

CHAPTER 2024-161

Committee Substitute for Senate Bill No. 7032

An act relating to education; creating s. 1004.933, F.S.; providing legislative intent; establishing the Graduation Alternative to Traditional Education (GATE) Program within the Department of Education; providing definitions; requiring institutions to waive payments for specified student fees; providing requirements for the provision of such waivers; providing eligibility requirements; providing that students participating in the program are eligible for a specified stipend under certain circumstances; prohibiting an institution from imposing additional eligibility requirements; providing department responsibilities; providing department reporting requirements; authorizing the State Board of Education to adopt rules; amending s. 445.009, F.S.; revising the services to which the one-stop delivery system is intended to provide access; amending s. 1003.21, F.S.; requiring a student's certified school counselor or other school personnel to inform the student of opportunities in the GATE Program; amending s. 1003.435, F.S.; requiring district school boards to notify all candidates for the high school equivalency diploma of adult secondary and postsecondary education options, including specified eligibility requirements; creating s. 1009.711, F.S.; creating the GATE Scholarship Program; requiring the department to administer the program; requiring the program to reimburse eligible institutions for specified student fees and costs; requiring participating institutions to report specified information to the department; requiring the department to reimburse participating institutions within a specified timeframe; providing that reimbursements are contingent upon legislative appropriation and must be prorated under certain circumstances; authorizing the state board to adopt rules; amending s. 1009.895, F.S.; revising student eligibility criteria for the Open Door Grant Program; amending s. 1011.80, F.S.; revising the number of courses for which certain students may be reported for certain funding purposes; providing that such courses do not have to be core curricula courses; deleting a requirement that the department develop a list of courses to be designated as core curricula courses; creating s. 1011.804, F.S.; establishing the GATE Startup Grant Program within the department for a specified purpose; defining the term "institution"; providing eligibility requirements; providing department duties; providing requirements for grant proposals, grant awards, and the use of grant funds; providing reporting requirements; authorizing the state board to adopt rules; creating s. 1011.8041, F.S.; creating the GATE Program Performance Fund for a specified purpose; defining the term "institution"; subject to legislative appropriation, requiring each participating institution to receive a specified amount of money per student, subject to certain conditions; authorizing the state board to adopt rules; providing an effective date.

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

Section 1. Section 1004.933, Florida Statutes, is created to read:

1004.933 Graduation Alternative to Traditional Education (GATE) Program.—

(1) LEGISLATIVE INTENT.—

(a) It is the intent of the Legislature to create an alternative pathway to education and workforce opportunities for students who have withdrawn from high school prior to graduation.

(b) It is the intent of the Legislature to affirm the unequivocal value of a standard high school diploma as the primary education credential by which students access higher education and workforce opportunities. Further, the Legislature affirms that parental consent is required for a student under 18 years of age to withdraw from high school prior to graduation.

(c) The Legislature intends to expand opportunities for students to complete high school courses and earn a standard high school diploma.

(d) The Legislature recognizes that when a student withdraws from high school prior to graduation, the student has not received the full value of a taxpayer-funded pre-K-12 education, and therefore lacks the education credential essential to gainful employment and future educational opportunities. Therefore, the Legislature intends to provide an alternative pathway program, waiving tuition and fees for the program for participating students who have not earned a standard high school diploma.

(2) PROGRAM CREATION.—The Graduation Alternative to Traditional Education (GATE) Program is created within the Department of Education.

(3) DEFINITIONS.—As used in this section, the term:

(a) “Career education program” means an applied technology diploma program as defined in s. 1004.02(7) or a career certificate program as defined in s. 1004.02(20).

(b) “Institution” means a school district career center established under s. 1001.44, a charter technical career center established under s. 1002.34, or a Florida College System institution identified in s. 1000.21.

(4) PAYMENT WAIVER; ELIGIBILITY.—

(a) Notwithstanding any other provision of state law, an institution shall waive 100 percent of the registration, tuition, laboratory, and examination fees for a student participating in the GATE Program. A waiver provided under this section after a student’s first term shall be provided after state aid pursuant to s. 1009.895 is applied. Instructional materials assigned for use under the GATE Program must be made available to GATE Program students free of charge. An institution may not require payment by students

of instructional materials costs eligible for reimbursement under s. 1009.711.

(b) To be eligible for participation in the GATE Program, a student must:

1. Not have earned a standard high school diploma pursuant to s. 1003.4282 or a high school equivalency diploma pursuant to s. 1003.435 before enrolling in the GATE Program;

2. Have been withdrawn from high school;

3. Be a resident of this state as defined in s. 1009.21(1);

4. Be 16 to 21 years of age at the time of initial enrollment, provided that a student who is 16 or 17 years of age has withdrawn from school enrollment pursuant to the requirements and safeguards in s. 1003.21(1)(c);

5. Select the adult secondary education program and career education program of his or her choice at the time of admission to the GATE Program, provided that the career education program is included on the Master Credentials List under s. 445.004(4). The student may not change the requested pathway after enrollment, except that, if necessary for the student, the student may enroll in an adult basic education program prior to enrolling in the adult secondary education program;

6. Maintain a 2.0 GPA for career and technical education coursework; and

7. Notwithstanding s. 1003.435(4), complete the programs under subparagraph 5. within 3 years after his or her initial enrollment unless the institution determines that an extension is warranted due to extenuating circumstances.

(c) Subject to the availability of funds, a student who meets the requirements of paragraph (b) and is enrolled in the GATE Program is eligible to receive the stipend specified in s. 1009.895(3).

(d) An institution may not impose additional criteria to determine a student's eligibility to receive a waiver under this section.

(5) DEPARTMENT RESPONSIBILITIES.—In addition to administering the GATE Program, the Department of Education shall perform the following duties:

(a) Disseminate information about the GATE Program to eligible institutions, local workforce development boards, and other local, regional, or state initiatives that interact with the GATE Program's target population.

(b) Connect prospective students directly to eligible institutions.

(c) Provide access to online career planning tools.

(6) REPORTING.—Beginning October 1, 2025, and each October 1 thereafter, the Department of Education shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the number and value of registration, tuition, laboratory, and examination fees and instructional materials costs waived and reimbursed, by institution; the number of students who have obtained a standard high school diploma or high school equivalency diploma while participating in the GATE Program; the number of students completing an applied technology diploma or career certificate while participating in the GATE Program; the number of students participating in the GATE Program who receive a stipend under s. 1009.895(3); the number of students who have earned an industry certification on the CAPE Industry Certification Funding List while participating in the GATE Program; and the number of students who completed the GATE Program. The reporting period shall cover the previous academic year.

(7) RULES.—The State Board of Education may adopt rules to implement this section.

Section 2. Paragraph (g) of subsection (1) of section 445.009, Florida Statutes, is amended to read:

445.009 One-stop delivery system.—

(1) The one-stop delivery system is the state's primary customer-service strategy for offering every Floridian access, through service sites or telephone or computer networks, to the following services:

(g) Adult education, and basic skills training, integrated education and training, and the Graduation Alternative to Traditional Education Program under s. 1004.933.

Section 3. Paragraph (c) of subsection (1) of section 1003.21, Florida Statutes, is amended to read:

1003.21 School attendance.—

(1)

(c) A student who attains the age of 16 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the student files a formal declaration of intent to terminate school enrollment with the district school board. Public school students who have attained the age of 16 years and who have not graduated are subject to compulsory school attendance until the formal declaration of intent is filed with the district school board. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the student and the student's parent. The school district shall notify the student's parent of receipt of the student's declaration of intent to terminate school enrollment. The student's certified school counselor or other school personnel shall conduct an exit

interview with the student to determine the reasons for the student's decision to terminate school enrollment and actions that could be taken to keep the student in school. The student's certified school counselor or other school personnel shall inform the student of opportunities to continue his or her education in a different environment, including, but not limited to, adult education, ~~and high school equivalency examination preparation, and the~~ Graduation Alternative to Traditional Education Program under s. 1004.933. Additionally, the student shall complete a survey in a format prescribed by the Department of Education to provide data on student reasons for terminating enrollment and actions taken by schools to keep students enrolled.

Section 4. Subsection (3) of section 1003.435, Florida Statutes, is amended to read:

1003.435 High school equivalency diploma program.—

(3) Each district school board shall:

(a) Offer and administer the high school equivalency diploma examinations and the subject area examinations to all candidates pursuant to rules of the State Board of Education.

(b) Notify each candidate of adult secondary and postsecondary education options available in or near the school district, including the Graduation Alternative to Traditional Education Program under s. 1004.933. The candidate must also be informed of the eligibility requirements and any minimum academic requirements for each available option.

Section 5. Section 1009.711, Florida Statutes, is created to read:

1009.711 GATE Scholarship Program.—

(1) The GATE Scholarship Program is created to financially support institutions participating in the GATE Program established pursuant to s. 1004.933.

(2) The Department of Education shall administer the GATE Scholarship Program in accordance with rules adopted by the State Board of Education.

(3) The GATE Scholarship Program shall reimburse eligible institutions for registration, tuition, laboratory, and examination fees and related instructional materials costs for students enrolled in the GATE Program. Institutions must be reimbursed at the in-state resident tuition rate established in s. 1009.22(3)(c).

(4) Each participating institution shall report to the department all students enrolled in the GATE Program during the fall, spring, or summer terms within 30 days after the end of regular registration. For each eligible student, the institution shall report the total reimbursable expenses by

category, which the department must consider in determining an institution's award under this section. The department shall reimburse each participating institution no later than 30 days after the institution has reported enrollment for that term.

(5) Reimbursements from the GATE Scholarship Program are contingent upon an annual appropriation in the General Appropriations Act. If the statewide reimbursement amount is greater than the appropriation, the institutional reimbursement amounts specified in subsection (3) must be prorated among the institutions that have timely reported eligible students to the department.

(6) The State Board of Education may adopt rules to implement this section.

Section 6. Paragraph (b) of subsection (2) of section 1009.895, Florida Statutes, is amended to read:

1009.895 Open Door Grant Program.—

(2) ELIGIBILITY.—In order to be eligible for the program, a student must:

(b) Be enrolled in an adult secondary education program or an integrated education and training program in which institutions establish partnerships with local workforce development boards to provide basic skills instruction, contextually and concurrently, with workforce training that results in the award of credentials under s. 445.004(4) or a workforce education program as defined under s. 1011.80(1)(b)-(f) that is included on the Master Credentials List under s. 445.004(4); and

An institution may not impose additional criteria to determine a student's eligibility to receive a grant under this section.

Section 7. Subsection (10) of section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce education programs.—

(10) A high school student dually enrolled under s. 1007.271 in a workforce education program operated by a Florida College System institution or school district career center generates the amount calculated for workforce education funding, including any payment of performance funding, and the proportional share of full-time equivalent enrollment generated through the Florida Education Finance Program for the student's enrollment in a high school. If a high school student is dually enrolled in a Florida College System institution program, including a program conducted at a high school, the Florida College System institution earns the funds generated for workforce education funding, and the school district earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a career center

operated by the same district as the district in which the student attends high school, that district earns the funds generated for workforce education funding and also earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a workforce education program provided by a career center operated by a different school district, the funds must be divided between the two school districts proportionally from the two funding sources. A student may not be reported for funding in a dual enrollment workforce education program unless the student has completed the basic skills assessment pursuant to s. 1004.91. A student who is coenrolled in a K-12 education program and an adult education program may be reported for purposes of funding in an adult education program. If a student is coenrolled in ~~core~~ core curricula courses for credit recovery or dropout prevention purposes and does not have a pattern of excessive absenteeism or habitual truancy or a history of disruptive behavior in school, the student may be reported for funding for up to ~~four~~ two courses per year. Such a student is exempt from the payment of the block tuition for adult general education programs provided in s. 1009.22(3)(c). ~~The Department of Education shall develop a list of courses to be designated as core curricula courses for the purposes of coenrollment.~~

Section 8. Section 1011.804, Florida Statutes, is created to read:

1011.804 GATE Startup Grant Program.—

(1) The GATE Startup Grant Program is established within the Department of Education to fund and support the startup and implementation of the GATE Program, subject to legislative appropriation. The purpose of the grant program is to increase access to programs that support adult learners earning a high school credential, either a high school diploma or its equivalent, and a workforce credential aligned to statewide or regional demand. The department shall administer the grants, determine eligibility, and distribute grant awards.

(2) As used in this section, the term “institution” means a school district career center established under s. 1001.44, a charter technical career center established under s. 1002.34, or a Florida College System institution identified in s. 1000.21 which offers the GATE Program pursuant to s. 1004.933.

(3) The department may solicit proposals from institutions without programs that meet the requirements of s. 1004.933(2). Such institutions must be located in or serve a rural area of opportunity as designated by the Governor.

(4) The department shall prioritize grant proposals that combine adult basic education, adult secondary education, and career education programs at one location or allow students to complete programs through distance learning. An applicant may not receive more than 10 percent of the total amount appropriated for the program.

(5) The department shall make the grant application available to potential applicants no later than August 15, 2024. A grant proposal must include:

(a) The institution or institutions that will provide the adult basic education, adult secondary education, and career education programs;

(b) The proposed adult basic education and adult secondary education program or programs the institution or institutions will provide, and the projected enrollment for such program or programs;

(c) The proposed career education program or programs the institution or institutions will provide and the projected enrollment for such program or programs;

(d) The credential or credentials associated with the career education program or programs. Such credential or credentials must be included on the Master Credentials List under s. 445.004(4);

(e) The cost of instruction for all programs contemplated in the proposal, including costs for tuition, fees, registration, and laboratory, examination, and instructional materials costs;

(f) Outreach strategies, including collaboration with local workforce development boards; and

(g) A plan or timeline for implementing s. 1004.933 and enrolling students.

(6) Grant funds may be used for planning activities and other expenses associated with the creation of the GATE Program, such as expenses related to program instruction, instructional equipment, supplies, instructional personnel, and student services. Grant funds may not be used for indirect costs. Grant recipients must submit an annual report in a format prescribed by the department. The department shall consolidate such annual reports and include the reports in the report required by s. 1004.933(5).

(7) The State Board of Education may adopt rules to administer this section.

Section 9. Section 1011.8041, Florida Statutes, is created to read:

1011.8041 GATE Program Performance Fund.—

(1) The GATE Program Performance Fund is created to reward institutions for the documented success of students participating in the GATE Program established under s. 1004.933.

(2) As used in this section, the term “institution” means a school district career center established under s. 1001.44, a charter technical career center established under s. 1002.34, or a Florida College System institution

identified in s. 1000.21 which offers the GATE Program pursuant to s. 1004.933.

(3) Subject to legislative appropriation, each participating institution must receive \$1,000 per student who completes the GATE Program by earning a standard high school diploma or high school equivalency diploma and a credential on the Master Credentials List under s. 445.004(4) within 3 years. If the student earned his or her diploma and credential at different institutions, then each institution must receive \$500. If funds are insufficient to fully fund the calculated total award, such funds must be prorated among the institutions.

(4) The State Board of Education may adopt rules to implement this section.

Section 10. This act shall take effect July 1, 2024.

Approved by the Governor May 9, 2024.

Filed in Office Secretary of State May 9, 2024.