

CHAPTER 2014-39

House Bill No. 7031

An act relating to education; amending s. 11.45, F.S.; requiring the Auditor General to notify the Legislative Auditing Committee if a district school board fails to take corrective action subsequent to an audit; amending s. 120.74, F.S.; exempting educational units from rule review and reporting requirements; amending s. 120.81, F.S.; conforming cross-references; amending s. 409.1451, F.S.; conforming cross-references; amending s. 496.404, F.S.; conforming cross-references; amending s. 775.215, F.S.; conforming cross-references; amending s. 984.151, F.S.; authorizing a district school superintendent's designee to submit a truancy petition; repealing s. 1000.01(5), F.S., relating to obsolete education governance transfers; amending s. 1000.21, F.S.; revising the definition of the term "Next Generation Sunshine State Standards"; repealing ss. 1000.33 and 1000.37, F.S., relating to the distribution of copies of educational compacts to other states; amending s. 1001.10, F.S.; deleting and revising certain duties of the Commissioner of Education relating to educational plans and programs; repealing s. 1001.25, F.S., relating to educational television; amending s. 1001.26, F.S.; revising Department of Education duties relating to the public broadcasting program system; prohibiting the use of educational television stations for the advancement of political candidates; providing penalties; amending s. 1001.34, F.S.; establishing a process for modifying the membership of a district school board; providing for a referendum; repealing ss. 1001.47(7) and 1001.50(6), F.S., relating to obsolete district school superintendent salary provisions; repealing s. 1001.62, F.S., relating to obsolete provisions for the transfer of benefits arising under local or special acts; repealing s. 1001.73(3), F.S., relating to the abolished Board of Regents as trustee; amending s. 1002.20, F.S.; correcting cross-references and conforming provisions; amending s. 1002.31, F.S.; revising provisions relating to school district controlled open enrollment plans; amending s. 1002.3105, F.S.; conforming provisions; amending s. 1002.321, F.S.; conforming provisions; amending s. 1002.33, F.S.; deleting required training before charter school application; conforming cross-references and provisions; amending s. 1002.34, F.S.; conforming cross-references; revising provisions relating to department assistance to charter technical career centers; amending s. 1002.345, F.S.; revising provisions relating to expedited review of deteriorating financial conditions for a charter school or charter technical career center; deleting an annual reporting requirement; amending s. 1002.39, F.S.; deleting obsolete provisions relating to eligibility for a John M. McKay Scholarship; amending s. 1002.41, F.S.; correcting cross-references; repealing s. 1002.415, F.S., relating to the K-8 Virtual School Program; amending s. 1002.45, F.S.; conforming cross-references; amending s. 1002.455, F.S.; conforming provisions; repealing s. 1002.65, F.S., relating to aspirational goals for credentials of prekindergarten instructors; amending s. 1003.01, F.S.; conforming cross-references; amending s. 1003.02, F.S.; requiring

instructional materials to be consistent with course descriptions; amending s. 1003.03, F.S.; conforming cross-references; amending s. 1003.41, F.S.; deleting an obsolete cost analysis requirement relating to a separate financial literacy course; amending s. 1003.4156, F.S.; revising course and assessment requirements for middle grades students for promotion to high school; providing an exemption for transfer students from certain course grade and assessment requirements; repealing s. 1003.428, F.S., relating to obsolete requirements for high school graduation; amending s. 1003.4281, F.S.; conforming cross-references; amending s. 1003.4282, F.S.; revising course and assessment requirements for the award of a standard high school diploma; providing requirements for a student in an adult general education program to be awarded a standard high school diploma; revising requirements for award of a certificate of completion; providing an exemption for transfer students from certain course grade and assessment requirements; providing specificity regarding course and assessment requirements for graduation for certain cohorts of high school students transitioning to new graduation requirements; providing for future repeal of transition requirements; amending s. 1003.4285, F.S.; revising requirements for standard high school diploma designations; amending s. 1003.438, F.S.; conforming cross-references; repealing s. 1003.451(5), F.S., relating to State Board of Education rulemaking; amending s. 1003.49, F.S.; conforming cross-references; amending s. 1003.493, F.S.; conforming a cross-reference; amending s. 1003.4935, F.S.; conforming a cross-reference; amending s. 1003.57, F.S., relating to exceptional student instruction; amending s. 1003.621, F.S.; revising audit criteria for academically high-performing school districts; repealing s. 1004.02(4), F.S., relating to the definition of the term “adult high school credit program”; amending s. 1004.0961, F.S.; providing for Board of Governors regulations; repealing s. 1004.3825, F.S., relating to authorization for a medical degree program; repealing s. 1004.387, F.S., relating to authorization for a pharmacy degree program; repealing s. 1004.445(2), F.S., relating to the board of directors of the Johnnie B. Byrd, Sr. Alzheimer’s Center and Research Institute; repealing s. 1004.75, F.S., relating to training school consolidation pilot projects; amending s. 1004.935, F.S.; revising the effective date of the Adults with Disabilities Workforce Education Pilot Program; increasing the age limitation for a program participant; conforming cross-references; repealing s. 1006.141, F.S., relating to a statewide school safety hotline; amending s. 1006.147, F.S.; deleting obsolete provisions relating to school district bullying and harassment policies; repealing s. 1006.148(2), F.S., relating to a department-developed model dating violence and abuse policy; amending s. 1006.15, F.S.; conforming cross-references; amending s. 1006.28, F.S.; conforming provisions relating to instructional materials; amending s. 1006.31, F.S.; conforming provisions relating to duties of an instructional materials reviewer; amending s. 1006.34, F.S.; revising provisions relating to standards used in the selection of instructional materials; amending s. 1006.40, F.S.; revising provisions relating to district school board purchase of instructional materials; amending s. 1006.42, F.S.; conforming provisions relating to the responsibility of parents for instructional materials;

amending s. 1007.02, F.S.; deleting a popular name and providing applicability for the term “student with a disability”; amending s. 1007.2615, F.S.; deleting obsolete provisions relating to an American Sign Language task force; amending s. 1007.263, F.S.; conforming cross-references; amending ss. 1007.264 and 1007.265, F.S.; conforming provisions; amending s. 1007.271, F.S.; correcting cross-references; amending s. 1008.22, F.S.; conforming and revising provisions relating to the implementation of statewide, standardized comprehensive assessments, end-of-course assessments, and waivers for students with disabilities; requiring the commissioner to publish an implementation schedule for transition to new assessments; conforming provisions relating to concordant scores and comparative scores for assessments; amending s. 1008.25, F.S.; conforming assessment provisions for student progression; amending s. 1008.33, F.S.; deleting obsolete provisions relating to implementation of certain school turnaround options; repealing s. 1008.331, F.S., relating to supplemental educational services in Title I schools; amending s. 1008.3415, F.S.; correcting a cross-reference; repealing s. 1008.35, F.S., relating to best financial management practices for school districts; amending s. 1009.22, F.S.; deleting obsolete provisions relating to workforce education post-secondary student fees; amending s. 1009.40, F.S.; conforming cross-references; amending s. 1009.531, F.S.; conforming cross-references; amending s. 1009.532, F.S.; correcting cross-references; amending s. 1009.536, F.S.; correcting cross-references; repealing s. 1009.56, F.S., relating to the Seminole and Miccosukee Indian Scholarship Program; repealing s. 1009.69, F.S., relating to the Virgil Hawkins Fellows Assistance Program; amending s. 1009.91, F.S.; conforming a cross-reference; amending s. 1009.94, F.S.; conforming a cross-reference; repealing part V of chapter 1009, F.S., relating to the Florida Higher Education Loan Authority; amending s. 1011.62, F.S.; deleting an obsolete provision; repealing s. 1011.71(3)(b) and (c), F.S., relating to expired authorization for certain millage levy; repealing s. 1011.76(4), F.S., relating to best financial management practices review under the Small School District Stabilization Program; amending s. 1011.80, F.S.; correcting a cross-reference; amending s. 1012.05, F.S.; deleting department and commissioner duties relating to teacher recruitment and retention; amending s. 1012.22, F.S.; conforming provisions; repealing s. 1012.33(9), F.S., relating to obsolete provisions for payment of professional service contracts; amending s. 1012.34, F.S.; correcting cross-references relating to measuring student performance in personnel evaluations; amending s. 1012.44, F.S.; deleting obsolete provisions; amending s. 1012.561, F.S.; deleting an obsolete provision; repealing s. 1012.595, F.S., relating to an obsolete saving clause for educator certificates; amending s. 1012.885, F.S.; deleting certain provisions relating to remuneration of Florida College System institution presidents; amending s. 1012.975, F.S.; deleting certain provisions relating to remuneration of state university presidents; amending s. 1012.98, F.S.; requiring continuing education training for kindergarten teachers; amending s. 1013.35, F.S.; revising audit requirements for school district educational planning and construction activities; amending s. 1013.47, F.S.; deleting provisions

relating to payment of wages of certain persons employed by contractors; repealing s. 1013.49, F.S., relating to toxic substances in educational facilities; repealing s. 1013.512, F.S., relating to the Land Acquisition and Facilities Advisory Board; repealing s. 20 of chapter 2010-24, Laws of Florida, relating to Department of Revenue authorization to adopt emergency rules; providing an effective date.

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

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

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

(7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

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

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

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

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

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

120.74 Agency review, revision, and report.—

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

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

120.81 Exceptions and special requirements; general areas.—

(1) EDUCATIONAL UNITS.—

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

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

409.1451 The Road-to-Independence Program.—

(2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

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

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

2. Spent at least 6 months in licensed care before reaching his or her 18th birthday;

3. Earned a standard high school diploma pursuant to s. 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent pursuant to s. ~~1003.428~~, ~~s. 1003.4281~~, ~~s. 1003.429~~, s. 1003.435, or a special diploma pursuant to s. 1003.438;

4. Has been admitted for enrollment as a full-time student or its equivalent in an eligible postsecondary educational institution as provided in s. 1009.533. For purposes of this section, the term “full-time” means 9 credit hours or the vocational school equivalent. A student may enroll part-time if he or she has a recognized disability or is faced with another challenge or circumstance that would prevent full-time attendance. A student needing to enroll part-time for any reason other than having a recognized disability must get approval from his or her academic advisor;

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

6. Has applied, with assistance from the young adult’s caregiver and the community-based lead agency, for any other grants and scholarships for which he or she may qualify;

7. Submitted a Free Application for Federal Student Aid which is complete and error free; and

8. Signed an agreement to allow the department and the community-based care lead agency access to school records.

Section 5. Subsection (8) of section 496.404, Florida Statutes, is amended to read:

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

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

Section 6. Paragraph (d) of subsection (1) of section 775.215, Florida Statutes, is amended to read:

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

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

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

Section 7. Subsection (1) of section 984.151, Florida Statutes, is amended to read:

984.151 Truancy petition; prosecution; disposition.—

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

Section 8. Subsection (5) of section 1000.01, Florida Statutes, is repealed.

Section 9. Subsection (7) of section 1000.21, Florida Statutes, is amended to read:

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

(7) “Next Generation Sunshine State Standards” means the state’s public K-12 curricular standards, ~~including common core standards in English Language Arts and mathematics,~~ adopted under s. 1003.41.

Section 10. Section 1000.33, Florida Statutes, is repealed.

Section 11. Section 1000.37, Florida Statutes, is repealed.

Section 12. Paragraphs (h) and (l) of subsection (6) of section 1001.10, Florida Statutes, are amended to read:

1001.10 Commissioner of Education; general powers and duties.—

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

~~(h) To develop and implement a plan for cooperating with the Federal Government in carrying out any or all phases of the educational program and to recommend policies for administering funds that are appropriated by Congress and apportioned to the state for any or all educational purposes. The Commissioner of Education shall submit to the Legislature the proposed state plan for the reauthorization of the No Child Left Behind Act before the proposed plan is submitted to federal agencies. The President of the Senate and the Speaker of the House of Representatives shall appoint members of the appropriate education and appropriations committees to serve as a select committee to review the proposed plan.~~

~~(k) To prepare, publish, and disseminate~~ (k)4 ~~maintain~~ a Citizen Information Center responsible for the preparation, publication, and dissemination of user-friendly materials relating to the state’s education system, including the state’s K-12 scholarship programs and the Voluntary Prekindergarten Education Program.

Section 13. Section 1001.25, Florida Statutes, is repealed.

Section 14. Section 1001.26, Florida Statutes, is amended to read:

1001.26 Public broadcasting program system.—

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

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

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

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

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

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

(2)(a) ~~The Department of Education is responsible for implementing the provisions of this section pursuant to s. 282.702 and may employ personnel, acquire equipment and facilities, and perform all duties necessary for carrying out the purposes and objectives of this section.~~

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

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

(3)(a) The facilities, plant, or personnel of an educational television station that is supported in whole or in part by state funds may not be used directly or indirectly for the promotion, advertisement, or advancement of a political candidate for a municipal, county, legislative, congressional, or state office. However, fair, open, and free discussion between political candidates for municipal, county, legislative, congressional, or state office may be permitted in order to help materially reduce the excessive cost of campaigns and to ensure that the state's citizens are fully informed about issues and candidates in campaigns. This paragraph applies to the advocacy for, or opposition to, a specific existing or proposed program of governmental action, which includes, but is not limited to, constitutional amendments, tax referenda, and bond issues. This paragraph shall be implemented in accordance with rules of the State Board of Education.

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

Section 15. Section 1001.34, Florida Statutes, is amended to read:

1001.34 Membership of district school board.—

(1) Each district school board shall be composed of not less than five members. Each member of the district school board shall be a qualified elector of the district in which she or he serves, shall be a resident of the district school board member residence area from which she or he is elected, and shall maintain said residency throughout her or his term of office.

(2) A district school board may modify the number of members on its board by adopting a resolution that establishes the total number of members on the board, which may not be less than five, and the number of members who shall be elected by residence areas or elected at large. The resolution must specify an orderly method and procedure for modifying the membership of the board, including staggering terms of additional members as necessary. If the resolution is adopted, the district school board shall submit to the electors for approval at a referendum held at the next primary or general election the question of whether the number of board members should be modified in accordance with the resolution adopted by the district school board. If the referendum is approved, election of additional school board

members may occur at any primary, general, or otherwise-called special election.

Section 16. Subsection (7) of section 1001.47, Florida Statutes, is repealed.

Section 17. Subsection (6) of section 1001.50, Florida Statutes, is repealed.

Section 18. Section 1001.62, Florida Statutes, is repealed.

Section 19. Subsection (3) of section 1001.73, Florida Statutes, is repealed.

Section 20. Subsections (8), (16), and (21) of section 1002.20, Florida Statutes, are amended to read:

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

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

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

(21) PARENTAL INPUT AND MEETINGS.—

(a) *Meetings with school district personnel.*—Parents of public school students may be accompanied by another adult of their choice at ~~a~~ any meeting with school district personnel. School district personnel may not object to the attendance of such adult or discourage or attempt to discourage, through an ~~any~~ action, statement, or other means, the parents of students with disabilities from inviting another person of their choice to attend ~~a~~ any meeting. Such prohibited actions include, but are not limited to, attempted or

actual coercion or harassment of parents or students or retaliation or threats of consequences to parents or students.

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

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

~~(b) School district best financial management practice reviews.—Public school students and their parents may provide input regarding their concerns about the operations and management of the school district both during and after the conduct of a school district best financial management practices review, in accordance with the provisions of s. 1008.35.~~

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

Section 21. Subsections (2) through (8) of section 1002.31, Florida Statutes, are amended to read:

1002.31 Controlled open enrollment; public school parental choice.—

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

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

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

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

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

~~(b) A process that allows parents to declare school preferences, including:~~

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

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

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

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

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

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

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

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

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

~~(7) Notwithstanding any provision of this section, a school district with schools operating on both multiple session schedules and single session schedules shall afford parents of students in multiple session schools preferred access to the controlled open enrollment program of the school district.~~

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

Section 22. Subsection (5) of section 1002.3105, Florida Statutes, is amended to read:

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

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

Section 23. Subsection (3) of section 1002.321, Florida Statutes, is amended to read:

1002.321 Digital learning.—

(3) DIGITAL PREPARATION.—As required under s. 1003.4282, a Each student entering grade 9 in the 2011-2012 school year and thereafter who seeks a high school diploma must take graduate from high school having taken at least one online course,~~as provided in s. 1003.428.~~

Section 24. Paragraph (a) of subsection (6), paragraph (a) of subsection (7), and subsection (25) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.—

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

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

1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.
2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.
3. Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.
4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. A sponsor shall deny a charter if the school does not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Includes both conversion charter schools and nonconversion charter schools;

- (b) Has all schools located in the same county;
- (c) Has a total enrollment exceeding the total enrollment of at least one school district in the state;
- (d) Has the same governing board; and
- (e) Does not contract with a for-profit service provider for management of school operations.

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

Section 25. Paragraph (g) of subsection (4) and paragraph (d) of subsection (6) of section 1002.34, Florida Statutes, are amended to read:

1002.34 Charter technical career centers.—

(4) CHARTER.—A sponsor may designate centers as provided in this section. An application to establish a center may be submitted by a sponsor or another organization that is determined, by rule of the State Board of Education, to be appropriate. However, an independent school is not eligible for status as a center. The charter must be signed by the governing body of the center and the sponsor and must be approved by the district school board and Florida College System institution board of trustees in whose geographic region the facility is located. If a charter technical career center is established by the conversion to charter status of a public technical center formerly governed by a district school board, the charter status of that center takes precedence in any question of governance. The governance of the center or of any program within the center remains with its board of directors unless the board agrees to a change in governance or its charter is revoked as provided in subsection (15). Such a conversion charter technical career center is not affected by a change in the governance of public technical centers or of programs within other centers that are or have been governed by district school boards. A charter technical career center, or any program within such a center, that was governed by a district school board and transferred to a Florida College System institution prior to the effective date of this act is not affected by this provision. An applicant who wishes to establish a center must submit to the district school board or Florida College System institution board of trustees, or a consortium of one or more of each, an application on a form developed by the Department of Education which includes:

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

Students at a center must meet the same testing and academic performance standards as those established by law and rule for students at public schools and public technical centers. The students must also meet any additional

assessment indicators that are included within the charter approved by the district school board or Florida College System institution board of trustees.

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

(d)1. The Department of Education shall offer or arrange for training and technical assistance to centers which must include applicants in developing and amending business plans, and estimating and accounting for costs and income, complying with state and federal grant and student performance accountability reporting requirements, implementing good business practices. ~~This assistance shall address estimating startup costs, projecting enrollment, and identifying the types and amounts of state and federal financial aid assistance the center may be eligible to receive. The training shall include instruction in accurate financial planning and good business practices.~~

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

Section 26. Paragraphs (a) and (b) of subsection (1) and subsection (3) of section 1002.345, Florida Statutes, are amended to read:

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

(1) EXPEDITED REVIEW; REQUIREMENTS.—

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

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

3. A deteriorating financial condition identified through an annual audit pursuant to s. 218.39(5), ~~or a monthly financial statement pursuant to s. 1002.33(9)(g) or s. 1002.34(11)(f), or a quarterly financial statement pursuant to s. 1002.331(2)(c).~~ “Deteriorating financial condition” means a circumstance that significantly impairs the ability of a charter school or a charter technical career center to generate enough revenues to meet its expenditures without causing the occurrence of a condition described in s. 218.503(1).

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

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

~~(3) REPORT.—The Commissioner of Education shall annually report to the State Board of Education each charter school and charter technical career center that is subject to a financial recovery plan or a corrective action plan under this section.~~

Section 27. Paragraph (a) of subsection (2) of section 1002.39, Florida Statutes, is amended to read:

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

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

(a) The student has:

1. Received specialized instructional services under the Voluntary Prekindergarten Education Program pursuant to s. 1002.66 during the previous school year and the student has a current individual educational plan developed by the local school board in accordance with rules of the State Board of Education for the John M. McKay Scholarships for Students with Disabilities Program or a 504 accommodation plan has been issued under s. 504 of the Rehabilitation Act of 1973; or

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

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

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

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

~~3.— Been enrolled and reported by a school district for funding, during the October and February Florida Education Finance Program surveys, in any of the 5 years prior to the 2010-2011 fiscal year; has a current individualized educational plan developed by the district school board in accordance with rules of the State Board of Education for the John M. McKay Scholarship Program no later than June 30, 2011; and receives a first-time John M. McKay scholarship for the 2011-2012 school year. Upon request of the parent, the local school district shall complete a matrix of services as required in subparagraph (5)(b)1. for a student requesting a current individualized educational plan in accordance with the provisions of this subparagraph.~~

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

Section 28. Subsection (5) of section 1002.41, Florida Statutes, is amended to read:

1002.41 Home education programs.—

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

Section 29. Section 1002.415, Florida Statutes, is repealed.

Section 30. Paragraph (b) of subsection (4) and subsection (10) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

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

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

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

Section 31. Paragraph (c) of subsection (2) of section 1002.455, Florida Statutes, is amended to read:

1002.455 Student eligibility for K-12 virtual instruction.—

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

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

Section 32. Section 1002.65, Florida Statutes, is repealed.

Section 33. Subsection (14) of section 1003.01, Florida Statutes, is amended to read:

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

(14) “Core-curricula courses” means:

(a) Courses in language arts/reading, mathematics, social studies, and science in prekindergarten through grade 3, excluding any extracurricular courses pursuant to subsection (15);

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

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

(d) Exceptional student education courses; and

(e) English for Speakers of Other Languages courses.

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

Section 34. Paragraph (d) of subsection (1) of section 1003.02, Florida Statutes, is amended to read:

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

the operation and control of public K-12 education within their school district. The district school boards must establish, organize, and operate their public K-12 schools and educational programs, employees, and facilities. Their responsibilities include staff development, public K-12 school student education including education for exceptional students and students in juvenile justice programs, special programs, adult education programs, and career education programs. Additionally, district school boards must:

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

(d) *Courses of study and instructional materials.*—

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

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

3. Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials as may be needed, and ensure that instructional materials used in the district are consistent with the district goals and objectives and the course descriptions curriculum frameworks approved by the State Board of Education, as well as with the state and school district performance standards required by law and state board rule.

Section 35. Paragraph (c) of subsection (3) and subsection (6) of section 1003.03, Florida Statutes, are amended to read:

1003.03 Maximum class size.—

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

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

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

(6) COURSES FOR COMPLIANCE.—Consistent with s. the provisions in ss. 1003.01(14) and 1003.428, the Department of Education shall identify from the Course Code Directory the core-curricula courses for the purpose of

satisfying the maximum class size requirement in this section. The department may adopt rules to implement this subsection, if necessary.

Section 36. Subsection (3) of section 1003.41, Florida Statutes, is amended to read:

1003.41 Next Generation Sunshine State Standards.—

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

Section 37. Paragraphs (b) and (c) of subsection (1) and subsections (2) and (3) of section 1003.4156, Florida Statutes, are amended to read:

1003.4156 General requirements for middle grades promotion.—

(1) In order for a student to be promoted to high school from a school that includes middle grades 6, 7, and 8, the student must successfully complete the following courses:

(b) Three middle grades or higher courses in mathematics. Each school that includes middle grades must offer at least one high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or Geometry course is not contingent upon the student's performance on the statewide, standardized end-of-course (EOC) assessment ~~or, upon transition to common core assessments, the common core Algebra I or geometry assessments required under s. 1008.22. However, beginning with the 2011-2012 school year, To earn high school credit for Algebra I, a middle grades student must take the statewide, standardized Algebra I EOC assessment and pass the course, and in addition, beginning with the 2013-2014 school year and thereafter, a student's performance on the Algebra I EOC assessment constitutes 30 percent of the student's final course grade. pass the Algebra I statewide, standardized assessment, and beginning with the 2012-2013~~

school-year; To earn high school credit for a Geometry course, a middle grades student must take the statewide, standardized Geometry EOC assessment, which constitutes 30 percent of the student's final course grade, and earn a passing grade in the course.

(c) Three middle grades or higher courses in social studies. Beginning with students entering grade 6 in the 2012-2013 school year, one of these courses must be at least a one-semester civics education course that includes the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States. Beginning with the 2013-2014 school year, each student's performance on the statewide, standardized EOC assessment in civics education required under s. 1008.22 constitutes 30 percent of the student's final course grade. A middle grades student who transfers into the state's public school system from out of country, out of state, a private school, or a home education program after the beginning of the second term of grade 8 is not required to meet the civics education requirement for promotion from the middle grades if the student's transcript documents passage of three courses in social studies or two year-long courses in social studies that include coverage of civics education.

Each school must inform parents about the course curriculum and activities. Each student shall complete a personal education plan that must be signed by the student and the student's parent. The Department of Education shall develop course frameworks and professional development materials for the career and education planning course. The course may be implemented as a stand-alone course or integrated into another course or courses. The Commissioner of Education shall collect longitudinal high school course enrollment data by student ethnicity in order to analyze course-taking patterns.

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

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

Section 38. Section 1003.428, Florida Statutes, is repealed.

Section 39. Subsection (1) of section 1003.4281, Florida Statutes, is amended to read:

1003.4281 Early high school graduation.—

(1) The purpose of this section is to provide a student the option of early graduation and receipt of a standard high school diploma if the student earns 24 credits and meets the graduation requirements set forth in ~~s. 1003.428 or s. 1003.4282, as applicable.~~ For purposes of this section, the term “early graduation” means graduation from high school in less than 8 semesters or the equivalent.

Section 40. Paragraphs (a), (b), (c), and (f) of subsection (3), subsections (4), (5), (7), and (8), and paragraphs (a) and (c) of subsection (9) of section 1003.4282, Florida Statutes, are amended, subsection (10) is renumbered as subsection (11), and a new subsection (10) is added to that section, to read:

1003.4282 Requirements for a standard high school diploma.—

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

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

(b) *Four credits in mathematics.*—A student must earn one credit in Algebra I and one credit in Geometry. A student’s performance on the statewide, standardized Algebra I end-of-course (EOC) assessment or common core assessment, as applicable, constitutes 30 percent of the student’s final course grade. A student must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score, until the state transitions to a common core Algebra I assessment after which time a student must pass the common core assessment in order to earn a standard high school diploma. A student’s performance on the statewide, standardized Geometry EOC assessment or common core assessment, as applicable, constitutes 30 percent of the student’s final course grade. If When the state administers a statewide, standardized common-core Algebra II assessment, a student selecting Algebra II must take the assessment, and the student’s performance on the assessment constitutes 30 percent of the student’s final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for

Algebra I and Geometry. Industry certification courses that lead to college credit may substitute for up to two math credits.

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

(f) *One credit in physical education.*—Physical education must include the integration of health. Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons shall satisfy the one-credit requirement in physical education if the student passes a competency test on personal fitness with a score of "C" or better. The competency test on personal fitness developed by the Department of Education must be used. A district school board may not require that the one credit in physical education be taken during the 9th grade year. Completion of one semester with a grade of "C" or better in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class shall satisfy one-half credit in physical education or one-half credit in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan. Completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an IEP or 504 plan. This requirement is subject to all of the provisions in s. 1003.428(2)(a)6.

(4) **ONLINE COURSE REQUIREMENT.**—~~Excluding a driver education course,~~ At least one course within the 24 credits required under this section must be completed through online learning. Beginning with students entering grade 9 in the 2013-2014 school year, the required online course may not be a driver education course. A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. An online course taken in grade 6, grade 7, or grade 8 fulfills this requirement. This requirement is met through an online course offered by the Florida Virtual School, a virtual education provider approved by the State Board of Education, a high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets this requirement. This requirement does not apply to a student who has an individual education plan under s. 1003.57 which indicates that an online course would be inappropriate or to an out-of-state transfer student who is enrolled in a Florida high school and has 1 academic year or less remaining in high school.

(5) REMEDIATION FOR HIGH SCHOOL STUDENTS.—

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

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

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

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

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

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

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

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

(c) A student who earns fails to earn the required 24 credits, or the required 18 credits under s. 1002.3105(5), but fails to pass the assessments required under s. 1008.22(3) or achieve a 2.0 GPA shall be awarded a certificate of completion in a form prescribed by the State Board of Education. However, a student who is otherwise entitled to a certificate of completion may elect to remain in high school either as a full-time student or a part-time student for up to 1 additional year and receive special instruction designed to remedy his or her identified deficiencies.

(8) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning with the 2012-2013 school year, if a student transfers to a Florida public high school from out of country, out of state, a private school, or a home education program and the student's transcript shows a mathematics credit in Algebra I a course that requires passage of a statewide, standardized assessment in order to earn a standard high school diploma, the student must pass the statewide, standardized Algebra I EOC assessment in order to earn a standard high school diploma unless the student earned a comparative score pursuant to s. 1008.22, passed a statewide assessment in Algebra I that subject administered by the transferring entity, or passed the statewide mathematics assessment the transferring entity uses to satisfy the requirements of the Elementary and Secondary Education Act, 20 U.S.C. s. 6301. If a student's transcript shows a credit in high school reading or English Language Arts II or III, in order to earn a standard high school diploma, the student must take and pass the statewide, standardized grade 10 FCAT Reading assessment or, when implemented, the grade 10 ELA assessment, or earn a concordant score on the SAT or ACT as specified by state board rule or, when the state transitions to common core English Language Arts assessments, earn a passing score on the English Language Arts assessment as required under this section. If a transfer student's transcript shows a final course grade and course credit in Algebra I, Geometry, Biology I, or United States History, the transferring course final grade and credit shall be honored without the student taking the requisite statewide, standardized EOC assessment and without the assessment results constituting 30 percent of the student's final course grade.

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

(a) Participation in career education courses engages students in their high school education, increases academic achievement, enhances employability, and increases postsecondary success. By July 1, 2014, the department shall develop, for approval by the State Board of Education, multiple, additional career education courses or a series of courses that meet the requirements set forth in s. 1003.493(2), (4), and (5) and this subsection and allow students to earn credit in both the career education course and courses required for high school graduation under this section and s. ss. 1003.428 and 1003.4281.

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

2. Career education courses must include workforce and digital literacy skills and the integration of required course content with practical applications and designated rigorous coursework that results in one or more industry certifications or clearly articulated credit or advanced standing in a 2-year or 4-year certificate or degree program, which may include high school junior and senior year work-related internships or apprenticeships. The department shall negotiate state licenses for material and testing for industry certifications. The instructional methodology used in these courses

must be comprised of authentic projects, problems, and activities for contextually learning the academics.

(c) Regional consortium service organizations established pursuant to s. 1001.451 shall work with school districts, local workforce boards, postsecondary institutions, and local business and industry leaders to create career education courses that meet the requirements set forth in s. 1003.493(2), (4), and (5) and this subsection that students can take to earn required high school course credits. The regional consortium shall submit course recommendations to the department, on behalf of the consortium member districts, for state board approval. A strong emphasis should be placed on online coursework, digital literacy, and workforce literacy as defined in s. 1004.02(26) ~~1004.02(27)~~. For purposes of providing students the opportunity to earn industry certifications, consortiums must secure the necessary site licenses and testing contracts for use by member districts.

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

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

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

2. Four credits in mathematics, which must include Algebra I. A student must pass grade 10 FCAT Mathematics, or earn a concordant score, in order to graduate with a standard high school diploma. A student who takes Algebra I or Geometry after the 2010-2011 school year must take the statewide, standardized EOC assessment for the course but is not required to pass the assessment in order to earn course credit. A student's performance on the Algebra I or Geometry EOC assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I.

3. Three credits in science, two of which must have a laboratory component. A student who takes Biology I after the 2010-2011 school year must take the statewide, standardized Biology I EOC assessment but is not required to pass the assessment in order to earn course credit. A student's performance on the assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by

the State Board of Education may substitute the certification for one science credit.

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

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

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

7. Eight credits in electives.

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

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

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

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

4. Three credits in social studies of which one credit in World History, one credit in United States History, one-half credit in United States Government, and one-half credit in economics is required. A student who takes United States History after the 2011-2012 school year must take the statewide,

standardized United States History EOC assessment but the student's performance on the assessment is not required to constitute 30 percent of the student's final course grade.

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

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

7. Eight credits in electives.

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

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

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

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

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

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

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

7. Eight credits in electives.

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

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

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

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

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

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

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

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

7. Eight credits in electives.

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

(e) Policy adopted in rule by the district school board may require for any cohort of students that performance on a statewide, standardized EOC assessment constitute 30 percent of a student's final course grade.

(f) This subsection is repealed July 1, 2020.

Section 41. Subsection (1) of section 1003.4285, Florida Statutes, is amended to read:

1003.4285 Standard high school diploma designations.—

(1) Each standard high school diploma shall include, as applicable, the following designations if the student meets the criteria set forth for the designation:

(a) *Scholar designation.*—In addition to the requirements of s. ss. 1003.428 and 1003.4282, as applicable, in order to earn the Scholar designation, a student must satisfy the following requirements:

1. English Language Arts (ELA).—Beginning with students entering grade 9 in the 2014-2015 school year ~~When the state transitions to common core assessments,~~ pass the statewide, standardized 11th grade 11 ELA common core assessment.

2. Mathematics.—Earn one credit in Algebra II and one credit in statistics or an equally rigorous course. Beginning with students entering grade 9 in the 2014-2015 school year ~~When the state transitions to common core assessments,~~ students must pass the Algebra II and Geometry statewide, standardized assessments common core assessment.

3. Science.—Pass the statewide, standardized Biology I EOC end-of-course assessment and earn one credit in chemistry or physics and one credit in a course equally rigorous to chemistry or physics. However, a student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) Biology course who takes the respective AP, IB, or AICE Biology assessment and earns the minimum score necessary to earn college credit as identified pursuant to s. 1007.27(2) meets the requirement of this subparagraph without having to take the statewide, standardized Biology I EOC assessment.

4. Social studies.—Pass the statewide, standardized United States History EOC end-of-course assessment. However, a student enrolled in an AP, IB, or AICE course that includes United States History topics who takes the respective AP, IB, or AICE assessment and earns the minimum score necessary to earn college credit as identified pursuant to s. 1007.27(2) meets the requirement of this subparagraph without having to take the statewide, standardized United States History EOC assessment.

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

6. Electives.—Earn at least one credit in an Advanced Placement, an International Baccalaureate, an Advanced International Certificate of Education, or a dual enrollment course.

(b) *Merit designation.*—In addition to the requirements of ~~s. ss. 1003.428 and 1003.4282, as applicable~~, in order to earn the Merit designation, a student must attain one or more industry certifications from the list established under s. 1003.492.

Section 42. Section 1003.438, Florida Statutes, is amended to read:

1003.438 Special high school graduation requirements for certain exceptional students.—A student who has been identified, in accordance with rules established by the State Board of Education, as a student with disabilities who has an intellectual disability; an autism spectrum disorder; a language impairment; an orthopedic impairment; an other health impairment; a traumatic brain injury; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; or students who are deaf or hard of hearing or dual sensory impaired shall not be required to meet all requirements of s. ~~1002.3105(5), s. 1003.4281, 1003.428~~ or s. 1003.4282 and shall, upon meeting all applicable requirements prescribed by the district school board pursuant to s. 1008.25, be awarded a special diploma in a form prescribed by the commissioner; however, such special graduation requirements prescribed by the district school board must include minimum graduation requirements as prescribed by the commissioner. Any such student who meets all special requirements of the district school board, but is unable to meet the appropriate special state minimum requirements, shall be awarded a special certificate of completion in a form prescribed by the commissioner. However, this section does not limit or restrict the right of an exceptional student solely to a special diploma or special certificate of completion. Any such student shall, upon proper request, be afforded the opportunity to fully meet all requirements of s. ~~1002.3105(5), s. 1003.4281, 1003.428~~ or s. 1003.4282 through the standard procedures established therein and thereby to qualify for a standard diploma upon graduation.

Section 43. Subsection (5) of section 1003.451, Florida Statutes, is repealed.

Section 44. Subsection (1) of section 1003.49, Florida Statutes, is amended to read:

1003.49 Graduation and promotion requirements for publicly operated schools.—

(1) Each state or local public agency, including the Department of Children and Family Services, the Department of Corrections, the boards of trustees of universities and Florida College System institutions, and the

Board of Trustees of the Florida School for the Deaf and the Blind, which agency is authorized to operate educational programs for students at any level of grades kindergarten through 12, shall be subject to all applicable requirements of ss. 1002.3105(5), 1003.4281, 1003.4282 ~~1003.428, 1003.429, 1008.23, and 1008.25~~. Within the content of these cited statutes each such state or local public agency or entity shall be considered a “district school board.”

Section 45. Paragraph (e) of subsection (4) of section 1003.493, Florida Statutes, is amended to read:

1003.493 Career and professional academies and career-themed courses.

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

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

Section 46. Subsection (2) of section 1003.4935, Florida Statutes, is amended to read:

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

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

(a) Lead to careers in occupations designated as high-skill, high-wage, and high-demand in the Industry Certification Funding List approved under rules adopted by the State Board of Education;

(b) Integrate content from core subject areas;

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

(d) Coordinate with high schools to maximize opportunities for middle grades students to earn high school credit;

(e) Provide access to virtual instruction courses provided by virtual education providers legislatively authorized to provide part-time instruction to middle grades students. The virtual instruction courses must be aligned to state curriculum standards for middle grades career and professional

academy courses or career-themed courses, with priority given to students who have required course deficits;

(f) Provide instruction from highly skilled professionals who hold industry certificates in the career area in which they teach;

(g) Offer externships; and

(h) Provide personalized student advisement that includes a parent-participation component.

Section 47. Paragraph (a) of subsection (1) of section 1003.57, Florida Statutes, is amended to read:

1003.57 Exceptional students instruction.—

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

1. A school district shall use the following terms to describe the instructional setting for a student with a disability, 6 through 21 years of age, who is not educated in a setting accessible to all children who are together at all times:

a. “Exceptional student education center” or “special day school” means a separate public school to which nondisabled peers do not have access.

b. “Other separate environment” means a separate private school, residential facility, or hospital or homebound program.

c. “Regular class” means a class in which a student spends 80 percent or more of the school week with nondisabled peers.

d. “Resource room” means a classroom in which a student spends between 40 percent to 80 percent of the school week with nondisabled peers.

e. “Separate class” means a class in which a student spends less than 40 percent of the school week with nondisabled peers.

2. A school district shall use the term “inclusion” to mean that a student is receiving education in a general education regular class setting, reflecting natural proportions and age-appropriate heterogeneous groups in core academic and elective or special areas within the school community; a student with a disability is a valued member of the classroom and school community; the teachers and administrators support universal education and have knowledge and support available to enable them to effectively teach all children; and a teacher student is provided access to technical assistance in best practices, instructional methods, and supports tailored to the student’s needs based on current research.

Section 48. Paragraph (a) of subsection (1) of section 1003.621, Florida Statutes, is amended to read:

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

(1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.—

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

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

b. Has no district-operated school that earns a grade of “F” under s. 1008.34;

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

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

However, a district in which a district-operated school earns a grade of “F” under s. 1008.34 during the 3-year period may not continue to be designated as an academically high-performing school district during the remainder of that 3-year period. The district must meet the criteria in paragraph (a) in order to be redesignated as an academically high-performing school district.

Section 49. Subsection (4) of section 1004.02, Florida Statutes, is repealed.

Section 50. Section 1004.0961, Florida Statutes, is amended to read:

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

Section 51. Section 1004.3825, Florida Statutes, is repealed.

Section 52. Section 1004.387, Florida Statutes, is repealed.

Section 53. Subsection (2) of section 1004.445, Florida Statutes, is repealed.

Section 54. Section 1004.75, Florida Statutes, is repealed.

Section 55. Subsections (1), (2), and (7) of section 1004.935, Florida Statutes, are amended to read:

1004.935 Adults with Disabilities Workforce Education Pilot Program.

(1) The Adults with Disabilities Workforce Education Pilot Program is established in the Department of Education through June 30, 2016, ~~for 2~~ years in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

- (a) Have a disability;
- (b) Are 22 years of age;
- (c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282;
- (d) Do not have a standard high school diploma or a special high school diploma; and
- (e) Receive “supported employment services,” which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term “student with a disability” includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

(2) A student participating in the pilot program may continue to participate in the program until the student graduates from high school or reaches the age of 40 ~~30~~ years, whichever occurs first.

(7) Funds for the scholarship shall be provided from the appropriation from the school district’s Workforce Development Fund in the General Appropriations Act for students who reside in the Hardee County School District, the DeSoto County School District, the Manatee County School District, or the Sarasota County School District. During the ~~2-year~~ pilot program, the scholarship amount granted for an eligible student with a

disability shall be equal to the cost per unit of a full-time equivalent adult general education student, multiplied by the adult general education funding factor, and multiplied by the district cost differential pursuant to the formula required by s. 1011.80(6)(a) for the district in which the student resides.

Section 56. Section 1006.141, Florida Statutes, is repealed.

Section 57. Subsections (4), (5), and (8) of section 1006.147, Florida Statutes, are amended to read:

1006.147 Bullying and harassment prohibited.—

(4) ~~By December 1, 2008, Each school district shall adopt a policy prohibiting bullying and harassment of a any student or employee of a public K-12 educational institution. Each school district's policy shall be in substantial conformity with the Department of Education's model policy mandated in subsection (5).~~ The school district bullying and harassment policy shall afford all students the same protection regardless of their status under the law. The school district may establish separate discrimination policies that include categories of students. The school district shall involve students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies in the process of adopting the policy. The school district policy must be implemented in a manner that is ongoing throughout the school year and integrated with a school's curriculum, a school's discipline policies, and other violence prevention efforts. The school district policy must contain, at a minimum, the following components:

- (a) A statement prohibiting bullying and harassment.
- (b) A definition of bullying and a definition of harassment that include the definitions listed in this section.
- (c) A description of the type of behavior expected from each student and employee of a public K-12 educational institution.
- (d) The consequences for a student or employee of a public K-12 educational institution who commits an act of bullying or harassment.
- (e) The consequences for a student or employee of a public K-12 educational institution who is found to have wrongfully and intentionally accused another of an act of bullying or harassment.
- (f) A procedure for reporting an act of bullying or harassment, including provisions that permit a person to anonymously report such an act. However, this paragraph does not permit formal disciplinary action to be based solely on an anonymous report.
- (g) A procedure for the prompt investigation of a report of bullying or harassment and the persons responsible for the investigation. The investigation of a reported act of bullying or harassment is deemed to be a school-

related activity and begins with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at a school bus stop.

(h) A process to investigate whether a reported act of bullying or harassment is within the scope of the district school system and, if not, a process for referral of such an act to the appropriate jurisdiction. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated.

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

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

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

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

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

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

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

~~(7)(8) Distribution of safe schools funds to a school district provided in the 2009-2010 General Appropriations Act is contingent upon and payable to the school district upon the Department of Education's approval of the school district's bullying and harassment policy. The department's approval of each~~

school district's bullying and harassment policy shall be granted upon certification by the department that the school district's policy has been submitted to the department and is in substantial conformity with the department's model bullying and harassment policy as mandated in subsection (5). Distribution of safe schools funds provided to a school district in fiscal year 2010-2011 and thereafter shall be contingent upon and payable to the school district upon the school district's compliance with all reporting procedures contained in this section.

Section 58. Subsection (2) of section 1006.148, Florida Statutes, is repealed.

Section 59. Paragraph (a) of subsection (3) of section 1006.15, Florida Statutes, is amended to read:

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

(3)(a) To be eligible to participate in interscholastic extracurricular student activities, a student must:

1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.

2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student's parents, if the student's cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~ during his or her junior or senior year.

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

Section 60. Subsection (1) and paragraph (a) of subsection (2) of section 1006.28, Florida Statutes, are amended to read:

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

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

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

(b) *Instructional materials.*—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials and furnish such other instructional materials as may be needed. ~~The district school board shall ensure that~~ Instructional materials used must be in the district are consistent with the district goals and objectives and the course descriptions established in rule of the State Board of Education, as well as with the applicable Next Generation Sunshine State and district performance Standards provided for in s. 1003.41 ~~1001.03(1)~~.

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

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

(2) DISTRICT SCHOOL SUPERINTENDENT.—

(a) The district school superintendent has the duty to recommend such plans for improving, providing, distributing, accounting for, and caring for instructional materials and other instructional aids as will result in general improvement of the district school system, as prescribed in this part, in accordance with adopted district school board rules prescribing the duties and responsibilities of the district school superintendent regarding the requisition, purchase, receipt, storage, distribution, use, conservation, records, and reports of, and management practices and property accountability concerning, instructional materials, and providing for an evaluation of any instructional materials to be requisitioned that have not been used previously in the district’s schools. The district school superintendent must

keep adequate records and accounts for all financial transactions for funds collected pursuant to subsection (3), ~~as a component of the educational service delivery scope in a school district best financial management practices review under s. 1008.35.~~

Section 61. Subsection (2) of section 1006.31, Florida Statutes, is amended to read:

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

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

(a) When recommending instructional materials for use in the schools, each reviewer shall include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, and racial diversity of our society, including men and women in professional, career, and executive roles, and the role and contributions of the entrepreneur and labor in the total development of this state and the United States.

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

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

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

(e) Any instructional material recommended by each reviewer for use in the schools shall be, to the satisfaction of each reviewer, accurate, objective,

and current and suited to the needs and comprehension of students at their respective grade levels. Reviewers shall consider for adoption materials developed for academically talented students such as those enrolled in advanced placement courses.

Section 62. Paragraph (b) of subsection (2) of section 1006.34, Florida Statutes, is amended to read:

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

(2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—

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

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

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

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

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

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

Section 63. Subsection (2) and paragraph (a) of subsection (3) of section 1006.40, Florida Statutes, are amended, and subsection (8) is added to that section, to read:

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

(2) Each district school board must purchase current instructional materials to provide each student with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social

studies, reading, and literature for kindergarten through grade 12. Such purchase must be made within the first 3 years after the effective date of the adoption cycle unless a district school board or a consortium of school districts has implemented an instructional materials program pursuant to s. 1006.283. ~~For the 2012-2013 mathematics adoption, a district using a comprehensive mathematics instructional materials program adopted in the 2009-2010 adoption shall be deemed in compliance with this subsection if it provides each student with such additional state-adopted materials as may be necessary to align the previously adopted comprehensive program to common core standards and the other criteria of the 2012-2013 mathematics adoption.~~

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

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

Section 64. Section 1006.42, Florida Statutes, is amended to read:

1006.42 Responsibility of students and parents for instructional materials.—

(1) All instructional materials purchased under the provisions of this part are the property of the district school board. When distributed to the students, these instructional materials are on loan to the students while they are pursuing their courses of study and are to be returned at the direction of the school principal or the teacher in charge. Each parent of a student to whom or for whom instructional materials have been issued, is liable for any loss or destruction of, or unnecessary damage to, the instructional materials or for failure of the student to return the instructional materials when directed by the school principal or the teacher in charge, and shall pay for such loss, destruction, or unnecessary damage as provided under s. 1006.28(3) by law.

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

Section 65. Section 1007.02, Florida Statutes, is amended to read:

~~1007.02 Access to postsecondary education and meaningful careers for Students with disabilities; popular name; definition.—~~

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

(2) For the purposes of this chapter act, the term “student with a disability” means ~~a~~ any student who is documented as having an intellectual disability; a hearing impairment, including deafness; a speech or language impairment; a visual impairment, including blindness; an emotional or behavioral disability; an orthopedic or other health impairment; an autism spectrum disorder; a traumatic brain injury; or a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia.

Section 66. Paragraph (a) of subsection (1) and subsection (3) of section 1007.2615, Florida Statutes, are amended to read:

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

(1) LEGISLATIVE FINDINGS; PURPOSE.—

(a) The Legislature finds that:

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

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

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

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

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

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

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

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

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

~~(c)(d) The Commissioner of Education shall work with providers of postsecondary education, except for state universities, to develop and implement a plan to ensure that these institutions in this state will accept secondary school credits in ASL as credits in a foreign language and to encourage postsecondary institutions to offer ASL courses to students as a fulfillment of the requirement for studying a foreign language.~~

Section 67. Subsection (4) of section 1007.263, Florida Statutes, is amended to read:

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

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

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

Section 68. Subsection (1) of section 1007.264, Florida Statutes, is amended to read:

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

(1) ~~A~~ ~~Any~~ student with a disability, ~~as defined in s. 1007.02(2)~~, who is otherwise eligible shall be eligible for reasonable substitution for any requirement for admission into a public postsecondary educational institution where documentation can be provided that the person's failure to meet the admission requirement is related to the disability.

Section 69. Subsection (1) of section 1007.265, Florida Statutes, is amended to read:

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

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

Section 70. Subsections (2) and (9) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in any of grades 6 through 12 in a Florida public secondary school or in a Florida private secondary school ~~that~~ which is in compliance with s. 1002.42(2) and provides a secondary curriculum pursuant to ~~s. 1003.428 or s. 1003.4282~~. Students who are eligible for dual enrollment pursuant to this section may enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term. However, if the student is projected to graduate from high school before the scheduled completion date of a postsecondary course, the student may not register for that course through dual enrollment. The student may apply to the postsecondary institution and pay the required registration, tuition, and fees if the student meets the postsecondary institution's admissions requirements under s. 1007.263. Instructional time for dual enrollment may vary from 900 hours; however, the full-time equivalent student membership value shall be subject to the provisions in s. 1011.61(4). ~~A~~ ~~Any~~ student enrolled as a dual enrollment student is exempt from the payment of registration, tuition, and laboratory fees. Applied academics for adult education instruction, developmental education, and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the

activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.

(9) The Commissioner of Education shall appoint faculty committees representing public school, Florida College System institution, and university faculties to identify postsecondary courses that meet the high school graduation requirements of ~~s. 1003.428~~ or s. 1003.4282 and to establish the number of postsecondary semester credit hours of instruction and equivalent high school credits earned through dual enrollment pursuant to this section that are necessary to meet high school graduation requirements. Such equivalencies shall be determined solely on comparable course content and not on seat time traditionally allocated to such courses in high school. The Commissioner of Education shall recommend to the State Board of Education those postsecondary courses identified to meet high school graduation requirements, based on mastery of course outcomes, by their course numbers, and all high schools shall accept these postsecondary education courses toward meeting the requirements of ~~s. 1003.428~~ or s. 1003.4282.

Section 71. Subsections (3), (7), and (8) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the Next Generation Sunshine State Standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the Next Generation Sunshine State Standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including adult students seeking a standard an adult high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law ~~prescribed by the commissioner~~. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. The statewide, standardized assessment program shall be designed and implemented as follows:

(a) Statewide, standardized comprehensive assessments Florida Comprehensive Assessment Test (FCAT) until replaced by common core assessments. ~~The statewide, standardized FCAT Reading assessment shall be administered annually in grades 3 through 10. The statewide, standardized Writing assessment shall be administered annually at least once at the elementary, middle, and high school levels. When the Reading and Writing assessments are replaced by English Language Arts (ELA) assessments, ELA~~

assessments shall be administered to students in grades 3 through 11. Retake opportunities for the grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment must be provided. Students taking the ELA assessments shall not take the statewide, standardized assessments in Reading or Writing. ELA assessments shall be administered online. The statewide, standardized; FCAT Mathematics assessments shall be administered annually in grades 3 through 8. Students taking a revised Mathematics assessment shall not take the discontinued assessment. The statewide, standardized; FCAT Writing shall be administered annually at least once at the elementary, middle, and high school levels; and FCAT Science assessment shall be administered annually at least once at the elementary and middle grades levels. In order to earn a standard high school diploma, a student who has not earned a passing score on the grade 10 FCAT Reading assessment or, upon implementation, the grade 10 ELA assessment must earn a passing score on the assessment retake or earn a concordant score as authorized under subsection (7) must participate in each retake of the assessment until the student earns a passing score. The commissioner shall recommend and the State Board of Education must adopt a score on both the SAT and ACT that is concordant to a passing score on grade 10 FCAT Reading that, if achieved by a student, meets the must-pass requirement for grade 10 FCAT Reading.

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

1. Statewide, standardized EOC assessments in mathematics shall be administered according to this subparagraph. Beginning with the 2010-2011 school year, all students enrolled in Algebra I must take the Algebra I EOC assessment. Except as otherwise provided in paragraph (c) this section, beginning with students entering grade 9 in the 2011-2012 school year, a student who is enrolled in Algebra I must earn a passing score on the Algebra I EOC assessment or attain a comparative score as authorized under subsection (8) in order to earn a standard high school diploma. In order to earn a standard high school diploma, a student who has not earned a passing score on the Algebra I EOC assessment must earn a passing score on the assessment retake or a comparative score as authorized under subsection (8) must participate in each retake of the assessment until the student earns a passing score. Beginning with the 2011-2012 school year, all students enrolled in Geometry must take the Geometry EOC assessment. Middle grades students enrolled in Algebra I, or Geometry, or Biology I must take the statewide, standardized EOC assessment for those courses and shall ~~are not required to~~ take the corresponding subject and grade-level statewide, standardized assessment FCAT. When a statewide, standardized EOC assessment in Algebra II is administered, all students enrolled in Algebra II must take the EOC assessment. Pursuant to the commissioner's implementation schedule, student performance on the Algebra II EOC assessment constitutes 30 percent of a student's final course grade.

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

3. ~~During the 2012-2013 school year, an EOC assessment in civics education shall be administered as a field test at the middle grades level. Beginning with the 2013-2014 school year, each student's performance on the statewide, standardized middle grades Civics EOC assessment in civics education constitutes 30 percent of the student's final course grade in civics education.~~

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

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

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

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

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

2. A student with a disability, as defined in s. 1007.02 ~~1007.02(2)~~, for whom the individual education plan (IEP) team determines that the statewide, standardized assessments under this section cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have assessment results waived for the purpose of receiving a course grade and a standard high school diploma. Such waiver shall be designated on the student's transcript. The statement of waiver shall

be limited to a statement that performance on an assessment was waived for the purpose of receiving a course grade or a standard high school diploma, as applicable.

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

a. Accommodations that negate the validity of a statewide, standardized assessment are not allowed during the administration of the assessment. However, instructional accommodations are allowed in the classroom if identified in a student's IEP. Students using instructional accommodations in the classroom that are not allowed on a statewide, standardized assessment may have assessment results waived if the IEP team determines that the assessment cannot accurately measure the student's abilities.

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

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

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

(d) *Implementation schedule Common core assessments in English Language Arts (ELA) and mathematics.*—

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

~~2.—Contingent upon funding, common core assessments in mathematics shall be administered to all students in grades 3 through 8, and common core assessments in Algebra I, Geometry, and Algebra II shall be administered to students enrolled in those courses. Retake opportunities must be provided for the Algebra I assessment. Students may take the common core~~

mathematics assessments pursuant to the Credit Acceleration Program (CAP) under s. 1003.4295(3). Students taking common core assessments in mathematics are not required to take FCAT Mathematics or statewide, standardized EOC assessments in mathematics. Common core mathematics assessments shall be administered online.

~~1.3. The Commissioner State Board of Education shall establish and publish on the department's website adopt rules establishing an implementation schedule to transition from the statewide, standardized FCAT Reading and, FCAT Writing assessments to the ELA assessments and to the revised, FCAT Mathematics assessments, including the, and Algebra I and Geometry EOC assessments to common core assessments in English Language Arts and mathematics. The schedule must take into consideration funding, sufficient field and baseline data, access to assessments, instructional alignment, and school district readiness to administer the common core assessments online. Until the 10th grade common core ELA and Algebra I assessments become must pass assessments, students must pass 10th grade FCAT Reading and the Algebra I EOC assessment, or achieve a concordant or comparative score as authorized under this section, in order to earn a standard high school diploma under s. 1003.4282. Students taking 10th grade FCAT Reading or the Algebra I EOC assessment are not required to take the respective common core assessments.~~

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

(e) *Assessment scores and achievement levels.*—

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

~~2. The state board shall designate by rule a passing score for each statewide, standardized EOC and FCAT assessment. In addition, the state board shall designate a score for each statewide, standardized EOC assessment that indicates that a student is high achieving and has the potential to meet college-readiness standards by the time the student graduates from high school.~~

3. If the commissioner seeks to revise a statewide, standardized assessment and the revisions require the state board to modify performance level scores, including the passing score, the commissioner shall provide a copy of the proposed scores and implementation plan to the President of the Senate

and the Speaker of the House of Representatives at least 90 days before submission to the state board for review. Until the state board adopts the modifications by rule, the commissioner shall use calculations for scoring the assessment that adjust student scores on the revised assessment for statistical equivalence to student scores on the former assessment. The state board shall adopt by rule the passing score for the revised assessment that is statistically equivalent to the passing score on the discontinued assessment for a student who is required to attain a passing score on the discontinued assessment. The commissioner may, with approval of the state board, discontinue administration of the former assessment upon the graduation, based on normal student progression, of students participating in the final regular administration of the former assessment. If the commissioner revises a statewide, standardized assessment and the revisions require the state board to modify the passing score, only students taking the assessment for the first time after the rule is adopted are affected.

(f) *Assessment schedules and reporting of results.*—The Commissioner of Education shall establish schedules for the administration of assessments and the reporting of student assessment results. The commissioner shall consider the observance of religious and school holidays when developing the schedule. By August 1 of each year, the commissioner shall notify each school district in writing and publish on the department’s website the assessment and reporting schedules for, at a minimum, the school year following the upcoming school year. The assessment and reporting schedules must provide the earliest possible reporting of student assessment results to the school districts. Assessment results for the statewide, standardized FCAT Reading assessments, or upon implementation the ELA assessments, and FCAT Mathematics assessments, including the EOC assessments in Algebra I and Geometry, must be made available no later than the week of June 8. The administration of the statewide, standardized FCAT Writing assessment and the Florida Alternate Assessment may be no earlier than the week of March 1. School districts shall administer assessments in accordance with the schedule established by the commissioner.

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

1. Distributing to students sample assessment books and answer keys published by the Department of Education.
2. Providing individualized instruction in assessment-taking strategies, without suspending the school’s regular program of curricula, for a student who scores Level 1 or Level 2 on a prior administration of an assessment.
3. Providing individualized instruction in the content knowledge and skills assessed, without suspending the school’s regular program of curricula,

for a student who scores Level 1 or Level 2 on a prior administration of an assessment or a student who, through a diagnostic assessment administered by the school district, is identified as having a deficiency in the content knowledge and skills assessed.

4. Administering a practice assessment or engaging in other assessment-preparation activities that are determined necessary to familiarize students with the organization of the assessment, the format of assessment items, and the assessment directions or that are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education with specific reference to this paragraph.

(h) *Contracts for assessments.*—The commissioner shall provide for the assessments to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts. The commissioner may enter into contracts for the continued administration of the assessments authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next fiscal year and may be paid from the appropriations of either or both fiscal years. The commissioner may negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law.

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

(8) ~~COMPARATIVE SCORES FOR END-OF-COURSE (EOC) ASSESSMENT ASSESSMENTS.~~—The Commissioner of Education must identify one or more comparative scores for the Algebra I EOC assessment ~~and may identify comparative scores for the other EOC assessments. If the content or scoring procedures change for the EOC assessment assessments, new comparative scores must be determined. If new comparative scores are not timely adopted, the last-adopted comparative scores remain in effect until such time as new scores are adopted. The state board shall adopt comparative scores in rule.~~

Section 72. Paragraph (h) of subsection (2), paragraph (a) of subsection (4), paragraph (b) of subsection (6), and paragraph (b) of subsection (7) of section 1008.25, Florida Statutes, are amended to read:

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

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

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

(4) ASSESSMENT AND REMEDIATION.—

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

(6) ELIMINATION OF SOCIAL PROMOTION.—

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

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

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

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.

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

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

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

(7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS.—

(b) Each school district shall:

1. Provide third grade students who are retained under the provisions of paragraph (5)(b) with intensive instructional services and supports to remediate the identified areas of reading deficiency, including participation in the school district's summer reading camp as required under paragraph (a) and a minimum of 90 minutes of daily, uninterrupted, scientifically research-based reading instruction which includes phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district, which may include, but are not limited to:

a. Integration of science and social studies content within the 90-minute block.

b. Small group instruction.

c. Reduced teacher-student ratios.

d. More frequent progress monitoring.

e. Tutoring or mentoring.

f. Transition classes containing 3rd and 4th grade students.

- g. Extended school day, week, or year.
2. Provide written notification to the parent of a ~~any~~ student who is retained under the provisions of paragraph (5)(b) that his or her child has not met the proficiency level required for promotion and the reasons the child is not eligible for a good cause exemption as provided in paragraph (6)(b). The notification must comply with the provisions of s. 1002.20(15) and must include a description of proposed interventions and supports that will be provided to the child to remediate the identified areas of reading deficiency.
3. Implement a policy for the midyear promotion of a ~~any~~ student retained under the provisions of paragraph (5)(b) who can demonstrate that he or she is a successful and independent reader and performing at or above grade level in reading or, upon implementation of and English Language Arts assessments, performing at or above grade level in English Language Arts, ~~as applicable under s. 1008.22.~~ Tools that school districts may use in reevaluating a ~~any~~ student retained may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education.
4. Provide students who are retained under the provisions of paragraph (5)(b) with a highly effective teacher as determined by the teacher's performance evaluation under s. 1012.34.
5. Establish at each school, when applicable, an Intensive Acceleration Class for retained grade 3 students who subsequently score Level 1 on the required statewide, standardized assessment identified in s. 1008.22. The focus of the Intensive Acceleration Class shall be to increase a child's reading and English Language Arts skill level at least two grade levels in 1 school year. The Intensive Acceleration Class shall:
- Be provided to a ~~any~~ student in grade 3 who scores Level 1 on the statewide, standardized FCAT Reading assessment or, upon implementation, the common core English Language Arts assessment, ~~as applicable under s. 1008.22,~~ and who was retained in grade 3 the prior year because of scoring Level 1.
 - Have a reduced teacher-student ratio.
 - Provide uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the grade 4 Next Generation Sunshine State Standards in other core subject areas.
 - Use a reading program that is scientifically research-based and has proven results in accelerating student reading achievement within the same school year.
 - Provide intensive language and vocabulary instruction using a scientifically research-based program, including use of a speech-language therapist.

Section 73. Paragraphs (b) and (c) of subsection (4) and subsections (5) and (7) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.—

(4)

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

1. Convert the school to a district-managed turnaround school;
2. Reassign students to another school and monitor the progress of each reassigned student;
3. Close the school and reopen the school as one or more charter schools, each with a governing board that has a demonstrated record of effectiveness;
4. Contract with an outside entity that has a demonstrated record of effectiveness to operate the school; or
5. Implement a hybrid of turnaround options set forth in subparagraphs 1.-4. or other turnaround models that have a demonstrated record of effectiveness.

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

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

~~(7) A school classified in the lowest-performing category under s. 3, chapter 2009-144, Laws of Florida, before July 1, 2012, is not required to continue implementing any turnaround option unless the school earns a grade of “F” or a third consecutive “D” for the 2011-2012 school year. A school earning a grade of “F” or a third consecutive “D” for the 2011-2012 school year may not restart the number of years it has been low performing by virtue of the 2012 amendments to this section.~~

Section 74. Section 1008.331, Florida Statutes, is repealed.

Section 75. Subsection (2) of section 1008.3415, Florida Statutes, is amended to read:

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

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

Section 76. Section 1008.35, Florida Statutes, is repealed.

Section 77. Subsection (3) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(3)(a) Except as otherwise provided by law, fees for students who are nonresidents for tuition purposes must offset the full cost of instruction. Residency of students shall be determined as required in s. 1009.21. Fee-nonexempt students enrolled in applied academics for adult education instruction shall be charged fees equal to the fees charged for adult general education programs. Each Florida College System institution that conducts developmental education and applied academics for adult education instruction in the same class section may charge a single fee for both types of instruction.

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

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

(d) ~~Beginning with the 2008-2009 fiscal year and each year thereafter,~~ The tuition and the out-of-state fee per contact hour shall increase at the beginning of each fall semester at a rate equal to inflation, unless otherwise provided in the General Appropriations Act. The Office of Economic and

Demographic Research shall report the rate of inflation to the President of the Senate, the Speaker of the House of Representatives, the Governor, and the State Board of Education each year prior to March 1. For purposes of this paragraph, the rate of inflation shall be defined as the rate of the 12-month percentage change in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, or successor reports as reported by the United States Department of Labor, Bureau of Labor Statistics, or its successor for December of the previous year. In the event the percentage change is negative, the tuition and out-of-state fee shall remain at the same level as the prior fiscal year.

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

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

~~(f)(g)~~ The State Board of Education may adopt, by rule, the definitions and procedures that district school boards and Florida College System institution boards of trustees shall use in the calculation of cost borne by students.

Section 78. Paragraph (a) of subsection (1) of section 1009.40, Florida Statutes, is amended to read:

1009.40 General requirements for student eligibility for state financial aid awards and tuition assistance grants.—

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

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

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

awards shall be determined in the same manner as resident status for tuition purposes pursuant to s. 1009.21.

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

Section 79. Subsection (1) of section 1009.531, Florida Statutes, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

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

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

(b) Earn a standard Florida high school diploma pursuant to s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 or a high school equivalency diploma ~~its equivalent~~ pursuant to ~~s. 1003.428, s. 1003.4281, s. 1003.4282, or s. 1003.435~~ unless:

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

2. The student earns a high school diploma from a non-Florida school while living with a parent or guardian who is on military or public service assignment away from Florida.

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

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

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

(f) Apply for a scholarship from the program by high school graduation. However, a student who graduates from high school midyear must apply no

later than August 31 of the student's graduation year in order to be evaluated for and, if eligible, receive an award for the current academic year.

Section 80. Paragraph (c) of subsection (3) of section 1009.532, Florida Statutes, is amended to read:

1009.532 Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards.—

(3)

(c) A student who is initially eligible in the 2012-2013 academic year and thereafter may receive an award for a maximum of 100 percent of the number of credit hours required to complete an associate degree program, a baccalaureate degree program, or a postsecondary career certificate program or, for a Florida Gold Seal Vocational Scholars award, may receive an award for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete one of the following at a Florida public or nonpublic education institution that offers these specific programs: for an applied technology diploma program as defined in s. 1004.02(7) ~~1004.02(8)~~, up to 60 credit hours or equivalent clock hours; for a technical degree education program as defined in s. 1004.02(13) ~~1004.02(14)~~, up to the number of hours required for a specific degree not to exceed 72 credit hours or equivalent clock hours; or for a career certificate program as defined in s. 1004.02(20) ~~1004.02(21)~~, up to the number of hours required for a specific certificate not to exceed 72 credit hours or equivalent clock hours. A student who transfers from one of these program levels to another program level becomes eligible for the higher of the two credit hour limits.

Section 81. Paragraph (c) of subsection (4) of section 1009.536, Florida Statutes, is amended to read:

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

(4)

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

1004.02(20) ~~1004.02(21)~~, up to the number of hours required for a specific certificate not to exceed 72 credit hours or equivalent clock hours.

Section 82. Section 1009.56, Florida Statutes, is repealed.

Section 83. Section 1009.69, Florida Statutes, is repealed.

Section 84. Subsection (1) of section 1009.91, Florida Statutes, is amended to read:

1009.91 Assistance programs and activities of the department.—

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

Section 85. Paragraph (c) of subsection (2) of section 1009.94, Florida Statutes, is amended to read:

1009.94 Student financial assistance database.—

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

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

Section 86. Part V of chapter 1009, Florida Statutes, consisting of sections 1009.99, 1009.991, 1009.992, 1009.993, 1009.994, 1009.995, 1009.996, 1009.9965, 1009.997, 1009.9975, 1009.9976, 1009.9977, 1009.9978, 1009.9979, 1009.998, 1009.9981, 1009.9982, 1009.9983, 1009.9984, 1009.9985, 1009.9986, 1009.9987, 1009.9988, 1009.9989, 1009.9990, 1009.9991, 1009.9992, 1009.9993, and 1009.9994, is repealed.

Section 87. Paragraph (b) of subsection (13) of section 1011.62, Florida Statutes, is amended to read:

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

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

(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an underallocation or overallocation for any prior year because of an

arithmetical error, assessment roll change required by final judicial decision, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. ~~Beginning with audits for the 2001-2002 fiscal year, if the adjustment is the result of an audit finding in which group 2 FTE are reclassified to the basic program and the district weighted FTE are over the weighted enrollment ceiling for group 2 programs, the adjustment shall not result in a gain of state funds to the district. Beginning with the 2011-2012 fiscal year, if a special program cost factor is less than the basic program cost factor, an audit adjustment may not result in the reclassification of the special program FTE to the basic program FTE. If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Education is authorized to establish the amount of the adjustment based on the best interests of the state.~~

Section 88. Paragraphs (b) and (c) of subsection (3) of section 1011.71, Florida Statutes, are repealed.

Section 89. Subsection (4) of section 1011.76, Florida Statutes, is repealed.

Section 90. Paragraph (b) of subsection (1) of section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce education programs.—

(1) As used in this section, the terms “workforce education” and “workforce education program” include:

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

Section 91. Paragraphs (b), (f), (j), (m), and (p) of subsection (2) and subsection (6) of section 1012.05, Florida Statutes, are amended to read:

1012.05 Teacher recruitment and retention.—

(2) The Department of Education shall:

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

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

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

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

~~(n)(p)~~ Notify each teacher, via e-mail, of each item in the General Appropriations Act and legislation that affects teachers, including, but not limited to, ~~the Excellent Teaching Program, the Florida Teachers Classroom Supply Assistance Program, liability insurance protection for teachers, death benefits for teachers, substantive legislation, rules of the State Board of Education, and issues concerning student achievement.~~

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

Section 92. Paragraph (b) of subsection (1) of section 1012.22, Florida Statutes, is amended to read:

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

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

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

Section 93. Subsection (9) of section 1012.33, Florida Statutes, is repealed.

Section 94. Paragraph (b) of subsection (1), paragraph (a) of subsection (3), and subsection (6) of section 1012.34, Florida Statutes, are amended to read:

1012.34 Personnel evaluation procedures and criteria.—

(1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

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

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

(a) A performance evaluation must be conducted for each employee at least once a year, except that a classroom teacher, as defined in s. 1012.01(2)(a), excluding substitute teachers, who is newly hired by the district school board must be observed and evaluated at least twice in the first year of teaching in the school district. The performance evaluation must be based upon sound educational principles and contemporary research in effective educational practices. The evaluation criteria must include:

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

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

b. For instructional personnel who are not classroom teachers, the student learning growth portion of the evaluation must include growth data on statewide assessments for students assigned to the instructional personnel over the course of at least 3 years, or may include a combination of student learning growth data and other measurable student outcomes that are specific to the assigned position, provided that the student learning growth data accounts for not less than 30 percent of the evaluation. If less than 3 years of student growth data are available, the years for which data are available must be used and the percentage of the evaluation based upon student learning growth may be reduced to not less than 20 percent.

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

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

3. Instructional leadership.—For school administrators, evaluation criteria must include indicators based upon each of the leadership standards adopted by the State Board of Education under s. 1012.986, including performance measures related to the effectiveness of classroom teachers in the school, the administrator's appropriate use of evaluation criteria and procedures, recruitment and retention of effective and highly effective classroom teachers, improvement in the percentage of instructional personnel evaluated at the highly effective or effective level, and other leadership practices that result in student learning growth. The system may include a means to give parents and instructional personnel an opportunity to provide input into the administrator's performance evaluation.

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

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

Section 95. Section 1012.44, Florida Statutes, is amended to read:

1012.44 Qualifications for certain persons providing speech-language services.—The State Board of Education shall adopt rules for speech-language services to school districts that qualify for the sparsity supplement as described in s. 1011.62(7). These services may be provided by baccalaureate degree level persons for a period of 3 years. The rules shall authorize the

delivery of speech-language services by baccalaureate degree level persons under the direction of a certified speech-language pathologist with a master's degree or higher. By October 1, 2003, these rules shall be reviewed by the State Board of Education.

Section 96. Section 1012.561, Florida Statutes, is amended to read:

1012.561 Address of record.—Each certified educator or applicant for certification is solely responsible for maintaining his or her current address with the Department of Education and for notifying the department in writing of a change of address. ~~By January 1, 2005, each educator and applicant for certification must have on file with the department a current mailing address. Thereafter,~~ A certified educator or applicant for certification who is employed by a district school board shall notify his or her employing school district within 10 days after a change of address. At a minimum, the employing district school board shall notify the department monthly of the addresses of the certified educators or applicants for certification in the manner prescribed by the department. A certified educator or applicant for certification who is not employed by a district school board shall personally notify the department in writing within 30 days after a change of address. The department shall permit electronic notification; however, it is the responsibility of the certified educator or applicant for certification to ensure that the department has received the electronic notification.

Section 97. Section 1012.595, Florida Statutes, is repealed.

Section 98. Subsections (2), (3), and (4) of section 1012.885, Florida Statutes, are amended to read:

1012.885 Remuneration of Florida College System institution presidents; limitations.—

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

~~(2)(3)~~ EXCEPTIONS.—This section does not prohibit a any party from providing cash or cash-equivalent compensation from funds that are not appropriated state funds to a Florida College System institution president in excess of the limit in subsection ~~(3)~~ (2). If a party is unable or unwilling to fulfill an obligation to provide cash or cash-equivalent compensation to a Florida College System institution president as permitted under this subsection, appropriated state funds may not be used to fulfill such obligation.

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

Section 99. Subsections (2), (3), and (4) of section 1012.975, Florida Statutes, are amended to read:

1012.975 Remuneration of state university presidents; limitations.—

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

~~(2)(3) EXCEPTIONS.—This section does not prohibit a any party from providing cash or cash-equivalent compensation from funds that are not public funds to a state university president in excess of the limit in subsection (3) (2). If a party is unable or unwilling to fulfill an obligation to provide cash or cash-equivalent compensation to a state university president as permitted under this subsection, public funds may not be used to fulfill such obligation.~~

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

Section 100. Subsection (12) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Development Act.—

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

Section 101. Paragraph (f) of subsection (2) of section 1013.35, Florida Statutes, is amended to read:

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

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

(f) ~~Not less than once every 5 years, the district school board shall have an a financial management and performance audit conducted of the district's educational planning and construction activities of the district. An operational audit conducted by the Office of Program Policy Analysis and Government Accountability and the Auditor General pursuant to s. 11.45 1008.35 satisfies this requirement.~~

Section 102. Section 1013.47, Florida Statutes, is amended to read:

1013.47 Substance of contract; contractors to give bond; penalties.—Each board shall develop contracts consistent with this chapter and statutes governing public facilities. Such a contract must contain the drawings and specifications of the work to be done and the material to be furnished, the time limit in which the construction is to be completed, the time and method by which payments are to be made upon the contract, and the penalty to be paid by the contractor for a ~~any~~ failure to comply with the terms of the contract. The board may require the contractor to pay a penalty for any failure to comply with the terms of the contract and may provide an incentive for early completion. Upon accepting a satisfactory bid, the board shall enter into a contract with the party or parties whose bid has been accepted. The contractor shall furnish the board with a performance and payment bond as set forth in s. 255.05. A board or other public entity may not require a contractor to secure a surety bond under s. 255.05 from a specific agent or bonding company. ~~Notwithstanding any other provision of this section, if 25 percent or more of the costs of any construction project is paid out of a trust fund established pursuant to 31 U.S.C. s. 1243(a)(1), laborers and mechanics employed by contractors or subcontractors on such construction will be paid wages not less than those prevailing on similar construction projects in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended.~~ A person, firm, or corporation that constructs any part of any educational plant, or addition thereto, on the basis of any unapproved plans or in violation of any plans approved in accordance with the provisions of this chapter and rules of the State Board of Education or regulations of the Board of Governors relating to building standards or specifications is subject to forfeiture of the surety bond and unpaid compensation in an amount sufficient to reimburse the board for any costs that will need to be incurred in making any changes necessary to assure that all requirements are met and is also guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, for each separate violation.

Section 103. Section 1013.49, Florida Statutes, is repealed.

Section 104. Section 1013.512, Florida Statutes, is repealed.

Section 105. Section 20 of chapter 2010-24, Laws of Florida, is repealed.

Section 106. This act shall take effect upon becoming a law.

Approved by the Governor May 12, 2014.

Filed in Office Secretary of State May 12, 2014.