1241 for a period of at least 1 year after the date upon which the
1242 contract was terminated and until the department determines that
1243 the provider is in compliance with subsection (2) and has
1244 corrected each cause of the provider's low performance.

1245 Section 8. Section 1003.3101, Florida Statutes, is created
1246 to read:

1247 1003.3101 Additional educational choice options.—Each
1248 school district board shall establish a transfer process for a
1249 parent to request his or her child be transferred to another
1250 classroom teacher. This section does not give a parent the right

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1251 to choose a specific classroom teacher. A school must approve or
1252 deny the transfer within 2 weeks after receiving a request. If a
1253 request for transfer is denied, the school must notify the
1254 parent and specify the reasons for the denial. An explanation of
1255 the transfer process must be made available in the student
1256 handbook or a similar publication.

1257 Section 9. Subsection (3) of section 1003.4295, Florida
1258 Statutes, is amended to read:

1259 1003.4295 Acceleration options.—

1260 (3) The Credit Acceleration Program (CAP) is created for
1261 the purpose of allowing a student to earn high school credit in
1262 courses required for high school graduation through passage of
1263 an end-of-course assessment Algebra I, Algebra II, geometry,
1264 United States history, or biology if the student passes the
1265 statewide, standardized assessment administered under s.
1266 1008.22, an Advanced Placement Examination, or a College Level
1267 Examination Program (CLEP). Notwithstanding s. 1003.436, a
1268 school district shall award course credit to a student who is
1269 not enrolled in the course, or who has not completed the course,
1270 if the student attains a passing score on the corresponding end-
1271 of-course assessment, Advanced Placement Examination, or CLEP
1272 statewide, standardized assessment. The school district shall
1273 permit a public school or home education student who is not
1274 enrolled in the course, or who has not completed the course, to
1275 take the assessment or examination during the regular
1276 administration of the assessment or examination.

1277 Section 10. Effective June 29, 2016, section 1004.935,
1278 Florida Statutes, is amended to read:

1279 1004.935 Adults with Disabilities Workforce Education ~~Pilot~~

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1280 Program.—

1281 (1) The Adults with Disabilities Workforce Education ~~Pilot~~
1282 Program is established in the Department of Education ~~through~~
1283 ~~June 30, 2016,~~ in Hardee, DeSoto, Manatee, and Sarasota Counties
1284 to provide the option of receiving a scholarship for instruction
1285 at private schools for up to 30 students who:

1286 (a) Have a disability;

1287 (b) Are 22 years of age;

1288 (c) Are receiving instruction from an instructor in a
1289 private school to meet the high school graduation requirements
1290 in s. 1002.3105(5) or s. 1003.4282;

1291 (d) Do not have a standard high school diploma or a special
1292 high school diploma; and

1293 (e) Receive "supported employment services," which means
1294 employment that is located or provided in an integrated work
1295 setting with earnings paid on a commensurate wage basis and for
1296 which continued support is needed for job maintenance.

1297
1298 As used in this section, the term "student with a disability"
1299 includes a student who is documented as having an intellectual
1300 disability; a speech impairment; a language impairment; a
1301 hearing impairment, including deafness; a visual impairment,
1302 including blindness; a dual sensory impairment; an orthopedic
1303 impairment; another health impairment; an emotional or
1304 behavioral disability; a specific learning disability,
1305 including, but not limited to, dyslexia, dyscalculia, or
1306 developmental aphasia; a traumatic brain injury; a developmental
1307 delay; or autism spectrum disorder.

1308 (2) A student participating in the ~~pilot~~ program may

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1309 continue to participate in the program until the student
1310 graduates from high school or reaches the age of 40 years,
1311 whichever occurs first.

1312 (3) Supported employment services may be provided at more
1313 than one site.

1314 (4) The provider of supported employment services must be a
1315 nonprofit corporation under s. 501(c)(3) of the Internal Revenue
1316 Code which serves Hardee County, DeSoto County, Manatee County,
1317 or Sarasota County and must contract with a private school in
1318 this state which meets the requirements in subsection (5).

1319 (5) A private school that participates in the ~~pilot~~ program
1320 may be sectarian or nonsectarian and must:

1321 (a) Be academically accountable for meeting the educational
1322 needs of the student by annually providing to the provider of
1323 supported employment services a written explanation of the
1324 student's progress.

1325 (b) Comply with the antidiscrimination provisions of 42
1326 U.S.C. s. 2000d.

1327 (c) Meet state and local health and safety laws and codes.

1328 (d) Provide to the provider of supported employment
1329 services all documentation required for a student's
1330 participation, including the private school's and student's fee
1331 schedules, at least 30 days before any quarterly scholarship
1332 payment is made for the student. A student is not eligible to
1333 receive a quarterly scholarship payment if the private school
1334 fails to meet this deadline.

1335

1336 The inability of a private school to meet the requirements of
1337 this subsection constitutes a basis for the ineligibility of the

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1338 private school to participate in the ~~pilot~~ program.

1339 (6) (a) If the student chooses to participate in the ~~pilot~~
1340 program and is accepted by the provider of supported employment
1341 services, the student must notify the Department of Education of
1342 his or her acceptance into the program 60 days before the first
1343 scholarship payment and before participating in the ~~pilot~~
1344 program in order to be eligible for the scholarship.

1345 (b) Upon receipt of a scholarship warrant, the student or
1346 parent to whom the warrant is made must restrictively endorse
1347 the warrant to the provider of supported employment services for
1348 deposit into the account of the provider. The student or parent
1349 may not designate any entity or individual associated with the
1350 participating provider of supported employment services as the
1351 student's or parent's attorney in fact to endorse a scholarship
1352 warrant. A participant who fails to comply with this paragraph
1353 forfeits the scholarship.

1354 (7) Funds for the scholarship shall be provided from the
1355 appropriation from the school district's Workforce Development
1356 Fund in the General Appropriations Act for students who reside
1357 in the Hardee County School District, the DeSoto County School
1358 District, the Manatee County School District, or the Sarasota
1359 County School District. ~~During the pilot program,~~ The
1360 scholarship amount granted for an eligible student with a
1361 disability shall be equal to the cost per unit of a full-time
1362 equivalent adult general education student, multiplied by the
1363 adult general education funding factor, and multiplied by the
1364 district cost differential pursuant to the formula required by
1365 s. 1011.80(6) (a) for the district in which the student resides.

1366 (8) Upon notification by the Department of Education that

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1367 it has received the required documentation, the Chief Financial
1368 Officer shall make scholarship payments in four equal amounts no
1369 later than September 1, November 1, February 1, and April 1 of
1370 each academic year in which the scholarship is in force. The
1371 initial payment shall be made after the Department of Education
1372 verifies that the student was accepted into the ~~pilot~~ program,
1373 and subsequent payments shall be made upon verification of
1374 continued participation in the ~~pilot~~ program. Payment must be by
1375 individual warrant made payable to the student or parent and
1376 mailed by the Department of Education to the provider of
1377 supported employment services, and the student or parent shall
1378 restrictively endorse the warrant to the provider of supported
1379 employment services for deposit into the account of that
1380 provider.

1381 (9) Subsequent to each scholarship payment, the Department
1382 of Education shall request from the Department of Financial
1383 Services a sample of endorsed warrants to review and confirm
1384 compliance with endorsement requirements.

1385 Section 11. Subsection (3) and paragraph (a) of subsection
1386 (8) of section 1006.15, Florida Statutes, are amended, and
1387 subsection (9) is added to that section, to read:

1388 1006.15 Student standards for participation in
1389 interscholastic and intrascholastic extracurricular student
1390 activities; regulation.—

1391 (3) (a) As used in this section and s. 1006.20, the term
1392 "eligible to participate" includes, but is not limited to, a
1393 student participating in tryouts, off-season conditioning,
1394 summer workouts, preseason conditioning, in-season practice, or
1395 contests. The term does not mean that a student must be placed

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1396 on any specific team for interscholastic or intrascholastic
1397 extracurricular activities. To be eligible to participate in
1398 interscholastic extracurricular student activities, a student
1399 must:

1400 1. Maintain a grade point average of 2.0 or above on a 4.0
1401 scale, or its equivalent, in the previous semester or a
1402 cumulative grade point average of 2.0 or above on a 4.0 scale,
1403 or its equivalent, in the courses required by s. 1002.3105(5) or
1404 s. 1003.4282.

1405 2. Execute and fulfill the requirements of an academic
1406 performance contract between the student, the district school
1407 board, the appropriate governing association, and the student's
1408 parents, if the student's cumulative grade point average falls
1409 below 2.0, or its equivalent, on a 4.0 scale in the courses
1410 required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the
1411 contract must require that the student attend summer school, or
1412 its graded equivalent, between grades 9 and 10 or grades 10 and
1413 11, as necessary.

1414 3. Have a cumulative grade point average of 2.0 or above on
1415 a 4.0 scale, or its equivalent, in the courses required by s.
1416 1002.3105(5) or s. 1003.4282 during his or her junior or senior
1417 year.

1418 4. Maintain satisfactory conduct, including adherence to
1419 appropriate dress and other codes of student conduct policies
1420 described in s. 1006.07(2). If a student is convicted of, or is
1421 found to have committed, a felony or a delinquent act that would
1422 have been a felony if committed by an adult, regardless of
1423 whether adjudication is withheld, the student's participation in
1424 interscholastic extracurricular activities is contingent upon

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1425 established and published district school board policy.

1426 (b) Any student who is exempt from attending a full school
1427 day based on rules adopted by the district school board for
1428 double session schools or programs, experimental schools, or
1429 schools operating under emergency conditions must maintain the
1430 grade point average required by this section and pass each class
1431 for which he or she is enrolled.

1432 (c) An individual home education student is eligible to
1433 participate at the public school to which the student would be
1434 assigned according to district school board attendance area
1435 policies or which the student could ~~choose to attend pursuant to~~
1436 ~~district or interdistrict controlled open enrollment provisions,~~
1437 or may develop an agreement to participate at a private school,
1438 in the interscholastic extracurricular activities of that
1439 school, provided the following conditions are met:

1440 1. The home education student must meet the requirements of
1441 the home education program pursuant to s. 1002.41.

1442 2. During the period of participation at a school, the home
1443 education student must demonstrate educational progress as
1444 required in paragraph (b) in all subjects taken in the home
1445 education program by a method of evaluation agreed upon by the
1446 parent and the school principal which may include: review of the
1447 student's work by a certified teacher chosen by the parent;
1448 grades earned through correspondence; grades earned in courses
1449 taken at a Florida College System institution, university, or
1450 trade school; standardized test scores above the 35th
1451 percentile; or any other method designated in s. 1002.41.

1452 3. The home education student must meet the same residency
1453 requirements as other students in the school at which he or she

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1454 participates.

1455 4. The home education student must meet the same standards
1456 of acceptance, behavior, and performance as required of other
1457 students in extracurricular activities.

1458 5. The student must register with the school his or her
1459 intent to participate in interscholastic extracurricular
1460 activities as a representative of the school before the
1461 beginning date of the season for the activity in which he or she
1462 wishes to participate. A home education student must be able to
1463 participate in curricular activities if that is a requirement
1464 for an extracurricular activity.

1465 6. A student who transfers from a home education program to
1466 a public school before or during the first grading period of the
1467 school year is academically eligible to participate in
1468 interscholastic extracurricular activities during the first
1469 grading period provided the student has a successful evaluation
1470 from the previous school year, pursuant to subparagraph 2.

1471 7. Any public school or private school student who has been
1472 unable to maintain academic eligibility for participation in
1473 interscholastic extracurricular activities is ineligible to
1474 participate in such activities as a home education student until
1475 the student has successfully completed one grading period in
1476 home education pursuant to subparagraph 2. to become eligible to
1477 participate as a home education student.

1478 (d) An individual charter school student pursuant to s.
1479 1002.33 is eligible to participate at the public school to which
1480 the student would be assigned according to district school board
1481 attendance area policies or which the student could ~~choose to~~
1482 attend, ~~pursuant to district or interdistrict controlled open~~

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1483 ~~enrollment provisions,~~ in any interscholastic extracurricular
1484 activity of that school, unless such activity is provided by the
1485 student's charter school, if the following conditions are met:

1486 1. The charter school student must meet the requirements of
1487 the charter school education program as determined by the
1488 charter school governing board.

1489 2. During the period of participation at a school, the
1490 charter school student must demonstrate educational progress as
1491 required in paragraph (b).

1492 3. The charter school student must meet the same residency
1493 requirements as other students in the school at which he or she
1494 participates.

1495 4. The charter school student must meet the same standards
1496 of acceptance, behavior, and performance that are required of
1497 other students in extracurricular activities.

1498 5. The charter school student must register with the school
1499 his or her intent to participate in interscholastic
1500 extracurricular activities as a representative of the school
1501 before the beginning date of the season for the activity in
1502 which he or she wishes to participate. A charter school student
1503 must be able to participate in curricular activities if that is
1504 a requirement for an extracurricular activity.

1505 6. A student who transfers from a charter school program to
1506 a traditional public school before or during the first grading
1507 period of the school year is academically eligible to
1508 participate in interscholastic extracurricular activities during
1509 the first grading period if the student has a successful
1510 evaluation from the previous school year, pursuant to
1511 subparagraph 2.

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1512 7. Any public school or private school student who has been
1513 unable to maintain academic eligibility for participation in
1514 interscholastic extracurricular activities is ineligible to
1515 participate in such activities as a charter school student until
1516 the student has successfully completed one grading period in a
1517 charter school pursuant to subparagraph 2. to become eligible to
1518 participate as a charter school student.

1519 (e) A student of the Florida Virtual School full-time
1520 program may participate in any interscholastic extracurricular
1521 activity at the public school to which the student would be
1522 assigned according to district school board attendance area
1523 policies or which the student could ~~choose to attend, pursuant~~
1524 ~~to district or interdistrict controlled open enrollment~~
1525 ~~policies,~~ if the student:

1526 1. During the period of participation in the
1527 interscholastic extracurricular activity, meets the requirements
1528 in paragraph (a).

1529 2. Meets any additional requirements as determined by the
1530 board of trustees of the Florida Virtual School.

1531 3. Meets the same residency requirements as other students
1532 in the school at which he or she participates.

1533 4. Meets the same standards of acceptance, behavior, and
1534 performance that are required of other students in
1535 extracurricular activities.

1536 5. Registers his or her intent to participate in
1537 interscholastic extracurricular activities with the school
1538 before the beginning date of the season for the activity in
1539 which he or she wishes to participate. A Florida Virtual School
1540 student must be able to participate in curricular activities if

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1541 that is a requirement for an extracurricular activity.

1542 (f) A student who transfers from the Florida Virtual School
1543 full-time program to a traditional public school before or
1544 during the first grading period of the school year is
1545 academically eligible to participate in interscholastic
1546 extracurricular activities during the first grading period if
1547 the student has a successful evaluation from the previous school
1548 year pursuant to paragraph (a).

1549 (g) A public school or private school student who has been
1550 unable to maintain academic eligibility for participation in
1551 interscholastic extracurricular activities is ineligible to
1552 participate in such activities as a Florida Virtual School
1553 student until the student successfully completes one grading
1554 period in the Florida Virtual School pursuant to paragraph (a).

1555 (h)1. A school district or charter school may not delay
1556 eligibility or otherwise prevent a student participating in
1557 controlled open enrollment, or a choice program, from being
1558 immediately eligible to participate in interscholastic and
1559 intrascholastic extracurricular activities.

1560 2. A student participating in a sport at a school may not
1561 participate in that same sport at another school during that
1562 school year, unless the student meets one of the following
1563 criteria:

1564 a. Dependent children of active duty military personnel
1565 whose move resulted from military orders.

1566 b. Children who have been relocated due to a foster care
1567 placement in a different school zone.

1568 c. Children who move due to a court ordered change in
1569 custody due to separation or divorce, or the serious illness or

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1570 death of a custodial parent.

1571 d. Authorized for good cause in district or charter school
1572 policy.

1573 (8) (a) The Florida High School Athletic Association
1574 (FHSAA), in cooperation with each district school board, shall
1575 facilitate a program in which a middle school or high school
1576 student who attends a private school shall be eligible to
1577 participate in an interscholastic or intrascholastic sport at a
1578 public high school, a public middle school, or a 6-12 public
1579 school that is zoned for the physical address at which the
1580 student resides if:

1581 1. The private school in which the student is enrolled is
1582 not a member of the FHSAA ~~and does not offer an interscholastic~~
1583 ~~or intrascholastic athletic program.~~

1584 2. The private school student meets the guidelines for the
1585 conduct of the program established by the FHSAA's board of
1586 directors and the district school board. At a minimum, such
1587 guidelines shall provide:

1588 a. A deadline for each sport by which the private school
1589 student's parents must register with the public school in
1590 writing their intent for their child to participate at that
1591 school in the sport.

1592 b. Requirements for a private school student to
1593 participate, including, but not limited to, meeting the same
1594 standards of eligibility, acceptance, behavior, educational
1595 progress, and performance which apply to other students
1596 participating in interscholastic or intrascholastic sports at a
1597 public school or FHSAA member private school.

1598 (9) (a) A student who transfers to a school during the

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1599 school year may seek to immediately join an existing team if the
1600 roster for the specific interscholastic or intrascholastic
1601 extracurricular activity has not reached the activity's
1602 identified maximum size and if the coach for the activity
1603 determines that the student has the requisite skill and ability
1604 to participate. The FHSAA and school district or charter school
1605 may not declare such a student ineligible because the student
1606 did not have the opportunity to comply with qualifying
1607 requirements.

1608 (b) A student participating in a sport at a school may not
1609 participate in that same sport at another school during that
1610 school year, unless the student meets one of the following
1611 criteria:

1612 1. Dependent children of active duty military personnel
1613 whose move resulted from military orders.

1614 2. Children who have been relocated due to a foster care
1615 placement in a different school zone.

1616 3. Children who move due to a court ordered change in
1617 custody due to separation or divorce, or the serious illness or
1618 death of a custodial parent.

1619 4. Authorized for good cause in district or charter school
1620 policy.

1621 Section 12. Subsection (1) and paragraphs (a), (b), (c),
1622 and (g) of subsection (2) of section 1006.20, Florida Statutes,
1623 are amended to read:

1624 1006.20 Athletics in public K-12 schools.—

1625 (1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High
1626 School Athletic Association (FHSAA) is designated as the
1627 governing nonprofit organization of athletics in Florida public

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1628 schools. If the FHSAA fails to meet the provisions of this
1629 section, the commissioner shall designate a nonprofit
1630 organization to govern athletics with the approval of the State
1631 Board of Education. The FHSAA is not a state agency as defined
1632 in s. 120.52. The FHSAA shall be subject to the provisions of s.
1633 1006.19. A private school that wishes to engage in high school
1634 athletic competition with a public high school may become a
1635 member of the FHSAA. Any high school in the state, including
1636 charter schools, virtual schools, and home education
1637 cooperatives, may become a member of the FHSAA and participate
1638 in the activities of the FHSAA. However, membership in the FHSAA
1639 is not mandatory for any school. The FHSAA must allow a private
1640 school the option of maintaining full membership in the
1641 association or joining by sport and may not discourage a private
1642 school from simultaneously maintaining membership in another
1643 athletic association. The FHSAA may allow a public school the
1644 option to apply for consideration to join another athletic
1645 association. The FHSAA may not deny or discourage
1646 interscholastic competition between its member schools and non-
1647 FHSAA member Florida schools, including members of another
1648 athletic governing organization, and may not take any
1649 retributory or discriminatory action against any of its member
1650 schools that participate in interscholastic competition with
1651 non-FHSAA member Florida schools. The FHSAA may not unreasonably
1652 withhold its approval of an application to become an affiliate
1653 member of the National Federation of State High School
1654 Associations submitted by any other organization that governs
1655 interscholastic athletic competition in this state. The bylaws
1656 of the FHSAA are the rules by which high school athletic

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1657 programs in its member schools, and the students who participate
1658 in them, are governed, unless otherwise specifically provided by
1659 statute. For the purposes of this section, "high school"
1660 includes grades 6 through 12.

1661 (2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

1662 (a) The FHSAA shall adopt bylaws that, unless specifically
1663 provided by statute, establish eligibility requirements for all
1664 students who participate in high school athletic competition in
1665 its member schools. The bylaws governing residence and transfer
1666 shall allow the student to be immediately eligible in the school
1667 in which he or she first enrolls each school year or the school
1668 in which the student makes himself or herself a candidate for an
1669 athletic team by engaging in a practice prior to enrolling in
1670 the school. The bylaws shall also allow the student to be
1671 immediately eligible in the school to which the student has
1672 transferred ~~during the school year if the transfer is made by a~~
1673 ~~deadline established by the FHSAA, which may not be prior to the~~
1674 ~~date authorized for the beginning of practice for the sport.~~
1675 ~~These transfers shall be allowed pursuant to the district school~~
1676 ~~board policies in the case of transfer to a public school or~~
1677 ~~pursuant to the private school policies in the case of transfer~~
1678 ~~to a private school.~~ The student shall be eligible in that
1679 school so long as he or she remains enrolled in that school.
1680 Subsequent eligibility shall be determined and enforced through
1681 the FHSAA's bylaws. Requirements governing eligibility and
1682 transfer between member schools shall be applied similarly to
1683 public school students and private school students.

1684 (b) The FHSAA shall adopt bylaws that specifically prohibit
1685 the recruiting of students for athletic purposes. The bylaws

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1686 shall prescribe penalties and an appeals process for athletic
1687 recruiting violations.

1688 1. If it is determined that a school has recruited a
1689 student in violation of FHSAA bylaws, the FHSAA may require the
1690 school to participate in a higher classification for the sport
1691 in which the recruited student competes for a minimum of one
1692 classification cycle, in addition to the penalties in
1693 subparagraphs 2. and 3., and any other appropriate fine ~~or and~~
1694 sanction imposed on the school, its coaches, or adult
1695 representatives who violate recruiting rules.

1696 2. Any recruitment by a school district employee or
1697 contractor in violation of FHSAA bylaws results in escalating
1698 punishments as follows:

1699 a. For a first offense, a \$5,000 forfeiture of pay for the
1700 school district employee or contractor who committed the
1701 violation.

1702 b. For a second offense, suspension without pay for 12
1703 months from coaching, directing, or advertising an
1704 extracurricular activity and a \$5,000 forfeiture of pay for the
1705 school district employee or contractor who committed the
1706 violation.

1707 c. For a third offense, a \$5,000 forfeiture of pay for the
1708 school district employee or contractor who committed the
1709 violation. If the individual who committed the violation holds
1710 an educator certificate, the FHSAA shall also refer the
1711 violation to the department for review pursuant to s. 1012.796
1712 to determine whether probable cause exists, and, if there is a
1713 finding of probable cause, the commissioner shall file a formal
1714 complaint against the individual. If the complaint is upheld,

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1715 the individual's educator certificate shall be revoked for 3
1716 years, in addition to any penalties available under s. 1012.796.
1717 Additionally, the department shall revoke any adjunct teaching
1718 certificates issued pursuant to s. 1012.57 and all permissions
1719 under ss. 1012.39 and 1012.43, and the educator is ineligible
1720 for such certificates or permissions for a period of time equal
1721 to the period of revocation of his or her state-issued
1722 certificate.

1723 3. Notwithstanding any other provision of law, a school
1724 shall forfeit every competition in which a student participated
1725 who was recruited by an adult who is not a school district
1726 employee or contractor in violation of FHSAA bylaws.

1727 4. A student may not be declared ineligible based on
1728 violation of recruiting rules unless the student or parent has
1729 falsified any enrollment or eligibility document or accepted any
1730 benefit ~~or any promise of benefit~~ if such benefit is not
1731 generally available to the school's students or family members
1732 or is based in any way on athletic interest, potential, or
1733 performance.

1734 (c) The FHSAA shall adopt bylaws that require all students
1735 participating in interscholastic athletic competition or who are
1736 candidates for an interscholastic athletic team to
1737 satisfactorily pass a medical evaluation each year prior to
1738 participating in interscholastic athletic competition or
1739 engaging in any practice, tryout, workout, or other physical
1740 activity associated with the student's candidacy for an
1741 interscholastic athletic team. Such medical evaluation may be
1742 administered only by a practitioner licensed under chapter 458,
1743 chapter 459, chapter 460, or s. 464.012, and in good standing

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1744 with the practitioner's regulatory board. The bylaws shall
1745 establish requirements for eliciting a student's medical history
1746 and performing the medical evaluation required under this
1747 paragraph, which shall include a physical assessment of the
1748 student's physical capabilities to participate in
1749 interscholastic athletic competition as contained in a uniform
1750 preparticipation physical evaluation and history form. The
1751 evaluation form shall incorporate the recommendations of the
1752 American Heart Association for participation cardiovascular
1753 screening and shall provide a place for the signature of the
1754 practitioner performing the evaluation with an attestation that
1755 each examination procedure listed on the form was performed by
1756 the practitioner or by someone under the direct supervision of
1757 the practitioner. The form shall also contain a place for the
1758 practitioner to indicate if a referral to another practitioner
1759 was made in lieu of completion of a certain examination
1760 procedure. The form shall provide a place for the practitioner
1761 to whom the student was referred to complete the remaining
1762 sections and attest to that portion of the examination. The
1763 preparticipation physical evaluation form shall advise students
1764 to complete a cardiovascular assessment and shall include
1765 information concerning alternative cardiovascular evaluation and
1766 diagnostic tests. Results of such medical evaluation must be
1767 provided to the school. A student is not ~~No student shall be~~
1768 eligible to participate, as provided in s. 1006.15(3), in any
1769 interscholastic athletic competition or engage in any practice,
1770 tryout, workout, or other physical activity associated with the
1771 student's candidacy for an interscholastic athletic team until
1772 the results of the medical evaluation have been received and

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1773 approved by the school.

1774 (g) The FHSAA shall adopt bylaws establishing the process
1775 and standards by which FHSAA determinations of eligibility are
1776 made. Such bylaws shall provide that:

1777 1. Ineligibility must be established by a preponderance of
1778 the ~~clear and convincing~~ evidence;

1779 2. Student athletes, parents, and schools must have notice
1780 of the initiation of any investigation or other inquiry into
1781 eligibility and may present, to the investigator and to the
1782 individual making the eligibility determination, any information
1783 or evidence that is credible, persuasive, and of a kind
1784 reasonably prudent persons rely upon in the conduct of serious
1785 affairs;

1786 3. An investigator may not determine matters of eligibility
1787 but must submit information and evidence to the executive
1788 director or a person designated by the executive director or by
1789 the board of directors for an unbiased and objective
1790 determination of eligibility; and

1791 4. A determination of ineligibility must be made in
1792 writing, setting forth the findings of fact and specific
1793 violation upon which the decision is based.

1794 Section 13. Section 1009.893, Florida Statutes, is amended
1795 to read:

1796 1009.893 Benacquisto Scholarship ~~Florida National Merit~~
1797 ~~Scholar Incentive~~ Program.—

1798 (1) As used in this section, the term:

1799 (a) "Department" means the Department of Education.

1800 (b) "Scholarship Incentive program" means the Benacquisto
1801 Scholarship ~~Florida National Merit Scholar Incentive~~ Program.

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1802 (2) The Benacquisto Scholarship ~~Florida National Merit~~
1803 ~~Scholar Incentive~~ Program is created to reward any Florida high
1804 school graduate who receives recognition as a National Merit
1805 Scholar or National Achievement Scholar and who initially
1806 enrolls in the 2014-2015 academic year or, later, in a
1807 baccalaureate degree program at an eligible Florida public or
1808 independent postsecondary educational institution.

1809 (3) The department shall administer the scholarship
1810 ~~incentive~~ program according to rules and procedures established
1811 by the State Board of Education. The department shall advertise
1812 the availability of the scholarship ~~incentive~~ program and notify
1813 students, teachers, parents, certified school counselors, and
1814 principals or other relevant school administrators of the
1815 criteria.

1816 (4) In order to be eligible for an award under the
1817 scholarship ~~incentive~~ program, a student must:

1818 (a) Be a state resident as determined in s. 1009.40 and
1819 rules of the State Board of Education;

1820 (b) Earn a standard Florida high school diploma or its
1821 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,
1822 or s. 1003.435 unless:

1823 1. The student completes a home education program according
1824 to s. 1002.41; or

1825 2. The student earns a high school diploma from a non-
1826 Florida school while living with a parent who is on military or
1827 public service assignment out of this state;

1828 (c) Be accepted by and enroll in a Florida public or
1829 independent postsecondary educational institution that is
1830 regionally accredited; and

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1831 (d) Be enrolled full-time in a baccalaureate degree program
1832 at an eligible regionally accredited Florida public or
1833 independent postsecondary educational institution during the
1834 fall academic term following high school graduation.

1835 (5) (a) An eligible student who is a National Merit Scholar
1836 or National Achievement Scholar and who attends a Florida public
1837 postsecondary educational institution shall receive a
1838 scholarship ~~an incentive~~ award equal to the institutional cost
1839 of attendance minus the sum of the student's Florida Bright
1840 Futures Scholarship and National Merit Scholarship or National
1841 Achievement Scholarship.

1842 (b) An eligible student who is a National Merit Scholar or
1843 National Achievement Scholar and who attends a Florida
1844 independent postsecondary educational institution shall receive
1845 a scholarship ~~an incentive~~ award equal to the highest cost of
1846 attendance at a Florida public university, as reported by the
1847 Board of Governors of the State University System, minus the sum
1848 of the student's Florida Bright Futures Scholarship and National
1849 Merit Scholarship or National Achievement Scholarship.

1850 (6) (a) To be eligible for a renewal award, a student must
1851 earn all credits for which he or she was enrolled and maintain a
1852 3.0 or higher grade point average.

1853 (b) A student may receive the scholarship ~~incentive~~ award
1854 for a maximum of 100 percent of the number of credit hours
1855 required to complete a baccalaureate degree program, or until
1856 completion of a baccalaureate degree program, whichever comes
1857 first.

1858 (7) The department shall annually issue awards from the
1859 scholarship ~~incentive~~ program. Before the registration period

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1860 each semester, the department shall transmit payment for each
1861 award to the president or director of the postsecondary
1862 educational institution, or his or her representative, except
1863 that the department may withhold payment if the receiving
1864 institution fails to report or to make refunds to the department
1865 as required in this section.

1866 (a) Each institution shall certify to the department the
1867 eligibility status of each student to receive a disbursement
1868 within 30 days before the end of its regular registration
1869 period, inclusive of a drop and add period. An institution is
1870 not required to reevaluate the student eligibility after the end
1871 of the drop and add period.

1872 (b) An institution that receives funds from the scholarship
1873 ~~incentive~~ program must certify to the department the amount of
1874 funds disbursed to each student and remit to the department any
1875 undisbursed advances within 60 days after the end of regular
1876 registration.

1877 (c) If funds appropriated are not adequate to provide the
1878 maximum allowable award to each eligible student, awards must be
1879 prorated using the same percentage reduction.

1880 (8) Funds from any award within the scholarship ~~incentive~~
1881 program may not be used to pay for remedial coursework or
1882 developmental education.

1883 (9) A student may use an award for a summer term if funds
1884 are available and appropriated by the Legislature.

1885 (10) The department shall allocate funds to the appropriate
1886 institutions and collect and maintain data regarding the
1887 scholarship ~~incentive~~ program within the student financial
1888 assistance database as specified in s. 1009.94.

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1889 (11) Section 1009.40(4) does not apply to awards issued
1890 under this section.

1891 (12) A student who receives an award under the scholarship
1892 program shall be known as a Benacquisto Scholar.

1893 (13) All eligible Florida public or independent
1894 postsecondary educational institutions are encouraged to become,
1895 and all eligible state universities shall become, college
1896 sponsors of the National Merit Scholarship Program.

1897 (14)~~(12)~~ The State Board of Education shall adopt rules
1898 necessary to administer this section.

1899 Section 14. Subsection (1) of section 1011.61, Florida
1900 Statutes, is amended to read:

1901 1011.61 Definitions.—Notwithstanding the provisions of s.
1902 1000.21, the following terms are defined as follows for the
1903 purposes of the Florida Education Finance Program:

1904 (1) A "full-time equivalent student" in each program of the
1905 district is defined in terms of full-time students and part-time
1906 students as follows:

1907 (a) A "full-time student" is one student on the membership
1908 roll of one school program or a combination of school programs
1909 listed in s. 1011.62(1)(c) for the school year or the equivalent
1910 for:

1911 1. Instruction in a standard school, comprising not less
1912 than 900 net hours for a student in or at the grade level of 4
1913 through 12, or not less than 720 net hours for a student in or
1914 at the grade level of kindergarten through grade 3 or in an
1915 authorized prekindergarten exceptional program; or

1916 ~~2. Instruction in a double-session school or a school~~
1917 ~~utilizing an experimental school calendar approved by the~~

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1918 ~~Department of Education, comprising not less than the equivalent~~
1919 ~~of 810 net hours in grades 4 through 12 or not less than 630 net~~
1920 ~~hours in kindergarten through grade 3; or~~

1921 2.3. Instruction comprising the appropriate number of net
1922 hours set forth in subparagraph 1. ~~or subparagraph 2.~~ for
1923 students who, within the past year, have moved with their
1924 parents for the purpose of engaging in the farm labor or fish
1925 industries, if a plan furnishing such an extended school day or
1926 week, or a combination thereof, has been approved by the
1927 commissioner. Such plan may be approved to accommodate the needs
1928 of migrant students only or may serve all students in schools
1929 having a high percentage of migrant students. The plan described
1930 in this subparagraph is optional for any school district and is
1931 not mandated by the state.

1932 (b) A "part-time student" is a student on the active
1933 membership roll of a school program or combination of school
1934 programs listed in s. 1011.62(1)(c) who is less than a full-time
1935 student. A student who receives instruction in a school that
1936 operates for less than the minimum term shall generate full-time
1937 equivalent student membership proportional to the amount of
1938 instructional hours provided by the school divided by the
1939 minimum term requirement as provided in s. 1011.60(2).

1940 (c)1. A "full-time equivalent student" is:

1941 a. A full-time student in any one of the programs listed in
1942 s. 1011.62(1)(c); or

1943 b. A combination of full-time or part-time students in any
1944 one of the programs listed in s. 1011.62(1)(c) which is the
1945 equivalent of one full-time student based on the following
1946 calculations:

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1947 (I) A full-time student in a combination of programs listed
1948 in s. 1011.62(1)(c) shall be a fraction of a full-time
1949 equivalent membership in each special program equal to the
1950 number of net hours per school year for which he or she is a
1951 member, divided by the appropriate number of hours set forth in
1952 subparagraph (a)1. ~~or subparagraph (a)2.~~ The difference between
1953 that fraction or sum of fractions and the maximum value as set
1954 forth in subsection (4) for each full-time student is presumed
1955 to be the balance of the student's time not spent in a special
1956 program and shall be recorded as time in the appropriate basic
1957 program.

1958 (II) A prekindergarten student with a disability shall meet
1959 the requirements specified for kindergarten students.

1960 (III) A full-time equivalent student for students in
1961 kindergarten through grade 12 in a full-time virtual instruction
1962 program under s. 1002.45 or a virtual charter school under s.
1963 1002.33 shall consist of six full-credit completions or the
1964 prescribed level of content that counts toward promotion to the
1965 next grade in programs listed in s. 1011.62(1)(c). Credit
1966 completions may be a combination of full-credit courses or half-
1967 credit courses. ~~Beginning in the 2016-2017 fiscal year, the~~
1968 ~~reported full-time equivalent students and associated funding of~~
1969 ~~students enrolled in courses requiring passage of an end-of-~~
1970 ~~course assessment under s. 1003.4282 to earn a standard high~~
1971 ~~school diploma shall be adjusted if the student does not pass~~
1972 ~~the end-of-course assessment. However, no adjustment shall be~~
1973 ~~made for a student who enrolls in a segmented remedial course~~
1974 ~~delivered online.~~

1975 (IV) A full-time equivalent student for students in

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1976 kindergarten through grade 12 in a part-time virtual instruction
1977 program under s. 1002.45 shall consist of six full-credit
1978 completions in programs listed in s. 1011.62(1)(c)1. and 3.
1979 Credit completions may be a combination of full-credit courses
1980 or half-credit courses. ~~Beginning in the 2016-2017 fiscal year,~~
1981 ~~the reported full-time equivalent students and associated~~
1982 ~~funding of students enrolled in courses requiring passage of an~~
1983 ~~end-of-course assessment under s. 1003.4282 to earn a standard~~
1984 ~~high school diploma shall be adjusted if the student does not~~
1985 ~~pass the end-of-course assessment. However, no adjustment shall~~
1986 ~~be made for a student who enrolls in a segmented remedial course~~
1987 ~~delivered online.~~

1988 (V) A Florida Virtual School full-time equivalent student
1989 shall consist of six full-credit completions or the prescribed
1990 level of content that counts toward promotion to the next grade
1991 in the programs listed in s. 1011.62(1)(c)1. and 3. for students
1992 participating in kindergarten through grade 12 part-time virtual
1993 instruction and the programs listed in s. 1011.62(1)(c) for
1994 students participating in kindergarten through grade 12 full-
1995 time virtual instruction. Credit completions may be a
1996 combination of full-credit courses or half-credit courses.
1997 ~~Beginning in the 2016-2017 fiscal year, the reported full-time~~
1998 ~~equivalent students and associated funding of students enrolled~~
1999 ~~in courses requiring passage of an end-of-course assessment~~
2000 ~~under s. 1003.4282 to earn a standard high school diploma shall~~
2001 ~~be adjusted if the student does not pass the end-of-course~~
2002 ~~assessment. However, no adjustment shall be made for a student~~
2003 ~~who enrolls in a segmented remedial course delivered online.~~

2004 (VI) Each successfully completed full-credit course earned

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2005 through an online course delivered by a district other than the
2006 one in which the student resides shall be calculated as 1/6 FTE.

2007 (VII) A full-time equivalent student for courses requiring
2008 passage of a statewide, standardized end-of-course assessment
2009 under s. 1003.4282 to earn a standard high school diploma shall
2010 be defined and reported based on the number of instructional
2011 hours as provided in this subsection ~~until the 2016-2017 fiscal~~
2012 ~~year. Beginning in the 2016-2017 fiscal year, the FTE for the~~
2013 ~~course shall be assessment based and shall be equal to 1/6 FTE.~~
2014 ~~The reported FTE shall be adjusted if the student does not pass~~
2015 ~~the end of course assessment. However, no adjustment shall be~~
2016 ~~made for a student who enrolls in a segmented remedial course~~
2017 ~~delivered online.~~

2018 (VIII) For students enrolled in a school district as a
2019 full-time student, the district may report 1/6 FTE for each
2020 student who passes a statewide, standardized end-of-course
2021 assessment without being enrolled in the corresponding course.

2022 2. A student in membership in a program scheduled for more
2023 or less than 180 school days or the equivalent on an hourly
2024 basis as specified by rules of the State Board of Education is a
2025 fraction of a full-time equivalent membership equal to the
2026 number of instructional hours in membership divided by the
2027 appropriate number of hours set forth in subparagraph (a)1.;

2028 however, for the purposes of this subparagraph, membership in
2029 programs scheduled for more than 180 days is limited to students
2030 enrolled in:

- 2031 a. Juvenile justice education programs.
- 2032 b. The Florida Virtual School.
- 2033 c. Virtual instruction programs and virtual charter schools

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2034 for the purpose of course completion and credit recovery
2035 pursuant to ss. 1002.45 and 1003.498. Course completion applies
2036 only to a student who is reported during the second or third
2037 membership surveys and who does not complete a virtual education
2038 course by the end of the regular school year. The course must be
2039 completed no later than the deadline for amending the final
2040 student enrollment survey for that year. Credit recovery applies
2041 only to a student who has unsuccessfully completed a traditional
2042 or virtual education course during the regular school year and
2043 must re-take the course in order to be eligible to graduate with
2044 the student's class.

2045
2046 The full-time equivalent student enrollment calculated under
2047 this subsection is subject to the requirements in subsection
2048 (4).

2049
2050 The department shall determine and implement an equitable method
2051 of equivalent funding for ~~experimental schools and for~~ schools
2052 operating under emergency conditions, which schools have been
2053 approved by the department to operate for less than the minimum
2054 term as provided in s. 1011.60(2) ~~school day~~.

2055 Section 15. Effective July 1, 2016, and upon the expiration
2056 of the amendment to section 1011.62, Florida Statutes, made by
2057 chapter 2015-222, Laws of Florida, paragraphs (e) and (o) of
2058 subsection (1), paragraph (a) of subsection (4), and present
2059 subsection (13) of that section are amended, present subsections
2060 (13), (14), and (15) of that section are redesignated as
2061 subsections (14), (15), and (16), respectively, and a new
2062 subsection (13) is added to that section, to read:

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2063 1011.62 Funds for operation of schools.—If the annual
2064 allocation from the Florida Education Finance Program to each
2065 district for operation of schools is not determined in the
2066 annual appropriations act or the substantive bill implementing
2067 the annual appropriations act, it shall be determined as
2068 follows:

2069 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
2070 OPERATION.—The following procedure shall be followed in
2071 determining the annual allocation to each district for
2072 operation:

2073 (e) *Funding model for exceptional student education*
2074 *programs.*—

2075 1.a. The funding model uses basic, at-risk, support levels
2076 IV and V for exceptional students and career Florida Education
2077 Finance Program cost factors, and a guaranteed allocation for
2078 exceptional student education programs. Exceptional education
2079 cost factors are determined by using a matrix of services to
2080 document the services that each exceptional student will
2081 receive. The nature and intensity of the services indicated on
2082 the matrix shall be consistent with the services described in
2083 each exceptional student's individual educational plan. The
2084 Department of Education shall review and revise the descriptions
2085 of the services and supports included in the matrix of services
2086 for exceptional students and shall implement those revisions
2087 before the beginning of the 2012-2013 school year.

2088 b. In order to generate funds using one of the two weighted
2089 cost factors, a matrix of services must be completed at the time
2090 of the student's initial placement into an exceptional student
2091 education program and at least once every 3 years by personnel

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2092 who have received approved training. Nothing listed in the
2093 matrix shall be construed as limiting the services a school
2094 district must provide in order to ensure that exceptional
2095 students are provided a free, appropriate public education.

2096 c. Students identified as exceptional, in accordance with
2097 chapter 6A-6, Florida Administrative Code, who do not have a
2098 matrix of services as specified in sub-subparagraph b. shall
2099 generate funds on the basis of full-time-equivalent student
2100 membership in the Florida Education Finance Program at the same
2101 funding level per student as provided for basic students.
2102 Additional funds for these exceptional students will be provided
2103 through the guaranteed allocation designated in subparagraph 2.

2104 2. For students identified as exceptional who do not have a
2105 matrix of services and students who are gifted in grades K
2106 through 8, there is created a guaranteed allocation to provide
2107 these students with a free appropriate public education, in
2108 accordance with s. 1001.42(4)(1) and rules of the State Board of
2109 Education, which shall be allocated initially ~~annually~~ to each
2110 school district in the amount provided in the General
2111 Appropriations Act. These funds shall be supplemental ~~in~~
2112 ~~addition~~ to the funds appropriated for the basic funding level
2113 ~~on the basis of FTE student membership in the Florida Education~~
2114 ~~Finance Program~~, and the amount allocated for each school
2115 district shall ~~not~~ be recalculated once during the year, based
2116 on actual student membership from the October FTE survey. Upon
2117 recalculation, if the generated allocation is greater than the
2118 amount provided in the General Appropriations Act, the total
2119 shall be prorated to the level of the appropriation based on
2120 each district's share of the total recalculated amount. These

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2121 funds shall be used to provide special education and related
2122 services for exceptional students and students who are gifted in
2123 grades K through 8. ~~Beginning with the 2007-2008 fiscal year,~~ A
2124 district's expenditure of funds from the guaranteed allocation
2125 for students in grades 9 through 12 who are gifted may not be
2126 greater than the amount expended during the 2006-2007 fiscal
2127 year for gifted students in grades 9 through 12.

2128 (o) *Calculation of additional full-time equivalent*
2129 *membership based on successful completion of a career-themed*
2130 *course pursuant to ss. 1003.491, 1003.492, and 1003.493, or*
2131 *courses with embedded CAPE industry certifications or CAPE*
2132 *Digital Tool certificates, and issuance of industry*
2133 *certification identified on the CAPE Industry Certification*
2134 *Funding List pursuant to rules adopted by the State Board of*
2135 *Education or CAPE Digital Tool certificates pursuant to s.*
2136 *1003.4203.—*

2137 1.a. A value of 0.025 full-time equivalent student
2138 membership shall be calculated for CAPE Digital Tool
2139 certificates earned by students in elementary and middle school
2140 grades.

2141 b. A value of 0.1 or 0.2 full-time equivalent student
2142 membership shall be calculated for each student who completes a
2143 course as defined in s. 1003.493(1)(b) or courses with embedded
2144 CAPE industry certifications and who is issued an industry
2145 certification identified annually on the CAPE Industry
2146 Certification Funding List approved under rules adopted by the
2147 State Board of Education. A value of 0.2 full-time equivalent
2148 membership shall be calculated for each student who is issued a
2149 CAPE industry certification that has a statewide articulation

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2150 agreement for college credit approved by the State Board of
2151 Education. For CAPE industry certifications that do not
2152 articulate for college credit, the Department of Education shall
2153 assign a full-time equivalent value of 0.1 for each
2154 certification. Middle grades students who earn additional FTE
2155 membership for a CAPE Digital Tool certificate pursuant to sub-
2156 subparagraph a. may not use the previously funded examination to
2157 satisfy the requirements for earning an industry certification
2158 under this sub-subparagraph. Additional FTE membership for an
2159 elementary or middle grades student may ~~shall~~ not exceed 0.1 for
2160 certificates or certifications earned within the same fiscal
2161 year. The State Board of Education shall include the assigned
2162 values on the CAPE Industry Certification Funding List under
2163 rules adopted by the state board. Such value shall be added to
2164 the total full-time equivalent student membership for grades 6
2165 through 12 in the subsequent year ~~for courses that were not~~
2166 ~~provided through dual enrollment~~. CAPE industry certifications
2167 earned through dual enrollment must be reported and funded
2168 pursuant to s. 1011.80. However, if a student earns a
2169 certification through a dual enrollment course and the
2170 certification is not a fundable certification on the
2171 postsecondary certification funding list, or the dual enrollment
2172 certification is earned as a result of an agreement between a
2173 school district and a nonpublic postsecondary institution, the
2174 bonus value shall be funded in the same manner as other nondual
2175 enrollment course industry certifications. In such cases, the
2176 school district may provide for an agreement between the high
2177 school and the technical center, or the school district and the
2178 postsecondary institution may enter into an agreement for

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2179 equitable distribution of the bonus funds.

2180 c. A value of 0.3 full-time equivalent student membership
2181 shall be calculated for student completion of the courses and
2182 the embedded certifications identified on the CAPE Industry
2183 Certification Funding List and approved by the commissioner
2184 pursuant to ss. 1003.4203(5) (a) and 1008.44.

2185 d. A value of 0.5 full-time equivalent student membership
2186 shall be calculated for CAPE Acceleration Industry
2187 Certifications that articulate for 15 to 29 college credit
2188 hours, and 1.0 full-time equivalent student membership shall be
2189 calculated for CAPE Acceleration Industry Certifications that
2190 articulate for 30 or more college credit hours pursuant to CAPE
2191 Acceleration Industry Certifications approved by the
2192 commissioner pursuant to ss. 1003.4203(5) (b) and 1008.44.

2193 2. Each district must allocate at least 80 percent of the
2194 funds provided for CAPE industry certification, in accordance
2195 with this paragraph, to the program that generated the funds.
2196 This allocation may not be used to supplant funds provided for
2197 basic operation of the program.

2198 3. For CAPE industry certifications earned in the 2013-2014
2199 school year and in subsequent years, the school district shall
2200 distribute to each classroom teacher who provided direct
2201 instruction toward the attainment of a CAPE industry
2202 certification that qualified for additional full-time equivalent
2203 membership under subparagraph 1.:

2204 a. A bonus ~~in the amount~~ of \$25 for each student taught by
2205 a teacher who provided instruction in a course that led to the
2206 attainment of a CAPE industry certification on the CAPE Industry
2207 Certification Funding List with a weight of 0.1.

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2208 b. A bonus ~~in the amount~~ of \$50 for each student taught by
2209 a teacher who provided instruction in a course that led to the
2210 attainment of a CAPE industry certification on the CAPE Industry
2211 Certification Funding List with a weight of 0.2~~, 0.3, 0.5,~~ and
2212 ~~1.0~~.

2213 c. A bonus of \$75 for each student taught by a teacher who
2214 provided instruction in a course that led to the attainment of a
2215 CAPE industry certification on the CAPE Industry Certification
2216 Funding List with a weight of 0.3.

2217 d. A bonus of \$100 for each student taught by a teacher who
2218 provided instruction in a course that led to the attainment of a
2219 CAPE industry certification on the CAPE Industry Certification
2220 Funding List with a weight of 0.5 or 1.0.

2221
2222 Bonuses awarded pursuant to this paragraph shall be provided to
2223 teachers who are employed by the district in the year in which
2224 the additional FTE membership calculation is included in the
2225 calculation. Bonuses shall be calculated based upon the
2226 associated weight of a CAPE industry certification on the CAPE
2227 Industry Certification Funding List for the year in which the
2228 certification is earned by the student. Any bonus awarded to a
2229 teacher under this paragraph ~~may not exceed \$2,000 in any given~~
2230 ~~school year and~~ is in addition to any regular wage or other
2231 bonus the teacher received or is scheduled to receive.

2232 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
2233 Legislature shall prescribe the aggregate required local effort
2234 for all school districts collectively as an item in the General
2235 Appropriations Act for each fiscal year. The amount that each
2236 district shall provide annually toward the cost of the Florida

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2237 Education Finance Program for kindergarten through grade 12
2238 programs shall be calculated as follows:

2239 (a) Estimated taxable value calculations.—

2240 1.a. Not later than 2 working days before ~~prior to~~ July 19,
2241 the Department of Revenue shall certify to the Commissioner of
2242 Education its most recent estimate of the taxable value for
2243 school purposes in each school district and the total for all
2244 school districts in the state for the current calendar year
2245 based on the latest available data obtained from the local
2246 property appraisers. The value certified shall be the taxable
2247 value for school purposes for that year, and no further
2248 adjustments shall be made, except those made pursuant to
2249 paragraphs (c) and (d), or an assessment roll change required by
2250 final judicial decisions as specified in paragraph (15) (b)
2251 ~~(14) (b)~~. Not later than July 19, the Commissioner of Education
2252 shall compute a millage rate, rounded to the next highest one
2253 one-thousandth of a mill, which, when applied to 96 percent of
2254 the estimated state total taxable value for school purposes,
2255 would generate the prescribed aggregate required local effort
2256 for that year for all districts. The Commissioner of Education
2257 shall certify to each district school board the millage rate,
2258 computed as prescribed in this subparagraph, as the minimum
2259 millage rate necessary to provide the district required local
2260 effort for that year.

2261 b. The General Appropriations Act shall direct the
2262 computation of the statewide adjusted aggregate amount for
2263 required local effort for all school districts collectively from
2264 ad valorem taxes to ensure that no school district's revenue
2265 from required local effort millage will produce more than 90

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2266 percent of the district's total Florida Education Finance
2267 Program calculation as calculated and adopted by the
2268 Legislature, and the adjustment of the required local effort
2269 millage rate of each district that produces more than 90 percent
2270 of its total Florida Education Finance Program entitlement to a
2271 level that will produce only 90 percent of its total Florida
2272 Education Finance Program entitlement in the July calculation.

2273 2. On the same date as the certification in sub-
2274 subparagraph 1.a., the Department of Revenue shall certify to
2275 the Commissioner of Education for each district:

2276 a. Each year for which the property appraiser has certified
2277 the taxable value pursuant to s. 193.122(2) or (3), if
2278 applicable, since the prior certification under sub-subparagraph
2279 1.a.

2280 b. For each year identified in sub-subparagraph a., the
2281 taxable value certified by the appraiser pursuant to s.
2282 193.122(2) or (3), if applicable, since the prior certification
2283 under sub-subparagraph 1.a. This is the certification that
2284 reflects all final administrative actions of the value
2285 adjustment board.

2286 (13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally
2287 connected student supplement is created to provide supplemental
2288 funding for school districts to support the education of
2289 students connected with federally owned military installations,
2290 National Aeronautics and Space Administration (NASA) real
2291 property, and Indian lands. To be eligible for this supplement,
2292 the district must be eligible for federal Impact Aid Program
2293 funds under s. 8003 of Title VIII of the Elementary and
2294 Secondary Education Act of 1965. The supplement shall be

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2295 allocated annually to each eligible school district in the
2296 amount provided in the General Appropriations Act. The
2297 supplement shall be the sum of the student allocation and an
2298 exempt property allocation.

2299 (a) The student allocation shall be calculated based on the
2300 number of students reported for federal Impact Aid Program
2301 funds, including students with disabilities, who meet one of the
2302 following criteria:

2303 1. The student has a parent who is on active duty in the
2304 uniformed services or is an accredited foreign government
2305 official and military officer. Students with disabilities shall
2306 also be reported separately for this category.

2307 2. The student resides on eligible federally owned Indian
2308 land. Students with disabilities shall also be reported
2309 separately for this category.

2310 3. The student resides with a civilian parent who lives or
2311 works on eligible federal property connected with a military
2312 installation or NASA. The number of these students shall be
2313 multiplied by a factor of 0.5.

2314 (b) The total number of federally connected students
2315 calculated under paragraph (a) shall be multiplied by a
2316 percentage of the base student allocation as provided in the
2317 General Appropriations Act. The total of the number of students
2318 with disabilities as reported separately under subparagraphs
2319 (a)1. and (a)2. shall be multiplied by an additional percentage
2320 of the base student allocation as provided in the General
2321 Appropriations Act. The base amount and the amount for students
2322 with disabilities shall be summed to provide the student
2323 allocation.

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2324 (c) The exempt property allocation shall be equal to the
2325 tax-exempt value of federal impact aid lands reserved as
2326 military installations, real property owned by NASA, or eligible
2327 federally owned Indian lands located in the district, as of
2328 January 1 of the previous year, multiplied by the millage
2329 authorized and levied under s. 1011.71(2).

2330 ~~(14)~~ ~~(13)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may
2331 annually in the General Appropriations Act determine a
2332 percentage increase in funds per K-12 unweighted FTE as a
2333 minimum guarantee to each school district. The guarantee shall
2334 be calculated from prior year base funding per unweighted FTE
2335 student which shall include the adjusted FTE dollars as provided
2336 in subsection (15) ~~(14)~~, quality guarantee funds, and actual
2337 nonvoted discretionary local effort from taxes. From the base
2338 funding per unweighted FTE, the increase shall be calculated for
2339 the current year. The current year funds from which the
2340 guarantee shall be determined shall include the adjusted FTE
2341 dollars as provided in subsection (15) ~~(14)~~ and potential
2342 nonvoted discretionary local effort from taxes. A comparison of
2343 current year funds per unweighted FTE to prior year funds per
2344 unweighted FTE shall be computed. For those school districts
2345 which have less than the legislatively assigned percentage
2346 increase, funds shall be provided to guarantee the assigned
2347 percentage increase in funds per unweighted FTE student. Should
2348 appropriated funds be less than the sum of this calculated
2349 amount for all districts, the commissioner shall prorate each
2350 district's allocation. This provision shall be implemented to
2351 the extent specifically funded.

2352 Section 16. Effective July 1, 2016, and upon the expiration

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2353 of the amendment to section 1011.71, Florida Statutes, made by
2354 chapter 2015-222, Laws of Florida, subsection (1) of that
2355 section is amended to read:

2356 1011.71 District school tax.—

2357 (1) If the district school tax is not provided in the
2358 General Appropriations Act or the substantive bill implementing
2359 the General Appropriations Act, each district school board
2360 desiring to participate in the state allocation of funds for
2361 current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~
2362 shall levy on the taxable value for school purposes of the
2363 district, exclusive of millage voted under ~~the provisions of~~ s.
2364 9(b) or s. 12, Art. VII of the State Constitution, a millage
2365 rate not to exceed the amount certified by the commissioner as
2366 the minimum millage rate necessary to provide the district
2367 required local effort for the current year, pursuant to s.
2368 1011.62(4)(a)1. In addition to the required local effort millage
2369 levy, each district school board may levy a nonvoted current
2370 operating discretionary millage. The Legislature shall prescribe
2371 annually in the appropriations act the maximum amount of millage
2372 a district may levy.

2373 Section 17. Subsection (2) of section 1012.42, Florida
2374 Statutes, is amended to read:

2375 1012.42 Teacher teaching out-of-field.—

2376 (2) NOTIFICATION REQUIREMENTS.—When a teacher in a district
2377 school system is assigned teaching duties in a class dealing
2378 with subject matter that is outside the field in which the
2379 teacher is certified, outside the field that was the applicant's
2380 minor field of study, or outside the field in which the
2381 applicant has demonstrated sufficient subject area expertise, as

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2382 determined by district school board policy in the subject area
 2383 to be taught, the parents of all students in the class shall be
 2384 notified in writing of such assignment, and each school district
 2385 shall report out-of-field teachers on the district's website
 2386 within 30 days before the beginning of each semester. A parent
 2387 whose student is assigned an out-of-field teacher may request
 2388 that his or her child be transferred to an in-field classroom
 2389 teacher within the school and grade in which the student is
 2390 currently enrolled. The school district must approve or deny the
 2391 parent's request and transfer the student to a different
 2392 classroom teacher within a reasonable period of time, not to
 2393 exceed 2 weeks, if an in-field teacher for that course or grade
 2394 level is employed by the school and the transfer does not
 2395 violate maximum class size pursuant to s. 1003.03 and s. 1, Art.
 2396 IX of the State Constitution. If a request for transfer is
 2397 denied, the school must notify the parent and specify the
 2398 reasons for the denial. An explanation of the transfer process
 2399 must be made available in the student handbook or a similar
 2400 publication. This subsection does not provide a parent the right
 2401 to choose a specific teacher.

2402 Section 18. Paragraph (b) of subsection (8) of section
 2403 1012.56, Florida Statutes, is amended to read:

2404 1012.56 Educator certification requirements.—

2405 (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION
 2406 COMPETENCY PROGRAM.—

2407 (b)1. Each school district must and a private school or
 2408 state-supported ~~state-supported~~ public school, including a
 2409 charter school, ~~or a private school~~ may develop and maintain a
 2410 system by which members of the instructional staff may

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2411 demonstrate mastery of professional preparation and education
2412 competence as required by law. Each program must be based on
2413 classroom application of the Florida Educator Accomplished
2414 Practices and instructional performance and, for public schools,
2415 must be aligned with the district's or state-supported public
2416 school's evaluation system established ~~approved~~ under s.
2417 1012.34, as applicable.

2418 2. The Commissioner of Education shall determine the
2419 continued approval of programs implemented under this paragraph,
2420 based upon the department's review of performance data. The
2421 department shall review the performance data as a part of the
2422 periodic review of each school district's professional
2423 development system required under s. 1012.98.

2424 Section 19. Section 1012.583, Florida Statutes, is created
2425 to read:

2426 1012.583 Continuing education and inservice training for
2427 youth suicide awareness and prevention.-

2428 (1) Beginning with the 2016-2017 school year, the
2429 Department of Education shall incorporate 2 hours of training in
2430 youth suicide awareness and prevention into existing
2431 requirements for continuing education or inservice training for
2432 instructional personnel in elementary school, middle school, and
2433 high school.

2434 (2) The department, in consultation with the Statewide
2435 Office for Suicide Prevention and suicide prevention experts,
2436 shall develop a list of approved youth suicide awareness and
2437 prevention training materials. The materials:

2438 (a) Must include training on how to identify appropriate
2439 mental health services and how to refer youth and their families

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2440 to those services.

2441 (b) May include materials currently being used by a school
2442 district if such materials meet any criteria established by the
2443 department.

2444 (c) May include programs that instructional personnel can
2445 complete through a self-review of approved youth suicide
2446 awareness and prevention materials.

2447 (3) The training required by this section must be included
2448 in the existing continuing education or inservice training
2449 requirements for instructional personnel and may not add to the
2450 total hours currently required by the department.

2451 (4) A person has no cause of action for any loss or damage
2452 caused by an act or omission resulting from the implementation
2453 of this section or resulting from any training required by this
2454 section unless the loss or damage was caused by willful or
2455 wanton misconduct. This section does not create any new duty of
2456 care or basis of liability.

2457 (5) The State Board of Education may adopt rules to
2458 implement this section.

2459 Section 20. Paragraph (o) is added to subsection (1) of
2460 section 1012.795, Florida Statutes, and subsection (5) of that
2461 section is amended, to read:

2462 1012.795 Education Practices Commission; authority to
2463 discipline.—

2464 (1) The Education Practices Commission may suspend the
2465 educator certificate of any person as defined in s. 1012.01(2)
2466 or (3) for up to 5 years, thereby denying that person the right
2467 to teach or otherwise be employed by a district school board or
2468 public school in any capacity requiring direct contact with

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2469 students for that period of time, after which the holder may
2470 return to teaching as provided in subsection (4); may revoke the
2471 educator certificate of any person, thereby denying that person
2472 the right to teach or otherwise be employed by a district school
2473 board or public school in any capacity requiring direct contact
2474 with students for up to 10 years, with reinstatement subject to
2475 the provisions of subsection (4); may revoke permanently the
2476 educator certificate of any person thereby denying that person
2477 the right to teach or otherwise be employed by a district school
2478 board or public school in any capacity requiring direct contact
2479 with students; may suspend the educator certificate, upon an
2480 order of the court or notice by the Department of Revenue
2481 relating to the payment of child support; or may impose any
2482 other penalty provided by law, if the person:

2483 (o) Has committed a third recruiting offense as determined
2484 by the Florida High School Athletic Association (FHSAA) pursuant
2485 to s. 1006.20(2)(b).

2486 (5) Each district school superintendent and the governing
2487 authority of each university lab school, state-supported school,
2488 ~~or~~ private school, and the FHSAA shall report to the department
2489 the name of any person certified pursuant to this chapter or
2490 employed and qualified pursuant to s. 1012.39:

2491 (a) Who has been convicted of, or who has pled nolo
2492 contendere to, a misdemeanor, felony, or any other criminal
2493 charge, other than a minor traffic infraction;

2494 (b) Who that official has reason to believe has committed
2495 or is found to have committed any act which would be a ground
2496 for revocation or suspension under subsection (1); or

2497 (c) Who has been dismissed or severed from employment

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2498 because of conduct involving any immoral, unnatural, or
2499 lascivious act.

2500 Section 21. Subsections (3) and (7) of section 1012.796,
2501 Florida Statutes, are amended to read:

2502 1012.796 Complaints against teachers and administrators;
2503 procedure; penalties.—

2504 (3) The department staff shall advise the commissioner
2505 concerning the findings of the investigation and of all
2506 referrals by the Florida High School Athletic Association
2507 (FHSAA) pursuant to ss. 1006.20(2)(b) and 1012.795. The
2508 department general counsel or members of that staff shall review
2509 the investigation or the referral and advise the commissioner
2510 concerning probable cause or lack thereof. The determination of
2511 probable cause shall be made by the commissioner. The
2512 commissioner shall provide an opportunity for a conference, if
2513 requested, prior to determining probable cause. The commissioner
2514 may enter into deferred prosecution agreements in lieu of
2515 finding probable cause if, in his or her judgment, such
2516 agreements are in the best interests of the department, the
2517 certificateholder, and the public. Such deferred prosecution
2518 agreements shall become effective when filed with the clerk of
2519 the Education Practices Commission. However, a deferred
2520 prosecution agreement shall not be entered into if there is
2521 probable cause to believe that a felony or an act of moral
2522 turpitude, as defined by rule of the State Board of Education,
2523 has occurred, or for referrals by the FHSAA. Upon finding no
2524 probable cause, the commissioner shall dismiss the complaint.

2525 (7) A panel of the commission shall enter a final order
2526 either dismissing the complaint or imposing one or more of the

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2527 following penalties:

2528 (a) Denial of an application for a teaching certificate or
2529 for an administrative or supervisory endorsement on a teaching
2530 certificate. The denial may provide that the applicant may not
2531 reapply for certification, and that the department may refuse to
2532 consider that applicant's application, for a specified period of
2533 time or permanently.

2534 (b) Revocation or suspension of a certificate.

2535 (c) Imposition of an administrative fine not to exceed
2536 \$2,000 for each count or separate offense.

2537 (d) Placement of the teacher, administrator, or supervisor
2538 on probation for a period of time and subject to such conditions
2539 as the commission may specify, including requiring the certified
2540 teacher, administrator, or supervisor to complete additional
2541 appropriate college courses or work with another certified
2542 educator, with the administrative costs of monitoring the
2543 probation assessed to the educator placed on probation. An
2544 educator who has been placed on probation shall, at a minimum:

2545 1. Immediately notify the investigative office in the
2546 Department of Education upon employment or termination of
2547 employment in the state in any public or private position
2548 requiring a Florida educator's certificate.

2549 2. Have his or her immediate supervisor submit annual
2550 performance reports to the investigative office in the
2551 Department of Education.

2552 3. Pay to the commission within the first 6 months of each
2553 probation year the administrative costs of monitoring probation
2554 assessed to the educator.

2555 4. Violate no law and shall fully comply with all district

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2556 school board policies, school rules, and State Board of
2557 Education rules.

2558 5. Satisfactorily perform his or her assigned duties in a
2559 competent, professional manner.

2560 6. Bear all costs of complying with the terms of a final
2561 order entered by the commission.

2562 (e) Restriction of the authorized scope of practice of the
2563 teacher, administrator, or supervisor.

2564 (f) Reprimand of the teacher, administrator, or supervisor
2565 in writing, with a copy to be placed in the certification file
2566 of such person.

2567 (g) Imposition of an administrative sanction, upon a person
2568 whose teaching certificate has expired, for an act or acts
2569 committed while that person possessed a teaching certificate or
2570 an expired certificate subject to late renewal, which sanction
2571 bars that person from applying for a new certificate for a
2572 period of 10 years or less, or permanently.

2573 (h) Refer the teacher, administrator, or supervisor to the
2574 recovery network program provided in s. 1012.798 under such
2575 terms and conditions as the commission may specify.

2576
2577 The penalties imposed under this subsection are in addition to,
2578 and not in lieu of, the penalties required for a third
2579 recruiting offense pursuant to s. 1006.20(2)(b).

2580 Section 22. Except as otherwise expressly provided in this
2581 act and except for this section, which shall take effect June
2582 29, 2016, this act shall take effect July 1, 2016.