

Florida Department of Education

2014 Legislative Review



Florida Commissioner of Education
Pam Stewart



Florida Department of **EDUCATION**

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INTRODUCTION

This booklet is an overview of legislation impacting education that was passed by the Florida Legislature during the 2014 Regular Legislative Session.

Access to all bills, their final action, legislative staff analyses, floor amendments, bill history and Florida Statutes citations are available through several websites which are provided below.

For additional information on legislation passed by the Florida Legislature, which impacts education, you may contact the Florida Department of Education's Office of Governmental Relations at 850-245-0507.

Florida House of Representatives:

<http://www.myfloridahouse.gov/>

Florida Senate:

<http://www.flsenate.gov/>

Online Sunshine:

<http://www.leg.state.fl.us/Welcome/index.cfm?CFID=197225232&CFTOKEN=39851043>

Florida Department of State, Laws of Florida:

<http://laws.flrules.org/node>

Governor of Florida:

<http://www.flgov.com/>

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HB 23 Canned or Perishable Food Distributed Free of Charge

(CH. 2014-26, Laws of Florida)

Bill Sponsor: Representative Rogers

Effective Date: July 1, 2014

DOE Contact: Matt Carson, General Counsel, (850) 245-0442

Executive Summary:

The bill includes a public school in the definition of “donor” limiting the liability of donors with respect to the donation of canned or perishable food to charitable or nonprofit organizations.

Section 1.

Amends s. 786.136, F.S., Liability for canned or perishable food distributed free of charge, to:

- Expand the definition of “donor” to include a public school in the list of entities with limited liability with respect to the donation of canned or perishable food to charitable or nonprofit organizations.

Section 2.

- Provides an effective date of July 1, 2014.

General Implementation Timeline:

Upon effective date.

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SB 188 Education Data Privacy

(CH. 2014-41, Laws of Florida)

Bill Sponsor: Senator Hukill

Effective Date: July 1, 2014

DOE Contact: Juan Copa, Deputy Commissioner, Accountability, Research and Measurement
(850)-245-0437

Executive Summary:

The bill limits the collection of biometric information and requires that students and parents receive annual notice of their rights regarding educational records. The bill creates a section of law that outlines limitations on collection of information, disclosure of confidential and exempt records. The bill requires the Florida Department of Education (FDOE) to establish a process for assigning Florida student identification numbers and provides that student social security numbers may not be used as identification numbers once Florida student identification numbers have been developed.

Section 1.

Amends s. 1002.22, F.S., Rights of Students and Parents, to:

- Require that students and their parents receive annual notice of their rights with respect to education records.
- Clarify that if any official or employee of an institution refuses to comply with this section, the aggrieved parent or student who receives injunctive relief may be awarded attorney fees and court costs.

Section 2.

Creates s.1002.222, F.S., Limitations on collection of information and disclosure of confidential and exempt student records, to:

- Prohibit an agency or institution, identified in s. 1002.22 (1) F.S., from collecting, obtaining or retaining information on the following:
 - political affiliation;
 - voting history;
 - religious affiliation; or
 - biometric information of a student, or a parent or sibling of the student.

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- Define biometric information as information collected from the electronic measurement or evaluation of any physical or behavioral characteristics attributable to a single person which includes, but is not limited to:
 - fingerprint or hand scan;
 - retina or iris scan;
 - voice print or a facial geometry scan; and
 - any other physical characteristics used for the purpose of electronically identifying that person with a high degree of certainty.
- Provide that notwithstanding the provisions in this legislation, a school district that used a palm scanner for identifying students for breakfast and lunch on March 1, 2014 may continue to use the palm scanner system through the 2014-2015 school year.
- Provide that an agency or institution in s. 1002.22 (1) F.S., may not provide education records made confidential and exempt by s. 1002.221, F.S., or federal law, to any person as defined in s. 1.01(3), F.S.; a public body, body politic, or political subdivision as defined in s. 1.01(8), F.S.; or to an agency of the Federal Government, except when authorized by s. 1002.221, F.S., required by federal law, or in response to a lawfully issued subpoena or court order.
- The governing board of an agency or institution may only designate directory information in accordance with federal requirements. These designations must occur at a regularly scheduled meeting of the governing board. When designation directory information the governing board must consider whether the designation of this information would put students at risk of becoming targets of marketing campaigns, the media, or criminal acts. Agencies or institutions may charge fees for copies of directory information as provided in s. 119.07(4) F.S.

Section 3.

Amends s. 1008.386, F.S., Social security numbers used as student identification numbers, to:

- Require FDOE to shall establish a process for assigning a Florida student identification number to each student in the state. At that time, a school district may not use social security numbers as student identification numbers in its management information systems.
- Allow the State Board of Education to adopt rules to implement this section.

Section 4.

Amends s. 1011.622, F.S., Adjustments for students without a common identifier, to:

- Replace the term common student identifier with the term Florida student identification number.

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Section 5.

- This act shall take effect upon becoming a law.

General Implementation Timeline:

July 1, 2013 The act becomes effective.

The bill does not establish a timeframe for the implementation of the Florida student identification number. The FDOE expects the Florida student identification number to be implemented in the 2015-16 school year.

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SB 236 Renaming of Florida College System Institutions

(CH. 2014-8, Laws of Florida)

Bill Sponsor: Senator Richter

Effective Date: July 1, 2014

DOE Contact: Randy Hanna, Chancellor of the Florida College System, (850) 245-0407

Executive Summary:

This bill renames Edison State College and Pasco-Hernando Community College as "Florida SouthWestern State College" and "Pasco-Hernando State College," respectively.

Section 1.

Amends s. 1000.21, F.S., Systemwide definitions, to:

- Rename Edison State College as Florida SouthWestern State College and rename Pasco-Hernando Community College as Pasco-Hernando State College.

General Implementation Timeline:

July 1, 2014 The act becomes effective.

July 1, 2014 Send memo to colleges informing of the name changes.

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SB 260 Unaccompanied Homeless Youths

(CH. 2014-173, Laws of Florida)

Bill Sponsor: Senator Latvala

Effective Date: July 1, 2014

DOE Contact: Sam Foerster, Deputy Chancellor of Student Achievement and School Improvement, Division of Public Schools, (850) 245-0509

Executive Summary:

The bill amends s. 743.067, F.S. relating to unaccompanied homeless youths. As it relates to education, the bill allows a school district's liaison for homeless children and youth to certify that such children and youth are "unaccompanied homeless youth." Also, the bill allows for certified unaccompanied homeless youth (ages 16 to 17) to consent to medical, dental, psychological, substance abuse, surgical diagnosis and treatment, and forensic medical examinations for themselves and their children in certain circumstances. To read the full version of the bill, please visit: <http://www.flsenate.gov/Session/Bill/2014/0260/BillText/er/PDF>.

Section 1.

Amends s. 743.067, F.S., Unaccompanied homeless youths, to:

- Include the school district's liaison for homeless children and youth as one who can find children or youth to be unaccompanied homeless youths.
- Provide that a minor (age 16 or older) who qualifies as an unaccompanied homeless youth shall be issued a written certificate documenting his or her status by the school district's liaison.
- Provide that the certificate shall be issued on the official letterhead stationery of the person making the determination and shall include the following:
 - date of the finding;
 - a citation to this section; and
 - the signature of the individual making the finding.
- Provide that a health care provider may accept the written certificate as proof of the minor's status as an unaccompanied homeless youth and may keep a copy of the certificate in the youth's medical file.

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- Provide that an unaccompanied homeless youth may, notwithstanding s. 394.4625(1), F.S., consent to medical, dental, psychological, substance abuse, and surgical diagnosis and treatment, including preventative care and care by a facility licensed under chapters 394, 395, or 397, and any forensic medical examination for the purpose of investigating any felony offense under chapters 784, 787, 794, 800, or 827, for:
 - Himself or herself; or
 - His or her child, if the unaccompanied homeless youth is unmarried, is the parent of the child, and has actual custody of the child.

General Implementation Timeline:

July 1, 2014

The act becomes effective.

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HB 313 Single-Gender Public School Programs

(CH. 2014-30, Laws of Florida)

Bill Sponsor: House Choice and Innovation Subcommittee, Representative M. Diaz

Effective Date: July 1, 2014

DOE Contact: Mary Jane Tappen, Deputy Chancellor, Division of Public Schools,
Sam Foerster, Deputy Chancellor, Division of Public Schools, (850) 245-0509

Executive Summary:

The bill provides specific requirements for districts that open single-gender schools.

Section 1.

Amends s. 1002.311, F.S., Single-gender programs authorized, to:

- Require district school boards that establish a gender-specific elementary, middle, or high school to comply with the following requirements:
 - Separate into grade-level boys-only classes and girls-only classes during instruction in core courses.
 - Open enrollment to all students within the district.
 - Require the school's administrative and instructional personnel to participate in professional development that includes scheduling and instructional strategies.
 - Provide to the Florida Department of Education a comparison of the academic performance of students in the gender-specific school with the academic performance of students in other public schools in the district.

General Implementation Timeline:

July 1, 2014	The act becomes effective
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HB 337 Florida Teachers Classroom Supply Assistance Program

(CH. 2014-31, Laws of Florida)

Bill Sponsor: Representative Fresen

Effective Date: July 1, 2014

DOE Contact: Linda Champion, Deputy Commissioner, Division of Finance and Operations

(850) 245-0406

Executive Summary:

The bill revises procedures in section 1012.71, Florida Statutes (F.S.), for school districts and charter schools to distribute Florida Teachers Classroom Supply Assistance Program funds to eligible teachers to purchase classroom materials and supplies. The bill establishes an earlier, optional date by which program funds may be disbursed to classroom teachers, depending on when the teachers are determined to be eligible by the school district. If, as of July 1, a classroom teacher is projected to be employed on September 1, the district may provide the teacher his or her proportionate share by August 1 of that year. For teachers who are determined eligible after July 1, or if the district elects not to disburse funds by August 1, the proportionate shares of program funds must be disbursed by September 30.

Section 1.

Amends s. 1012.71, F.S., The Florida Teachers Classroom Supply Assistance Program, to:

- Require school districts to estimate by July 1 of each year the number of classroom teachers who are expected to be employed by the district or a charter school in the district on September 1, and who are thus eligible to receive program funds by August 1; and
- Allow districts to distribute by August 1 proportionate shares of program funds to classroom teachers determined to be eligible as of July 1. For teachers who are determined eligible after July 1, or if the district elects not to disburse funds by August 1, the proportionate shares of program funds must be disbursed by September 30.

Section 2.

Provides an effective date of July 1, 2014.

General Implementation Timeline:

July 1, 2014 Pending final action by the Governor, the act becomes effective.

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- July 1 School districts and charter schools estimate the number of classroom teachers expected to be employed on September 1 and eligible to receive program funds.
- August 1 School districts and charter schools may distribute proportionate shares of program funds to classroom teachers who were determined by July 1 to be eligible to receive funds.
- September 30 Districts and charter schools must disburse program funds to teachers who were determined eligible after July 1 or to all eligible classroom teachers, if the district opted not to release proportionate funds by August 1.

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SB 358 Athletic Coaches for Youth Athletic Teams

(CH. 2014-9, Laws of Florida)

Bill Sponsor: Senator Ring

Effective Date: July 1, 2014

DOE Contact: Mary Jane Tappen, Executive Vice Chancellor, Division of Public Schools,
(850) 245-0509

Executive Summary:

This bill defines an athletic coach to include a coach, assistant coach, or referee who works for 20 or more hours within a calendar year and has direct contact with one or more minors. It requires an independent sanctioning authority to conduct a Level 1 background screening of each current and prospective athletic coach, and stipulates that this responsibility cannot be delegated. Any person identified on a state or federal registry of sexual predators will be disqualified from acting as an athletic coach. In addition, the independent sanctioning authority must maintain all documentation (screening results and notices of disqualification) for at least five years. The full bill can be accessed at <http://www.flsenate.gov/Session/Bill/2014/0358/BillText/er/PDF>.

Section 1.

Amends s. 943.0438, F.S., Athletic coaches for independent sanctioning authorities, to:

- Define an athletic coach as a person who is authorized to work as a coach, assistant coach, or referee for 20 or more hours within a calendar year, whether for compensation or as a volunteer, who has direct contact with one or more minors on the youth athletic team.
- Define an Independent Sanctioning Authority as a private, nongovernmental entity that organizes, operates, or coordinates a youth athletic team in this state that includes one or more minors that is not affiliated with a private school.
- Require an independent sanctioning authority to conduct a Level 1 background screening of each current and prospective athletic coach, and prohibit the authority from delegating this responsibility.
- Prohibit authorization of a person by the independent sanctioning authority to act as an athletic coach unless the Level 1 background screening is conducted and does not result in disqualification. The background screening shall include a search against state and federal registries of sexual predators and sexual offenders available to the public by the Florida Department of Law Enforcement and the Attorney General of the United States.

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- Require any person to be disqualified from acting as an athletic coach if he or she is identified in a state or federal registry of sexual predators and/or sexual offenders, unless they meet the requirements for an exemption under s. 435.07, F.S. The independent sanctioning authority must provide written notice within seven business days to any person disqualified which advises them of the results and of his/her disqualification.
- Require the independent sanctioning authority to maintain all documentation of screening results and written notices of disqualification for at least five years.

General Implementation Timeline:

July 1, 2014 The act becomes effective.

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HB 433 Education

(Chapter 2014-32, Laws of Florida)

Bill Sponsor: Representative Spano

Effective Date: July 1, 2014

DOE Contact: Brian Dassler, Deputy Chancellor for Educator Quality, Division of Public Schools, (850) 245-0509

Executive Summary:

The bill provides requirements for certain instructional personnel who supervise or direct pre-service field experiences; authorizes a school district to assign to a school that has earned failing grades certain newly hired instructional personnel; revises certification requirements pertaining to acceptable means of demonstrating mastery of general knowledge, subject knowledge, and professional preparation and education competence; repeals s. 1012.56(17), F.S., relating to a study to compare the performance of certain certificate holders; revises certain requirements for the renewal or reinstatement of a professional certificate; and authorizes a consortium of certain charter schools to develop a professional development system.

Section 1.

Amends s. 1004.04, F.S., Public accountability and state approval for teacher preparation programs, to:

- Require all instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in another state, in which a candidate demonstrates his or her impact on student learning growth, through a Florida online or distance program to have the following qualifications: clinical educator training or its equivalent, valid professional certificate issued by the state in which the field experience takes place, and at least three years of teaching experience in prekindergarten through grades 12.
- Require all instructional personnel who supervise or direct teacher preparation students during field experience courses or internships, in which a candidate demonstrates his or her impact on student learning growth, on a United States military base in another country through a Florida online or distance program to have the following qualifications: clinical educator training or its equivalent, valid professional certificate issued by the United States Department of Defense or a state or United States territory and at least three years of teaching experience in prekindergarten through grades 12.

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Section 2.

Amends s. 1012.2315, F.S., Assignment of teachers, to:

- Allow a school district to assign an individual that is newly hired as instructional personnel to a school that has earned a failing grade in the previous year or any combination of three consecutive grades of “D” or “F” in the three previous years if the following criteria have been met by the individual:
 - Received an effective or highly effective rating in the immediate prior year’s performance evaluation;
 - Successfully completed or is enrolled in a teacher preparation program specified in Florida Statute or State Board of Education rule, is provided with high quality mentoring during the first two years of employment, holds an educator certificate, and holds a probationary contract awarded by the employing district school board; or
 - Holds a probationary contract awarded by the employing district school board, holds an educator certificate, has successful teaching experience, and the school principal believes the students would benefit from having the individual placed with them.
- Clarify the term “mentoring” to indicate it includes the use of student achievement data combined with at least monthly observations to improve the educator’s effectiveness in improving student outcomes. The mentoring can be provided by a school district or a teacher preparation program specified in Florida Statute or State Board of Education (SBE) rule.

Section 3.

Amends s. 1012.56, F.S., Educator certification requirements, to:

- Eliminate the obsolete option of achieving a passing score on the College Level Academic Skills Test (CLAST) earned prior to July 1, 2002, to satisfy the general knowledge requirement.
- Update language to insert “full-time or part-time” in reference to satisfying the general knowledge requirement through successful college teaching experience.
- Insert a new option to satisfy the general knowledge requirement, effective July 1, 2015, that permits the State Board to approve passing scores on national or international examinations, such as the Graduate Record Examination (GRE), that test comparable content, relevant standards, and approximately the same level of rigor.

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- Specifically require a Florida subject area examination, when developed, for subjects requiring only a bachelor's degree to satisfy the subject area knowledge requirement.
- Permit SBE to approve a passing score on a standardized examination for a subject content area for which a Florida subject area examination has not been developed, such as examinations administered by the American Council on the Teaching of Foreign Languages, to satisfy the subject area knowledge requirement.
- Specifically permit completion of subject area specialization requirements and district verification of attainment of subject matter competencies only for a subject content area for which a Florida subject area examination has not been developed or a standardized examination approved by the SBE to satisfy the subject area knowledge requirement.
- Require, for a subject requiring a master's or higher degree, completion of subject area specialization and achievement of a passing score on the Florida subject area examination or a standardized examination approved by the SBE to satisfy the requirement.
- Insert "full-time or part-time" in reference to successful college teaching experience and also require achievement of a passing score on the professional education competency examination to satisfy the professional preparation and education competence requirement.
- Insert language that requires adoption of administrative rules by December 31, 2014, to implement this section and to authorize the SBE to approve specific teacher preparation programs which may satisfy the requirements of this subsection.
- Require that the professional content knowledge of each participant in the professional development certification and education competency program includes scientifically based reading instruction.

Section 4.

Repeals s. 1012.56(17), F.S., Educator certification requirements, to:

- Eliminate the obsolete longitudinal study initiated in 2002-2003 to compare the performance of educators who achieve professional certification based on specified pathways.

Section 5.

Amends s. 1012.585, F.S., Process for renewal of professional certificates, to:

- Permit the use of a passing score on a Florida-developed subject area examination or a standardized examination approved by the state board as equivalent to college course or inservice credit for renewal of a professional certificate.

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- Permit the use of excess credits earned in teaching students with disabilities toward renewal of the professional certificate during subsequent validity periods.
- Modify language for appropriate reference to “students of limited English proficiency.”
- Require a minimum of one college credit or the equivalent inservice points in the instruction for teaching students with disabilities for reinstatement of a professional certificate.
- Require a passing score on the Florida-developed subject area examination or a standardized examination approved by the state board for reinstatement of a professional certificate.

Section 6.

Amends s. 1012.98, F.S., School Community Professional Development Act, to:

- Allow a consortium of charter schools that meet the criteria outlined in the statute to develop a professional development system that includes a master inservice plan for inservice activities.

General Implementation Timeline:

July 1, 2014	The act becomes effective.
December 31, 2014	SBE shall adopt rules.

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HB 485 Stop Harassing Underage Teens

(CH. 2014-202, Laws of Florida)

Bill Sponsor: Representative Raburn

Effective Date: October 1, 2014

DOE Contact: Brian Dassler, Deputy Chancellor for Educator Quality, Division of Public Schools, (850) 245-0509

Executive Summary:

The bill creates a new section of law specific to sexual battery offenses against students by authority figures. It provides for an enhancement of the felony degree level and the criminal penalty when a person is convicted of a sexual battery and the victim was a student under the age of 18 enrolled at the same school. To read the full version of the bill please visit:

<http://www.flsenate.gov/Session/Bill/2014/0485/BillText/er/PDF>.

Section 1.

Establishes the title of the bill as the "Stop Harassing Underage Teens Act."

Section 2.

Creates s. 775.0862 F.S., Sexual battery offense against students by authority figures; reclassification, to:

- Specify criminalize sexual battery when committed by an authority figure upon a student younger than 18 years of age. The following definitions are provided:
 - Authority figure is defined as a person 18 years of age or older who is employed by, volunteering at, or under contract with a school;
 - School has the same meaning as in s. 1003.01, F.S., and includes a private school as defined in s. 1002.01, F.S., a voluntary prekindergarten education program as described in s. 1002.53(3), F.S., early learning programs, a public school as described in s. 402.3025(1), F.S., the Florida School for the Deaf and the Blind, the Florida Virtual School established under s. 1002.37, F.S., and a K-8 Virtual School established under s 1002.415, F.S. The definition does not include facilities dedicated exclusively to the education of adults; and
 - Student is defined as a person younger than 18 years of age who is enrolled at a school.

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- Reclassify a felony degree violation of an offense listed in s. 943.0435(1)(a), F.S., that classifies a person as a sexual offender, if the offense is committed by an authority figure of a school against a student of the school. The reclassification is as follows:
 - A felony of the third degree is reclassified to a felony of the second degree;
 - A felony of the second degree is reclassified to a felony of the first degree; and
 - A felony of the first degree is reclassified to a life felony.
 - The reclassification does not apply when the violation is charged as sexual battery under s. 794.011(4)(g), F.S., or video voyeurism under s. 810.145(8)(a)2, F.S., which already provide for a similar enhanced penalty.

Section 3.

Amends s. 921.0022, Criminal Punishment Code; offense severity ranking chart, to:

- Add the created s. 775.0862, F.S., to the criminal punishment code, offense severity ranking chart, and to the list of felony offenses for which application of felony reclassification is provided and thus an enhanced penalty in the offense severity ranking chart.

General Implementation Timeline:

October 1, 2014 The act becomes effective.

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HB 487 Agricultural Industry Certifications

(CH. 2014-33, Laws of Florida)

Bill Sponsor: Representative Raburn

Effective Date: July 1, 2014

DOE Contact: Rod Duckworth, Chancellor of Career and Adult Education, (850) 245-9463

Executive Summary:

The bill revises several statutes relating to agriculture and industry certifications. The bill adds a requirement for the Florida Department of Agriculture and Consumer Services (DACS) to provide industry certifications for farm occupations to be considered for placement on the Industry Certification Funding List and the Postsecondary Industry Certification Funding List to the State Board of Education (SBE) and the Department of Education (FDOE). As it relates to education, FDOE is required to work with DACS in the rulemaking process for industry certifications as well as in the analysis of collected data. The bill defines industry certification and deletes the requirement for the Department of Economic Opportunity (DEO) to define industry certification.

Section 1.

Amends 570.07, F.S., Department of Agriculture and Consumer Services; functions, powers, and duties, to:

- Add that DACS in cooperation with the Institute of Food and Agricultural Sciences at the University of Florida (IFAS) and the College of Agriculture and Food Sciences at the Florida Agriculture and Mechanical University (FAMU) to annually provide SBE and FDOE information and industry certifications to be considered for placement on the Industry Certification Funding List and the Postsecondary Industry Certification Funding list pursuant to s. 100.44.
- Require the information provided by DACS to FDOE be based on the best available data.

Section 2.

Amends 1003.492, F.S., Industry certified career education programs, to:

- Create subsection 2 which defines industry certification.
- Require the FDOE to use the expertise of DACS to develop and adopt rules for implementing and industry certification process.

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- Remove DEO as the agency to define industry certifications for non-farm occupations from subsection (3)(a).
- Add DACS in the approval process for the list of industry certifications to be updated annually and adopted by rule.
- Add DACS as a partner with FDOE and Workforce Florida, Inc. in the analysis of student achievement and performance data in industry-certified career education programs and career-themed courses in subsection (5).

General Implementation Timeline:

July 1, 2014 The act becomes effective.

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SB 524 Sexually Violent Predators

(CH. 2014-3, Laws of Florida)

Bill Sponsor: Senator Sobel

Effective Date: July 1, 2014

DOE Contact: Randy Hanna, Chancellor of the Florida College System, (850) 245-0407
Sam Ferguson, Executive Director Commission for Independent Education (850-245-3200)

Executive Summary:

The bill revises numerous statutes relating to sexually violent predators. As it relates to education, the bill requires Florida College System (FCS) institutions, state universities, and career centers to inform students and employees of the Florida Department of Law Enforcement sexual predator and sexual offender registry website and toll-free telephone number. In the section breakdown below, only sections of the bill related to education are included, to read the full version of the bill, please visit: [SB 524](#).

Section 3.

Creates s. 1005.10, F.S., Sexual Predator and sexual offender notification; nonpublic colleges, universities, and schools, to:

- Require each nonpublic college, university, and schools to inform students and employees of the Florida Department of Law Enforcement sexual predator and sexual offender registry website and toll-free telephone number at orientation and on its website.

Section 4.

Amends s. 1006.695, F.S., Sexual predator and sexual offender notification, to:

- Require each FCS institution, state university, and career center to inform students and employees of the Florida Department of Law Enforcement sexual predator and sexual offender registry website and toll-free telephone number at orientation and on its website.

General Implementation Timeline:

July 1, 2014	The act becomes effective.
July 1, 2014	Send memo to colleges informing of new requirement.

Florida Department of **EDUCATION**

SB 646 Open Government Sunset Review Act/ Postsecondary Education Records and Applicant Records

(CH. 2014-11, Laws of Florida)

Bill Sponsor: Government Oversight and Accountability Committee and Senator Montford

Effective Date: October 1, 2014

DOE Contact: Matt Carson, General Counsel, (850) 245-0442

Executive Summary:

The bill re-enacts an existing exemption from the public records requirements for student and applicant education records, as defined by the Family Educational Rights and Privacy Act that are maintained by a public postsecondary educational institution

Section 1.

Amends s. 1006.52, F.S, Education records and applicant records; public records exemption, to:

- Continue a public records exemption for a student's education records and an applicant's records at a public postsecondary educational institution.
- Delete language that would have repealed the public records exemption on October 2, 2014.

Section 2.

- Provides and effective date of October 1, 2014.

General Implementation Timeline:

None, the existing public records exemption will continue to be effective after October 1, 2014.

Florida Department of **EDUCATION**

SB 648 Open Government Sunset Review Act/ K-12 education records

(CH. 2014-12, Laws of Florida)

Bill Sponsor: Government Oversight and Accountability Committee and Senator Montford

Effective Date: October 1, 2014

DOE Contact: Matt Carson, General Counsel, (850) 245-0403

Executive Summary:

The bill re-enacts an existing exemption from the public records requirements for K-12 education records, as defined by Family Educational Rights and Privacy Act (FERPA).

Section 1.

Amends s. 1002.221, F.S., K-12 education records; public record exemption

- Continue a public records exemption for a student's education records held by an educational agency, such as a school district, postsecondary institution, and/or the Florida Department of Education.
- Delete language that would have repealed the public records exemption on October 2, 2014.

Section 2.

- Provides and effective date of October 1, 2014.

General Implementation Timeline:

None, the existing public records exemption will continue to be effective after October 1, 2014.

Florida Department of **EDUCATION**

SB 656 Open Government Sunset Review Act/Active Investigations of Testing Impropriety
(CH. 2014-13 Laws of Florida)

Bill Sponsor: Government Oversight and Accountability Committee and Senator Montford

Effective Date: October 1, 2014

DOE Contact: Matt Carson, General Counsel, (850) 245-0442

Executive Summary:

The bill re-enacts an existing exemption from the public records requirements for certain information obtained during a Florida Department of Education (FDOE) investigation of testing impropriety until the conclusion of the investigation.

Section 1.

Amends s.1008.24, F.S, Test administration and security; public records exemption, to:

- Continue a public records exemption for active investigation of testing improprieties conducted by FDOE.
- Delete language that would have repealed the public records exemption on October 2, 2014.

Section 2.

- Provides an effective date of October 1, 2014.

General Implementation Timeline:

None, the existing public records exemption will continue to be effective after October 1, 2014.

Florida Department of **EDUCATION**

SB 674 Background Screening

(CH. 2014-84, Laws of Florida)

Bill Sponsor: Senator Bean

Effective Date: July 1, 2014

DOE Contact: Aleisa Mckinlay, Director, Division of Vocational Rehabilitation, (850) 245-3333

Executive Summary:

The bill strengthens and facilitates the background screening provisions for persons required by law to undergo criminal background screening.

Section 4.

Amends s. 413.208(5), F.S., Service Providers; quality assurance; fitness for responsibilities; background screening, to

- Provide that the background screening requirements of this section for Division of Vocational Rehabilitation (VR) providers of direct care services apply only to registrations entered into or renewed with the division after the Care Provider Background Screening Clearinghouse becomes operational and retains the background screening results in the clearinghouse.

Section 5.

Repeals Section 7 of ch. 2012-73, L.O.F, to:

- Delete the effective date for implementation of the background screening requirements for service providers registering with VR.

Section 6.

Amends s. 435.04, F.S., Level 2 screening standards, to

- Require vendors who submit fingerprints on behalf of employers to provide the first, middle, and last name, social security number, date of birth, mailing address, sex, and race of an applicant.
- Provide that if an applicant cannot legally obtain a social security number, then an individual taxpayer identification number must be provided instead.
- Add s. 777.04, F.S., relating to attempts, solicitation, and conspiracy to commit any offense listed in s. 435.04(2), F.S., to the list of crimes which disqualify any applicant subject to a Level 2 background check from employment.

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Section 7.

Amends s. 435.5(3), F.S., Requirements for covered employees and employers, to:

- Authorize employers to submit a signed attestation rather than an affidavit attesting to compliance with the level 2 background screening requirements.

Section 8.

Amends s. 435.07, F.S., Exemptions from disqualification, to:

- Delete the term “sanction” from s. 435.07, F.S., and revises the conditions an agency head must consider when determining whether to grant an exemption to disqualification from employment.
- Require that all court-ordered fees, fines, or other monetary requirements relating to a disqualifying felony or misdemeanor must be paid in full as a condition of eligibility for an exemption from disqualification of employment.

Section 9.

Amends s. 435.12, F.S., Care Provider Background Screening Clearinghouse, to:

- Relocate the requirement to obtain a photograph of the applicant at the time the fingerprints are submitted to s. 435.12, F.S., which is limited to specified agencies participating in the Clearinghouse.
- Require employers to register with, and initiate all criminal history checks through the Care Provider Background Screening Clearinghouse (Clearinghouse) prior to referring the employee or potential employee to the Department of Law Enforcement for electronic fingerprinting.
- Require that specified identifying information of the person to be fingerprinted be submitted on behalf of all persons to be screened.

Section 10.

- Provides an effective date of July 1, 2014.

General Implementation TimeLine:

VR anticipates being able to start conducting Level 2 background checks by the effective date of the bill.

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HB 773 Pugilistic Exhibitions

(CH. 2014-128, Laws of Florida)

Bill Sponsor: Representative Hutson

Effective Date: July 1, 2014

DOE Contact: Mary Jane Tappen, Executive Vice Chancellor, Division of Public Schools, (850)
245-0509

Executive Summary:

This bill excludes the application of chapter 548 to certain contests or exhibitions conducted by K-12 schools under certain conditions. The full bill can be viewed at <http://www.flsenate.gov/Session/Bill/2014/0773/BillText/er/PDF>.

Section 4.

Amends s. 548.007, F.S., Exemptions, to:

- Exclude chapter 548 from applying to a boxing, kickboxing, or mixed martial arts contest or exhibition that is conducted by K-12 schools if the match is limited to amateurs who are members of a school-sponsored club or team.

General Implementation Timeline:

July 1, 2014 The act becomes effective.

Florida Department of **EDUCATION**

SB 846 Governmental Ethics

(CH. 2014-183, Laws of Florida)

Bill Sponsor: Senator Latvala

Effective Date: July 1, 2014

DOE Contact: Mary Lee Kiracofe, Director Education Foundation (850) 245-9655

Executive Summary:

The bill requires direct-support organizations to adopt a code of ethics containing the minimum standards of conduct and disclosures existing in ss.112.313 F.S. and 112.3143(2), F.S. and to post code of ethics on the direct-support organization's website.

Section 5.

Creates s. 112.3251, F.S., Citizen support and direct-support organizations; standards of conduct, to:

- A citizen support organization or direct support organization (DSO) must adopt its own ethics code pursuant to ss.112.313 F.S. and 112.3143(2), F.S.
- The direct support organization may adopt additional or more stringent standards of conduct and disclosure requirements if those standards of conduct and disclosure requirements do not conflict with this part.
- The ethics code must be conspicuously posted on the direct support organization's website.

General Implementation Timeline:

July 1, 2014 The act becomes effective.

August 1, 2014 Post code of ethics on the direct support organization's website.

Florida Department of **EDUCATION**

SB 850 Education

(CH. 2014-184, Laws of Florida)

Bill Sponsor: Senator Legg

Effective Date: Except as otherwise expressly provided in this act, this act shall take effect upon becoming law.

FDOE Contact: Tanya Cooper, Director of Governmental Relations, (850) 245-0507

Executive Summary:

CS/CS/SB 850 substantially revises educational programs related to:

- Juvenile justice education programs that provide educational services to students, within the Department of Juvenile Justice (DJJ), by revising the accountability, delivery, and review provisions of law.
- The Florida Tax Credit Scholarship Program, by revising student eligibility performance and funding requirements, and establishing more rigorous accountability and transparency standards for scholarship-funding organizations.
- Middle school accountability, by implementing an early warning system for schools to use to identify students in the middle grades who are at-risk of not graduating.
- The Florida College System, by establishing the collegiate high school program.
- Students with disabilities, by repealing the Special Diploma and creating alternative pathways for students with disabilities to earn a standard high school diploma.
 - The bill also establishes the “Florida Personal Learning Account” for students with a disability in kindergarten through 12th grade, to provide funding for certain educational and specialized services.

Section 1.

Amends s. 1001.42, F.S., Powers and duties of district school board, to:

- Add the requirement that schools containing grades 6, 7, and/or 8 include the following “early warning system” information and data in their school improvement plans (SIPs):
 - Information about the system, such as a list of indicators used, the number of students identified as exhibiting two or more indicators, the number of students by grade level that exhibit each indicator, and a description of intervention strategies implemented to improve performance of identified students; and

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- Strategies used by the school to implement the instructional practices for middle grades emphasized by the district's professional development system.
- Define an early warning system as a means to identify students who need additional support to improve academic performance and stay engaged in school. The early warning system for schools containing grades 6, 7, and/or 8 must include, at a minimum, the following indicators:
 - Attendance below 90 percent;
 - One or more suspensions, in school or out of school;
 - Course failure in English language arts or mathematics; and
 - Level 1 score on the statewide, standardized assessments in English language arts or mathematics.
- Require the school's child study team or other school-based team formed for the purpose of implementing the requirements of the early warning system to convene to determine appropriate intervention strategies for student exhibiting two or more early warning indicators. The school must provide students' parents with the opportunity to participate by providing a minimum of 10 days' written notice of such meeting, indicating the meeting's purpose, time, and location.
- Update word choice (i.e., changing "youth" to "student" and "GED tests" to "high school equivalency examinations") and a statutory reference.

Section 2.

Amends s. 1003.02, F.S., District school board operation and control of public K-12 education within the school district, to:

- Require school districts to notify the parent of a student who earns an industry certification that articulates for postsecondary credit of the estimated cost savings to the parent before the student's high school graduation versus the cost of acquiring such certification after graduation. The cost savings would include tuition and fees associated with available postsecondary credits. The student and parent must also be informed of any additional industry certifications available to the student.

Section 3.

Amends s. 1003.42, F.S., Required instruction, to:

- Require the removal of any middle grades course from the Course Code Directory that does not fully integrate all appropriate curricular content required by s. 1003.41, F.S., and allow approval of a new course only if it meets the required curricular content.

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Section 4.

Amends s. 1003.4203 F.S., Digital materials, CAPE Digital Tool certificates, and technical assistance, to:

- Add CAPE Digital Tool certificates and CAPE industry certification for students in prekindergarten through grade 12.
- Identify certifications that may be included for students with disabilities.
- Require student's individual educational plan to identify CAPE Digital Tools certificates and CAPE industry certifications the student seeks to attain before high school graduation.
- Delete the requirement that the Florida Department of Education (FDOE) contract with one or more technology companies or affiliated nonprofit organizations to develop a Florida Cyber Security Recognition and a Florida Digital Arts Recognition, the knowledge and skills to be mastered, and the open access to materials for teaching the content of these certificates.
- Require FDOE to identify CAPE Digital Tools certificates that indicate a student's digital skills by June 15 annually and to notify school districts with the certificates are available.
- Delete the requirement that FDOE contract for the development of a Florida Digital Tools Certificate.
- Require Digital Tools certificates be made available to all public elementary and middle grades students.
- Require the Digital Tools certificates to include word processing, spreadsheets, presentations, including sound, motion, and color presentations; digital arts; cybersecurity and coding consistent with CAPE industry certifications on the CAPE industry certification funding list.
- Add additional full-time equivalent membership for CAPE Digital Tool certificates earned by students pursuant to s. 1001.62(1) (o) 1.a, F.S.
- Delete the requirement for a technology company that provides certificates must provide open access to teaching materials.
- Change Florida Digital Tools Certificate to CAPE Digital Tool certificate.
- Allow CAPE industry certifications issued to middle school and high school students that do not articulate for college credit to be eligible for additional full-time equivalent membership pursuant to s. 1011.62(1) (o) 1.b, F.S.

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- Allow CAPE industry certifications issued to high school students that do articulate for college credit to be eligible for additional full-time equivalent membership pursuant to s. 1011.62(1) (o) 1.b, F.S.
- Create CAPE Innovation courses that must:
 - Combine academic and career content, and performance outcome expectations;
 - Articulate for college credit and be eligible for additional full-time equivalent membership pursuant to s. 1011.62(1) (o) 1.c, F.S.;
 - Incorporate at least two third-party assessments, one of which must be associated with an industry certification that is identified on the Industry Certification Funding Lists; and
 - Approved by the Commissioner of Education (commissioner) and identified in the Course Code Directory as a CAPE Innovation course.
- Create and define CAPE Acceleration to be:
 - Industry certifications that articulate for 15 or more college credit hours;
 - Eligible for additional full-time equivalent membership pursuant to s. 100.62(1) (o) 1.d, F.S., when successfully completed; and
 - Identified on the CAPE Industry Certification Funding List as a CAPE Acceleration Industry Certification.
- Require a grade in a course that is level 3 or above and leads to an industry certification to be weighted the same as an Honors course for the purpose of grade point average calculation.
- Require FDOE to collaborate with Florida educators and school leaders to provide technical assistance in the implementation of this section.
- Allow public schools to provide students access to third-party assessment center and career and professional academy curricula in digital format in support of CAPE Digital Toll certificates and CAPE industry certifications to assist in the establishment of Florida Digital Classrooms.
- Add CAPE Digital Tool and CAPE industry certifications as possible areas to seek partnerships to offer classes and instruction for teachers and students.
- Encourage third-party assessment providers and career and professional academy curricula providers to provide training to staff of FDOE, school district offices, instructional

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staff and other appropriate administrative staff through face-to-face training, online, video conferencing and through conference presentations.

Section 5.

Amends s. 1003.4281, F.S., Early high school graduation, to:

- Remove language regarding unpaid high school credits and the full-time equivalent (FTE) membership value associated with unpaid high school credits. Section 13 of the bill authorizes a district to report additional FTE for a student who graduates early without consideration of the accumulation of unpaid high school credits.

Section 6.

Amends s. 1003.492, F.S., Industry-certified career education programs, to:

- Add return on investment to the student achievement and performance data on industry-certified career education programs and career-themed courses.

Section 7.

Amends s.1003.4935, F.S., Middle grades career and professional academy courses and career-themed courses, to:

- Add CAPE Digital Tool certificates and CAPE industry certifications offered in middle grades that are included on the CAPE Industry Certification Funding List and earned by students are eligible for additional full-time equivalent membership pursuant to s. 1001.62(1) (o) 1.a. and b, F.S.

Section 8.

Amends s. 1003.53, F.S., Dropout prevention and academic intervention, to:

- Allow a student to be identified via a school's early warning system as being eligible to receive services funded through dropout prevention and academic intervention.

Section 9.

Amends s.1006.135, F.S., Hazing at high schools with grades 9-12 prohibited, to:

- Rename the statute "Hazing prohibited at schools with any grades 6-12."
- Prohibit hazing in schools with grades 6-12.
- Amend the definition of hazing to:
 - Remove "recklessly or intentionally" in describing action that endangers the mental or physical health or safety of a student.

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- Add a requirement for school districts to develop a policy prohibiting hazing and establishing consequences for students who commit acts of hazing, which includes the following:
 - A definition of hazing;
 - Report alleged act to local law enforcement;
 - A procedure for reporting hazing, including anonymously;
 - A requirement that a school report certain acts of hazing to local law enforcement;
 - A means of referring victims and perpetrators of hazing to a certified school counselor; and
 - A requirement that incidents of hazing be reported in the school's safety and discipline report otherwise known as School Environmental Safety Incident Reporting (SESIR).
- Specify that criminal penalties apply only to students in grades 9-12.
- Add specificity to language about third degree felony regarding whether the perpetrator knew or should have known the act would result in serious bodily injury or death.
- Add specificity to language about first degree misdemeanors regarding whether the perpetrator knew or should have known the act would create a potential risk of physical injury or death.
- Allow courts to require the defendant to make a public apology to the students and victims at the schools and participate in a school-sponsored anti-hazing campaign.

Section 10.

Creates s. 1007.273, F.S., Collegiate high school program to:

- Require each Florida College System (FCS) institution to work with each district school board in its designated service area to establish one or more CHSP.
- Specify that each CHSP at a minimum must:
 - Include an option for public school students in grade 11 or grade 12 participating in the program, for at least one full school year, to earn CAPE industry certifications; and
 - Allow for successful completion of 30 credit hours through the dual enrollment program toward the first year of college for an associate degree or baccalaureate degree.

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- Require each district school board and its local FCS institution to execute a contract to establish one or more CHSPs at a mutually agreed upon location or locations.
 - Beginning with the 2015-2016 school year, if the FCS institution does not establish a program with a district school board in its designated service area, another FCS institution may execute a contract with that school district board to establish the program.
 - The contract must be executed by January 1 of each school year for implementation during the next school year.
 - Each contract must:
 - Identify the grade levels to be included in the CHSP, which at a minimum must include grade 12;
 - Describe the CHSP, including delineation of courses and industry certifications offered, including online course availability, the high school credits, college credits, and industry certifications earned, student eligibility criteria, and the enrollment process and relevant deadlines;
 - Describe the methods, medium, and process by which students and their parents are annually informed about the availability of the CHSP, the return on investment association with participation in the program, and the information described above;
 - Identify the delivery methods for instruction and the instructors for all courses;
 - Identify student advising services and progress monitoring mechanisms;
 - Establish a program review and reporting mechanism regarding student performance outcomes; and
 - Describe the terms of funding arrangements to implement the CHSP.
- Require each student participating in a CHSP to enter into a student performance contract which must be signed by the student, parents, and a representative of the school district and the applicable FCS institution, state university, or other institution participating. This contract must include the schedule of courses by semester, industry certifications to be taken by the student, student attendance requirements, and course grade requirements.
- Allow a district school board to execute a contract to establish a CHSP with a state university or an institution that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, that is a nonprofit independent college or university

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located and chartered in this state, and that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees.

- Provide for the CHSP to be funded pursuant to ss. 1007.271 (dual enrollment) and 1011.62 (school districts). This section will be enforced by withholding funds for school districts and FCS institutions in accordance with s. 1008.32 (State Board of Education (SBE) oversight enforcement authority).

Section 11.

Amends s. 1008.345, F.S., Implementation of state system of school improvement and education accountability, to:

- Update a statutory reference caused by the addition of a paragraph in s. 1001.42(18), F.S.

Section 12.

Amends s. 1008.44, F.S., CAPE Industry Certification Funding List and CAPE Postsecondary Industry Certification Funding List, to:

- Rename the "Industry Certification Funding List" as the "CAPE Industry Certification Funding List."
- Rename the "Postsecondary Industry Certification Funding List" as the "CAPE Postsecondary Industry Certification Funding List."
- Authorize the following for inclusion on the CAPE Industry Certification Funding List as adopted by SBE
 - CAPE Industry Certifications.
 - CAPE Digital Tools Certificates:
 - Up 15 certifications in the following areas: word processing; spreadsheets; sound, motion, and color presentations; digital arts; cybersecurity; coding;
 - These certifications do not articulate for college credit; and
 - Made available for students in elementary and middle grades.
 - CAPE ESE Digital Tools Certificates, workplace industry certifications, OSHA industry certifications for students with disabilities:
 - Identified by the Chancellor of Career and Adult Education for students with disabilities.
 - CAPE Innovation Courses:
 - Defined as courses that combine academic and career performance outcomes with embedded industry certifications; and
 - Shall be annually approved by the commissioner.
 - CAPE Acceleration Industry Certifications:
 - Certifications that articulate for 15 or more college credit hours.

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- Specify that the CAPE industry certifications and the CAPE Digital Tool certificates must include the version of the certifications and certificates available at the time of adoption.
- Subsequent updates to certifications are included without further review or adoption
- Authorize the commissioner to limit CAPE Industry Certifications and CAPE Digital Tools certificates to students in certain grades based upon formal recommendations by providers of the certifications.
- Require recommendations to the Articulation Coordinating Committee for articulation of postsecondary credit for related degrees within 90 days of SBE approval for the Industry Certification Funding List

Section 13.

Amends s. 1011.62, F.S., Funds for operation of schools, to:

- Allow for funding of certifications earned by elementary, middle, and high school students.
- Create the following funding categories and funding weights in the Florida Education Finance Program (FEFP):
 - CAPE Digital Tools Certificates:
 - 0.025 Full-Time Equivalent (FTE) per certificate earned by students in elementary and middle school grades.
 - CAPE Industry Certifications:
 - 0.2 FTE for certifications with statewide articulation agreements; and
 - 0.1 FTE for certifications without statewide articulation agreements.
 - CAPE Innovation Courses:
 - 0.3 FTE for student completion of the courses and the embedded certifications.
 - CAPE Acceleration Industry Certifications:
 - 0.5 FTE for certifications that articulate for 15 to 29 college credit hours; and
 - 1.0 FTE for certifications that articulate for 30 or more college credit hours.
- Create a cap of 0.1 for elementary and middle grades students for certificates and certifications earned within a fiscal year.
- Remove the funding limitation of \$60 million annually.
- Expand for teachers, bonuses of \$50 for each student earning a certification with a weight of 0.2, 0.3, 0.5, and 1.0.

Section 14.

Amends s. 1012.98, F.S., School Community Professional Development Act, to:

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- Provide requirements relating to professional development for middle grades educators, including inservice plans and instructional strategies in the school improvement plan.
- Specify the activities designated in this statute must provide middle grades instructional personnel and school administrators with the knowledge, skills, and best practices necessary to support classroom excellence.
- Require the web-based statewide performance support system, subject to appropriation, include for middle grades, materials related to classroom instruction, integrated digital instruction and competency-based instructions, classroom management, student behavior and interaction, extended learning opportunities for students, instructional leadership, Career and Professional Education (CAPE) Digital Tool certificates and CAPE industry certifications.
- Require each district inservice plan provides a description of the training that middle grades instructional personnel and school administrators receive on the district's code of student conduct, including an emphasis on:
 - Interdisciplinary planning, collaboration, and instruction;
 - Alignment of curriculum and instructional materials to the state academic standards adopted pursuant to s. 1003.41, F.S.; and
 - Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.
- Specify the school improvement plans for each school that includes grades 6, 7, or 8 must contain a description of the specific strategies used by the school to implement each of the items outlined in this bill for this statute.
- Require FDOE to disseminate, using web-based technology, professional development in the use of integrated digital instruction at schools that include middle grades. The development must provide training and materials that districts can use to build knowledge, skills, and strategies for their instructional personnel to blend digital instruction into their curricula. Emphasis must be placed on online learning and research techniques, reading instruction, the use of digital devices to supplement the delivery of curricular content to students, and digital device management and security.

Section 15.

Amends s. 11.45, F.S., Definitions; duties; authorities; reports; rules, to:

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- Require the Auditor General to conduct annual operational audits of eligible nonprofit scholarship-funding organizations receiving eligible contributions under s. 1002.395, F.S., including contracts for services, to determine compliance with that section;
- Specify that audits shall include, but not be limited to compliance with s. 1002.395(6)(j), F.S.
- Require the Auditor General to provide copies of the report on the results of the audits to the Governor, President of the Senate, Speaker of the House of Representatives, Chief Financial Officer, and the Legislative Auditing Committee within 30 days of completion.
- Extend authority of the Auditor General to include audits of accounts and records of a nonprofit scholarship-funding organization participating in a scholarship program authorized under ch. 1002, F.S.
- Include s. 1002.395, F.S., in the requirement for the Auditor General to adopt rules for the form and conduct of audits performed by independent certified public accountants.

Section 16.

Creates s. 1002.385, F.S., Florida personal learning scholarship accounts, to:

- Establish the Florida Personal Learning Scholarship Accounts Program to provide the option for a parent to better meet the individual educational needs of his or her eligible child.
- Provide the following definitions as they relate to the Florida Personal Learning Scholarship:
 - "Approved provider" means a provider who has been approved by the Agency for Persons with Disabilities, a health care practitioner pursuant to s. 456.001(4), or a provider approved by the department pursuant to s. 1002.66, F.S.
 - "Curriculum" means a complete course of study for a particular content area or grade-level, which includes any required supplemental materials.
 - "Department" means the FDOE.
 - "Disability" means, for a student in kindergarten to grade 12, any of the following:
 - Autism, as defined in s. 393.069(3);
 - Cerebral Palsy, as defined in 393.063 (4);
 - Down Syndrome, as defined in s.393.063 (13);
 - Intellectual Disability, as defined in s.393.063 (21);

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- Prader-Willi syndrome, as defined in s. 393.063 (25);
- Spina bifida, as defined in s. 393.063 (36);
- For a student in kindergarten, being a high-risk child, as defined in 393.063 (20); and
- Williams Syndrome.
- “Eligible nonprofit scholarship-funding organization” as defined in 1002.395.
- “Eligible postsecondary institution” means any of the following:
 - FCS institution;
 - State university;
 - School district technical center;
 - School district adult general education center; or
 - An accredited nonpublic postsecondary educational institution, as defined in s. 1005.02, that is licensed to operate in the state pursuant to requirements specified in part III of chapter 1005.
- “Eligible private school” means a private school, pursuant to s. 1002.01, that is located in Florida and offers an education to students in any grade from kindergarten to grade 12.
- “IEP” means an individual education plan.
- “Parent” means a resident of this state who is a parent, as defined in s. 1002.21, F.S.
- “Program” means the Florida Personal Learning Scholarship Accounts Program.
- Set requirements for student eligibility in the Florida Personal Learning Scholarship Accounts Program, including:
 - The parent is a resident of Florida;
 - The student is eligible to be enrolled in kindergarten through grade 12, in a public school in Florida;
 - Has an eligible disability listed above;
 - Subject of an IEP or diagnosed with an eligible disability; and
 - The parent applies to an eligible nonprofit scholarship funding organization.
- Establish program prohibitions, including:

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- Enrollment in public school;
- Enrollment in school operating for Department of Juvenile Justice services;
- A student is receiving another scholarship under s. 1002.395, or 1002.39, F.S.;
- A student is receiving any other scholarship pursuant to ch. 1002, F.S.;
- The parent has received payment, refund, or rebate from a provider;
- Student participation has been denied or revoked by the Commissioner of Education; or
- The parent has forfeited participation for failure to comply with requirements.
- Establish authorized uses of program funds, including:
 - Instructional materials, including digital devices;
 - Curriculum;
 - Specialized services by approved providers selected by the parent;
 - Enrollment in an eligible private school;
 - Fees for assessments;
 - Postsecondary education;
 - Private Tutoring;
 - Contributions to the Stanley G. Tate Florida Prepaid College Program; and
 - Contracted services by a public school or district.
- Include a prohibition on sharing of fees and funds with parents.
- Establish the term of the scholarship as:
 - Until a student returns to public school;
 - Graduates from high school, or attains 22 years of age, whichever comes first;
 - Participates in any prohibited activities; or
 - Has funds revoked by the Commissioner of Education.
- Establish the school district's obligations and parental options, including:
 - Requirement for a district to complete a matrix of services upon parent request;
 - Provide for state assessments to students, upon parent request; and
 - Notify parents concerning availability of reevaluation every 3 years.

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- Establish private school eligibility and obligations, including:
 - Compliance with s. 1002.421, F.S.;
 - Providing requested documentation to an eligible nonprofit scholarship-funding organization;
 - Academic accountability to parent;
 - Including, at minimum an annual progress report;
 - Administering a nationally norm reference test or state assessment; or
 - Cooperating with a student to take state assessment at a district location;
 - Utilize teachers with regular and direct contact with participating students at the school's physical location;
 - Contract with independent certified public accountant for agreed-upon procedures report if the private school receives more than \$250,000 in funds from this scholarship program in the 2014-2015 state fiscal year or a state fiscal year thereafter; and
 - Provide that a private school that does not comply is ineligible to participate.
- Establish FDOE's obligations, including:
 - Maintaining a list of approved providers;
 - Requiring eligible nonprofit scholarship-funding organizations to verify eligible expenditures before the distribution of funds;
 - Investigate any written complaint according to the process in s. 1002.395(9), F.S.;
 - Require quarterly reports by an eligible scholarship-funding organization regarding number of participating students, providers of services, and other information deemed necessary; and
 - Compare student participation with public school enrollment to avoid duplicate payments;
- Establish the commissioner 's authority and obligations, including:
 - Denial, suspension, or revocation of student participation if health, safety, welfare of the student is threatened, or fraud is suspected;
 - Denial, suspension, or revocation of an authorized use of program funds if health, safety, welfare of the student is threatened, or fraud is suspected;

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- Denial, suspension, or revocation of an authorized use of program funds for material failure to comply with program requirements;
- Requirement of compliance by date certain for all nonmaterial failures to comply; and
- In determining whether to deny or revoke participation, may consider factors including, but not limited to: acts or omissions leading to previous denial or revocation of participation in an education scholarship program; failure to reimburse the eligible nonprofit scholarship-funding organization for improperly received funds; imposition of prior criminal sanctions of officers or employees; imposition of civil or administrative fine; license revocation; suspension or termination from program participation related to management or operation; or other types of criminal proceedings where officers were found guilty of offense involving fraud, deceit, dishonesty, or moral turpitude.
- Establish parent and student responsibilities, including:
 - A process for initial and subsequent determination of funding based on a matrix of services;
 - Requirement for application to an eligible nonprofit scholarship-funding organization, including affirmations of participation and compliance, authorized use of funds, annual renewal, participation in assessments under the private school option, and maintaining a portfolio;
 - Being responsible for procuring educational services for the student;
 - Including a statement that the district is not obligated to provide a free appropriate public education; and
 - Requiring a parent to be responsible for payments in excess of scholarship funding amounts.
- Provide for the administration of Personal Learning Scholarship Accounts by eligible nonprofit scholarship-funding organizations, including:
 - Receiving applications and determining student eligibility by March 1 before the school year in which the student wishes to participate;
 - Providing notification of scholarships to parents on a first come, first served basis;
 - Establishing a date and process to accommodate wait list or late filed applications;
 - Establishing and maintaining separate accounts for each eligible student;
 - Verifying qualifying expenditures; and

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- Returning any unused funds to FDOE when a student is no longer eligible.
- Establish funding and payment, including:
 - Maximum funding calculation is determined by base allocation, cost factor, and district differential, in addition to exceptional student allocation based on matrix of services;
 - Amount awarded shall be 90 percent of calculated amount.
 - Account shall be closed, with funds reverting to the state, upon graduation from eligible postsecondary institution or after any period of 4 consecutive years after high school graduation in which the student is not enrolled in an eligible postsecondary institution.
 - Requiring the eligible nonprofit scholarship-funding organization to develop an electronic payment system, with requirement for competitive solicitation or state term contract; and
 - Establish that moneys received from this scholarship do not constitute taxable income to the parent of the qualified student.
- Specify requirements related to the Auditor General, including:
 - An annual financial and operational audit of accounts and records of each participating eligible nonprofit scholarship-funding organization;
 - Requiring at a minimum total amount of students served and eligibility of reimbursements made by each eligible nonprofit scholarship funding organization; and
 - Requiring transmission of the information in the audit report to FDOE and notification of compliance failure.
- Specify obligations of approved providers, including:
 - Cooperation between Department of Health, Agency for Persons with Disabilities, and FDOE regarding the compilation of a listing of approved providers.
- Limit the state's liability for use of scholarship funds.
- Limit the scope of authority of the state over private institutions and providers.
- Require the SBE to adopt rules to administer program.
- Provide an implementation schedule for the 2014-2015 school year, for which an eligible nonprofit scholarship-funding organization may allow parents to enroll on a rolling

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schedule, on a first come, first served basis within the amount of funds provided in the General Appropriations Act.

Section 17.

Amends s. 1002.395, F.S., Florida Tax Credit Scholarship Program, to:

- Specify that the purpose of the section is not to prescribe standards or curriculum for private schools, and that private schools retain the authority to determine standards and curriculum.
- Include state universities, and certain accredited independent not for profit colleges or universities eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program to be eligible nonprofit scholarship-funding organizations.
- Define household income to align with the definition of income for the National School Lunch Program.
- Re-designate ss. 1002.395,(h) through (j), F.S., as ss. 1002.395(i) through (k), F.S.
 - Provide that for the 2014-15 and 2015-16 school years and thereafter, remove the prior public school enrollment requirement for grades 6 through 12, thereby removing the requirement for all grades; and
 - Include placement in out-of-home care as a means to become eligible, in addition to placement in foster care.
- Remove eligibility for siblings who are first time recipients in families whose income does not exceed 230 percent of the federal poverty level.
- Provide that beginning with the 2016-17 school year, establish eligibility based on: household income level not in excess of 185 percent of federal poverty level; placement in foster care or out-of-home care; or, household income level greater than 185 percent of the federal poverty level, but not in excess of 260 percent of the federal poverty level.
 - Establish that continued eligibility until graduation from high school, or turning 21 years of age, for participating students in foster care or out-of-home care is not contingent on household income level.
- Include FDOE and Department of Revenue website notification requirements related to tax credit caps.
- Set requirements for notification of approved application for eligible nonprofit scholarship-funding organizations.
- Establish requirements for the conveyance, transfer, or assignment of tax credits.

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- Establish criteria for calculating underpayment, penalty, or interest requirements.
- Clarify and extend background check requirements for owners or operators of nonprofit scholarship-funding organizations.
- Require first priority for student eligibility be given to students participating from the prior year.
- Provide that beginning in the 2016-2017 school year, require priority be given to new applicants whose household income does not exceed 185 percent of the federal poverty level, or who are in foster care or out-of-home care.
- Require that students in foster care or out-of-home care must be allowed to apply for a scholarship at any time.
- Re-designates ss. 1002.395(6)(h) through (n), F.S., as ss. 1002.395(6)(i) through (o), F.S.
- Prohibit funds authorized under this section to be used for lobbying or political activities or expenses related to lobbying or political activities.
- Require immediate refund of application fee to a parent whose child is not enrolled in a participating school within twelve months.
- Require that a nonprofit scholarship-funding organization must maintain a surety bond or letter of credit.
- Allow that the amount of the surety bond or letter of credit may be adjusted quarterly.
- Waive requirement for a surety bond or letter of credit if cost exceeds the average 10-year cost of acquiring a surety bond or letter of credit by 200 percent, and waive the surety bond or letter of credit for state universities and eligible independent colleges or universities.
- Require a participating eligible nonprofit scholarship-funding organization to provide to the Auditor General any requested documentation in connection with an operational audit.
- Require a parent to authorize the nonprofit scholarship-funding organization to access income information from other states and federal agencies, including the Department of Revenue, Department of Children and Families, FDOE, Department of Economic Opportunity, and the Agency for Health Care Administration.
- Require private schools to report assessment scores for participating students to the Learning System Institute.
- Require FDOE to issue a program grant award to the Learning System Institute at the Florida State University for reporting of assessment scores for participating students.

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- Require a project term of 2 years, with a maximum award amount of up to \$500,000 per year.
- Require the Learning System Institute to report on student performance for students participating in the scholarship program including, to the extent possible, comparisons with public school students, and information for individual schools.
- Set requirements for protection of student information.
- Establish that, beginning with the 2016-17 school year, the scholarship amount shall be 82 percent of the unweighted FTE funding amount for that fiscal year and thereafter.
- Establish that, beginning with the 2016-17 school year and thereafter, the annual limit for the scholarship amount shall be reduced by:
 - Twelve percent if the student's household income level is greater than or equal to 200 percent, but less than 215 percent, of the federal poverty level;
 - Twenty-six percent if the student's household income level is greater than or equal to 215 percent, but less than 230 percent, of the federal poverty level;
 - Forty percent if the student's household income level is greater than or equal to 230 percent, but less than 245 percent, of the federal poverty level; and
 - Fifty percent if the student's household income level is greater than or equal to 245 percent, but less than or equal to 260 percent, of the federal poverty level;
- Establish September 1 deadline for applications for new and renewing nonprofit scholarship-funding organizations.
- Establish application requirements for submission of corporate, financial, tax, and business plan, and operational policies documentation by nonprofit scholarship-funding organizations.
- Establish a process for review of application by FDOE, and referral to the SBE for approval or denial.
- Establish a process for reversion of funds to the Department of Revenue for redistribution in the event of a denial of continued participation.
- Waive the requirement for approval for state universities or eligible independent colleges or universities, requiring only notification.
- Require SBE to adopt rules related to the application process.

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Section 18.

Requires a nonprofit scholarship-funding organization whose application for participation was approved before July 1, 2014, must, by August 1, 2014, provide a surety bond or letter of credit meeting the requirements of s. 1002.395(16), F.S., to the Office of Independent Education and Parental Choice.

Section 19.

Repeals s. 1003.438, F.S., Special high school graduation requirements for certain exceptional students, effective July 1, 2015.

Section 20.

Creates s. 1003.5716, F.S., Transition to postsecondary education and career opportunities, to:

- State all students with disabilities, ages 3–21, have a right to free appropriate public education (FAPE).
- Ensure the student's postsecondary or career goals are identified and in place by the time the student turns 16 years old. The individual education plan (IEP) team must ensure quality planning and begin developing the IEP to identify transition services to postsecondary or career goals by the time the student is 14 years old. The process must include:
 - Consideration of the student's need for instruction in self-determination and self-advocacy for the student to actively participate in the IEP meeting; and
 - Preparation of the student to graduate with a standard high school diploma with a Scholar designation unless parent selects a Merit designation.
- Ensure the first IEP that is in effect when the student turns 16 years old, or before if determined appropriate by the parent or IEP team, includes the following statements to be updated annually:
 - A statement of intent to pursue a standard high school diploma with a Scholar or Merit designation, as determined by the parent;
 - A statement of intent to receive a standard high school diploma by the age of 22 and a description of how the student will meet the graduation requirements, including a portfolio;
 - A statement specifying the outcomes and additional benefits expected by the parents and IEP team at the time of the student's graduation;
 - A statement of appropriate measurable long-term postsecondary education and career goals based on appropriate transition assessments related to training,

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education, employment, independent living skills, if appropriate, and transition services, including course of study needed to reach their goals; and

- Any change in the IEP goals related to transition must be approved by the parent and is subject to verification of appropriateness by an independent reviewer selected by the parent as provided in s. 1003.572, F.S.
- If a participating agency (other than the school district) responsible for providing transition services fails to provide such services described in the IEP, the IEP team shall convene to identify alternative strategies to meet the transition objects specified in the IEP for the student. This does not alleviate the responsibility of the participating agency to pay for the transition service that the agency would otherwise provide.

Section 21.

Amends s. 1003.572, F.S., Collaboration of public and private instructional personnel to:

- State the school district may not impose any requirements beyond those requirements specified in the law or charge any fees.

Section 22.

Amends s. 1008.25, F.S., Public school student progression; remedial instruction; reporting requirements, to:

- Add to the criteria for the third grade portfolio to provide evidence required for a student to demonstrate mastery of Florida's English Language Arts Standards.
- Add that a parent of a third grade student at risk may request the school to immediately begin the collecting of evidence for the portfolio.
- Provide students promoted to grade 4 with good cause intensive reading instruction and intervention that includes specialized diagnostic information and strategies to meet the individual needs of each student.
- Require school districts to assist schools and teachers with the implementation of reading strategies for students promoted through good cause. The strategies must have research to show their success in improving reading among students with reading difficulties.
- Add a good cause exemption for students who have received intensive reading intervention for two or more years and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of two years. Such students may not be retained in grade 3 more than once.

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Section 23.

Requires the Florida Prepaid College Board to conduct a study and submit a report by December 31, 2014, to the President of the Senate and Speaker of the House of Representatives, which will include:

- The terms and conditions for payment withdrawal for the Florida Prepaid College Trust Fund for program fees in excess of tuition for a student with a disability;
- A policy for accelerated disbursement of funds for payment of other qualified higher education expenses; and
- Instances where a student with a disability can use an advanced payment contract when auditing a class or using a tuition waiver.

Section 24.

Amends s. 120.81, F.S., Exceptions and special requirements; general areas, to:

- Delete reference to s. 1003.438, F.S., Special high school graduation requirements for certain exceptional students, effective July 1, 2015.

Section 25.

Amends s. 409.1451, F.S., The Road-to-Independence Program, to:

- Delete reference to s. 1003.438, F.S., Special high school graduation requirements for certain exceptional students, effective July 1, 2015.

Section 26.

Amends s. 1007.263, F.S., Florida College System institutions; admissions of students, to:

- Delete reference to s. 1003.438, F.S., Special high school graduation requirements for certain exceptional students, effective July 1, 2015.

Section 27.

Clarifies a student with a disability, as defined in s. 1003.438, F.S., *Special high school graduation requirements for certain exceptional students*, currently participating in the Road to Independence Program shall continue to participate in the program, as long as they meet the eligibility criteria.

Section 28.

Clarifies that a student with a disability, whose IEP as of the effective date of the act states the student is to receive a special diploma, as defined in s. 1003.438, F.S., shall be awarded a special diploma once criteria has been met by the student.

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Section 29.

Amends s. 985.622, F.S., Multiagency plan for career and professional education (CAPE), to:

- Change youth to students;
- Change vocational education to career and professional education;
- Change commitment facilities to juvenile justice education programs;
- Add requirement for the multiagency plan for CAPE to be reviewed annually and revised as appropriate;
- Require the CAPE plan to include provisions for eliminating barriers to increasing occupation-specific job training and high school equivalency examination preparation opportunities;
- Eliminate vocational programming types A, B, and C and replace with CAPE programming types 1, 2, and 3;
- Add language that requires the multiagency plan for CAPE to evaluate the effect of students' mobility between juvenile justice education programs and school districts on the students' educational outcomes and whether the continuity of the students' education can be better addressed through virtual education;
- Change deadline for alignment of DJJ and FDOE policies, practices, technical manuals, contracts, quality-assurance standards, performance-based-budgeting measures, and outcome measures with the plan in juvenile justice education programs from July 31, 2001 to July 31, 2015;
- Require a report on the implementation of this section to the Governor, the President of the Senate, and the Speaker of the House of Representatives by August 31, 2015, instead of August 31, 2001;
- Change deadline from January 1, 2002 to January 1, 2015 for all provider contracts executed by the DJJ or school districts to be aligned with the plan;
- Require the planning and execution of quality assurance reviews conducted by the FDOE or DJJ be aligned to the plan after August 1, 2015, instead of 2002; and
- Change date for outcome measures reported by the FDOE or DJJ to include outcome measures that conform to the plan for students released on or after January 1, 2016.

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Section 30.

Amends s.1001.31, F.S., Scope of district system, to:

- Change youth to students; and
- Remove the limitation of 50 or more beds or slots in juvenile justice facilities for which a district school system shall provide instructional personnel with access to the district school system database.

Section 31.

Amends s.1003.51, F.S., Other public educational services, to:

- Change the Department of Children and Family Services to the Department of Children and Families.
- Change youth to students.
- Indicate instead of an administrative rule, SBE will adopt rules, articulating expectations for effective education programs for students in DJJ programs.
- Require that rules will be adopted for juvenile justice prevention, day treatment, residential, and detention programs instead of juvenile justice commitment and detention facilities.
- Require that the rule shall establish policies, instead of articulate policies, for students in DJJ programs.
- Add to other requirements, the rule shall include the responsibilities of Workforce Florida, Inc., career expectations, and education transition planning and services.
- Clarify that the assessment procedure within the rule shall be for prevention, day treatment, and residential programs.
- Clarify that assessments would be chosen by FDOE in partnership with representatives from DJJ, district school boards, and education providers (not any provider).
- Indicate that the completion of assessments must be completed in the first 10 days after a student enters the program.
- Add that the areas of academic need and strategies for appropriate intervention and instruction for each student in a detention facility must be determined within five days after a student enters the program and a research-based assessment that will assist in determining educational and career options and goals must be administered within 22 school days after a student enters the program.

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- Delete language that required district school boards to be responsible for the completion of the assessment process.
- Delete language that required assessments for students in detention who will move on to commitment facilities that were to be designed to create the foundation for developing the student's education program in the assigned facility.
- Delete language that required assessments of students sent directly to commitment facilities to be completed within the first 10 school days of commitment.
- Require that the SBE rule will outline the recommended instructional programs for students in DJJ programs to include, in addition to the already existing language of job preparation: a. secondary education, b. high school equivalency examination preparation, c. postsecondary education, and career and professional education, and d. virtual education that provides competency-based instruction that addresses the unique academic needs of the student through delivery by an entity accredited by AdvanceED or the Southern Association of Colleges and Schools; confers certifications and diplomas; issues credit that articulates with and transcripts that are recognized by secondary schools; and allows the student to continue to access and progress through the program once the student leaves the juvenile justice system.
- Include the requirement for the SBE rule to outline qualifications for instructors of CAPE courses.
- Address the roles and responsibilities of personnel in the DJJ program and school district where the student will reenter, in addition to provider organizations and DJJ, for transition services.
- Require the rule to address procedures and timeframe for transfer of education records when a student enters and leaves a DJJ education program, not the facility, as was in the past.
- Change the requirement for each district school board to maintain an academic transcript for each student enrolled in a juvenile justice education program, instead of juvenile justice facility.
- Require that each district school board make available and transmit a copy of a student's transcript in the discharge packet when the student exits a juvenile justice program instead of facility, as in the past.
- Indicate that SBE rules shall outline performance expectations for providers and district school boards, to include student performance measures by type of program, education

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program performance ratings, school improvement, and corrective action plans for low-performing programs.

- Eliminate language that performance expectations for providers and district school boards would include the provision of a progress monitoring plan as required in s. 1008.25, F.S.
- Require the rule to outline a series of graduated sanctions for district school boards whose educational programs in DJJ programs, no longer facilities, are considered unsatisfactory and will now provide an option of requiring the district school board to contract with a provider or another district school board if the educational program at the DJJ program is performing below minimum standards.
- Delete language that referred to the facility failing a quality assurance review.
- Include additional language that requires curriculum, guidance counseling, transition, and education services expectations, including curriculum flexibility for detention centers operated by the DJJ be addressed in rule.
- Require the FDOE in partnership with the DJJ, district school boards, and providers to develop and implement requirements for contracts and cooperative agreements regarding the delivery of appropriate education services to students in DJJ education programs.
- Delete language that required model contracts to be maintained.
- Outline minimum contract requirements to include, but not limited to, payment structure and amounts; access to district services; contract management provisions; data reporting requirements, including reporting of full-time equivalent student membership; administration of federal programs such as Title I, exceptional student education, and the Carl D. Perkins Career and Technical Education Act of 2006.
- Delete language that required FDOE to ensure that appropriate district school board personnel were trained and held accountable for the management and monitoring of contracts for educational programs for youth in juvenile justice residential and nonresidential facilities.
- Include the requirement for FDOE in partnership with the DJJ, district school boards, and providers to develop and implement procedures for transitioning students into and out of DJJ education programs; in place of former language which required maintaining model procedures for these students.
- Add additional language to require the development of procedures for securing the student's records.

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- Delete language that stated the requirements shall reflect the policy and standards adopted pursuant to subsection (2).
- Add additional items to be included in students' education records: a copy of the student's individualized progress monitoring plan, transition plan, and industry certification earned, when age appropriate.
- Require the FDOE in partnership with the DJJ, district school boards, and providers to establish (no longer maintain model procedures) the roles and responsibilities of the juvenile probation officer and others involved in the withdrawal of the student from the school and assignment to a juvenile justice education program.
- Delete language that required district school boards to respond to requests for student education records received from another district school board or juvenile justice facility within five working days after receiving the request.
- Change the responsibility from FDOE to each district school board to notify students in juvenile justice education programs (no longer residential or nonresidential facilities) who attain the age of 16 years of the law concerning compulsory school attendance and make available the option of enrolling in an education program to attain a Florida high school diploma by taking the high school equivalency examination before release from the program.
- Require FDOE to assist juvenile justice education programs with becoming high school equivalency examination centers.
- Delete language referencing students taking the General Educational Development (GED) test, GED fees, and GED testing centers.
- Include language to require each district school board to respond to requests for student education records received from another district school board or a juvenile justice education program within five working days after receiving the request.
- Require each district school board to provide access to courses offered pursuant to ss. 1002.37, 1002.45, and 1003.498, F.S., allowing school districts and providers to enter into cooperative agreements for the provision of curriculum associated with courses offered pursuant to s. 1003.498, F.S., to enable providers to offer such courses.
- Require each district school board to complete the assessment process required by subsection (2).
- Add language to ensure each district school board will monitor compliance with contracts for education programs for students in juvenile justice prevention, day treatment, residential, and detention programs.

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- Add that FDOE shall establish and operate, either directly or indirectly through a contract, a mechanism to provide accountability measures that annually assesses and evaluates all juvenile justice education programs using student performance data and program performance ratings by type of program, deleting the reference to quality assurance reviews.
- Clarify that FDOE shall provide technical assistance and related research to district school boards and juvenile justice education providers.
- Delete requirement for FDOE to provide how to establish, develop, and operate educational programs that exceed the minimum quality assurance standards. and
- Require FDOE, with input from the DJJ, school districts, and educational providers, to develop annual recommendations for system and school improvement.

Section 32.

Amends s.1003.52, F.S., Educational services in Department of Juvenile Justice programs, to:

- Change youth to students.
- Change GED to high school equivalency examination.
- Clarify that juvenile justice programs in this section refer to juvenile justice education programs.
- Delete narrative that the Legislature finds education to be the most important factor in the rehabilitation of youth in DJJ and it is their goal to allow them to have the opportunity to obtain a high quality education.
- Add that the FDOE and DJJ coordinators for juvenile justice education programs will provide each department's participation in training, collaborating, and coordinating with regional workforce boards, and local youth councils, in addition to the district school boards, educational contract providers, and juvenile justice providers, whether state operated or contracted, that were in prior language.
- Add that the FDOE and DJJ coordinators for juvenile justice education programs will collect information on the CAPE and transition performance of students, in addition to the collection of academic performance information that was already included.
- Clarify that the FDOE and DJJ coordinators for juvenile justice education programs will develop academic and CAPE protocols for juvenile justice education providers, in addition to the district school boards.

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- Require the FDOE and DJJ coordinators to implement a joint accountability, program performance, and program improvement process; eliminating language that required the prescribing of roles of program personnel and interdepartmental district school board or provider collaboration strategies.
- Outline the inclusion of, at a minimum, each agency's role regarding educational program accountability, technical assistance, training, and coordination of services in the cooperative agreement between the DJJ and FDOE.
- Change the language to require the district school board of the county in which the juvenile justice education prevention, day treatment, residential, or detention program is located to provide a contract for appropriate educational assessments and an appropriate program of instruction and special education services; previous language required residential or nonresidential care facilities or juvenile assessment facilities to provide this without a contract.
- Add the juvenile justice education providers as assisting FDOE and school districts in the selection of a common student assessment instrument and protocol for measuring student learning gains and student progression while a student is in a juvenile justice education program.
- Require FDOE and DJJ to jointly review the effectiveness of this assessment and implement changes as necessary.
- Delete outdated timeframes of October 1, 2004 and January 1, 2005.
- Revise language to require school programming in juvenile justice detention, prevention, day treatment, and residential programs (eliminating language referring to residential commitment and rehabilitation programs).
- Refer to courses offered pursuant to ss. 1002.37, 1002.45, and 1003.498, F.S., instead of referring to only Florida Virtual School courses.
- Clarify the educational program shall provide instruction based on each student's individualized transition plan, assessed educational needs, and the education programs available in the school district in which the student will return; it may consist of remedial courses, courses required for grade advancement, CAPE courses, high school equivalency examination preparation, or exceptional student education curricula and related services.
- Require prevention and day treatment juvenile justice education programs, at a minimum, to provide career readiness and exploration opportunities as well as truancy and dropout prevention intervention services; residential juvenile justice education programs with a

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contracted minimum stay of nine months shall provide CAPE courses that lead to preapprentice certifications and industry certifications; programs with a contracted stay of less than nine months may provide career education courses that lead to preapprentice certifications and CAPE industry certifications; if the duration of the program is less than 40 days, the educational component may be limited to tutorial remediation activities, career employability skills instruction, education counseling, and transition services that prepare students for a return to school, the community, and their home settings based on the students' needs.

- Change career or technical education to CAPE.
- Require an individualized progress monitoring plan for all students not classified as exceptional education students upon entry in a juvenile justice education program and upon reentry in the school district.
- Delete language that required progress monitoring plans for students who score below a specified level in the district school board policy in reading, writing, and mathematics or below the level specified by the commissioner.
- Require these plans to include career and technical skills in addition to academic, literacy, and remediation; delete the inclusion of life skills.
- Revise the requirement to make provisions for high school level students to earn credits toward high school graduation while in residential and nonresidential juvenile justice education programs to be the responsibility of the district school board, without FDOE's ensuring it to be so.
- Include the requirement for school districts and juvenile justice education providers to develop individualized transition plans during a student's stay to coordinate academic, career and technical, and secondary and postsecondary services that assist the student in successful community reintegration upon release. DJJ, juvenile justice education program, reentry, and school district personnel, with the student and student's family will collaborate to develop this plan.
- Outline transition planning which must begin upon student's placement and include:
 - services and interventions that address the student's assessed educational needs and post release education plans;
 - services to be provided during stay and implemented upon release; and
 - monitoring responsibilities to determine the individualized transition plan is being implemented

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- Outline transition planning and reentry services with representatives from the school district and the one stop center where the student will return participating as members of the local DJJ reentry teams; the school district must consider the individual needs and circumstances of the student and the transition plan when reenrolling a student in a public school; a district may not maintain a standardized policy for all students returning from a juvenile justice program, but must take into consideration a student's needs and performance in the juvenile justice program, including virtual education options.
- Require FDOE and DJJ to provide oversight and guidance to school districts, education providers, and reentry personnel on how to implement effective educational transition planning and services.
- Ensure students in juvenile justice education programs have resources commensurate with resources provided to students in public schools.
- Move language that requires a district school board that operates a juvenile justice education program at a juvenile justice facility to select the instructional personnel assigned to the program in consultation with the director of the facility.
- Include language that allows the Secretary of Juvenile Justice or director of the juvenile justice program to request that the performance of a teacher assigned by the district to a juvenile justice education program be reviewed by the district and that the teacher be reassigned based upon an evaluation conducted pursuant to s. 1012.34, F.S., or for inappropriate behavior.
- Delete a reference to s. 1011.62(1) (s), F.S.
- Delete language that requires DJJ education programs to be under the purview of the DJJ quality assurance standards for education to receive FEFP funding.
- Delete the reference to delinquents and replaces it with students referred to juvenile justice education programs.
- Replace quality assurance process with accountability and evaluation system and student performance measures.
- Clearly state that nothing in this section or in a cooperative agreement requires the district school board to provide more services than can be supported by the funds generated by students in the juvenile justice programs.
- Clarify that the FDOE, in consultation with DJJ, district school boards, and providers, shall adopt rules establishing (not just establish, as in previous language) the following:

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- objective and measurable student performance measures to evaluate a student's educational progress, based on appropriate outcomes, taking into consideration the length of stay; measures should include outcomes related to student achievement of career education goals, acquisition of employability skills, receipt of a high school diploma or its equivalent, grade advancement, and the number of CAPE industry certifications earned;
 - a performance rating system to be used by FDOE to evaluate the delivery of educational services, primarily based on data regarding student performance as described in paragraph (a);
 - the timeframes, procedures, and resources to be used to improve a low-rated educational program or to terminate or reassign a program; deleting language that indicates the standards will rate the district school board's performance as a contractor and a provider as well as language that references that the educational component will be disaggregated from the overall quality assurance score and reported separately; and
 - FDOE and DJJ will partner to develop a comprehensive accountability and program improvement process based on student performance measures by type of program; identifying and recognizing high-performing education programs, identifying low-performing programs that will receive an onsite program evaluation from the DJJ; school improvement, technical assistance, or the reassignment of the program will be based in part, on the results of the program evaluation; low-performing programs must demonstrate improvement or the program must be reassigned.
- Delete language that requires the FDOE alone to develop a quality assurance review process and to schedule for the evaluation of the educational component during site visits conducted at the same time as DJJ quality assurance site visits
 - Delete language that required FDOE in consultation with district school boards and providers to establish minimum thresholds for the standards and key indicators which if a school board failed to meet, it would have been given six months to achieve compliance of standards; if standards were not met after six months, FDOE would have exercised sanctions; contracts of providers who did not meet standards would have been cancelled.
 - Delete language that designates the accountability process in prior (a), (b) and (c) be implemented to the extent that funds are available.
 - Add language that requires the FDOE, in collaboration with DJJ, to collect data and report on commitment, day treatment, prevention, and detention programs and a report be made

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to the President of the Senate, the Speaker of the House of Representatives, and the Governor by February 1 of each year.

- Require the report to include the number and percentage of students who:
 - return to an alternative school, middle school, or high school upon release and the attendance rate of these students before and after participation in juvenile justice education programs;
 - receive a standard high school diploma or a high school equivalency diploma;
 - receive industry certification;
 - enroll in a postsecondary educational institution;
 - complete a juvenile justice education program without reoffending;
 - reoffend within one year after completion of a day treatment or residential commitment program;
 - remain employed one year after completion of a day treatment or residential commitment program; and
 - demonstrate learning gains pursuant to (3)(b).
- Require the report to include the following cost data for each juvenile justice education program:
 - the amount of funding provided by district school boards to juvenile justice programs and the amount retained for administration, including documenting the purposes of such expenses;
 - the status of the development of cooperative agreements;
 - recommendation for system improvement; and
 - information on the identification of, and services provided to, exceptional students, to determine whether these students are properly reported for funding and are appropriately served.
- Delete language that required the FDOE and DJJ to report to the Legislature by February 1.
- Delete the Arthur Dozier School for Boys in Jackson County.
- Delete may and insert shall to require the SBE to adopt rules necessary to implement this section.

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- Delete the mandatory inclusion of uniform curriculum, funding, and second chance schools in the rules adopted by the SBE

Section 33.

Amends s.1003.4282, F.S., Requirements for a standard high school diploma, to:

- Allow a driver's education course to be included as an online course requirement.
- Add subsection (10) Students with Disabilities – for students with a disability entering ninth grade in 2014-2015.
- Allow a parent of a student with a disability, in collaboration with the IEP team, to declare intent for the student to graduate from high school with a standard diploma or a certificate of completion. A student who does not meet the requirements for a standard high school diploma will be awarded a certificate of completion.
- Provide options for students with a disability for whom the IEP team has determined that the Florida Alternate Assessment is the most appropriate measure of the student's skills, in addition to other options specified, which may be used to satisfy the standard high school diploma requirements, as specified in the student's IEP. Those options include:
 - A combination of course substitutions, assessments, industry certifications, other acceleration options or occupational completion points appropriate to the student's unique skills and abilities that meet the criteria established in SBE rule.
 - A portfolio of quantifiable evidence that documents a student's mastery of academic standards through rigorous metrics established by SBE rule. A portfolio may include, but not be limited to, documentation of work experience, internships, community service and postsecondary credit.
- A student with a disability, whose IEP team has determined mastery of academic and employment competencies is the most appropriate way for a student to demonstrate skills, the student must:
 - Complete minimum number of graduation requirements, including the number of course credits established in SBE rule;
 - Complete annual goals and short-term objectives for academic and employment competencies industry certifications, and occupational completion points specified in the student's transition plan, verified by the IEP team;
 - Document successful employment for the number of hours per week specified in the student's transition plan, equivalent of one semester, and payment of a

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minimum wage in compliance with the requirements of the Federal Fair Labor Standards Act; and

- Documented mastery of academic and employment competencies, industry certifications, and occupational completion points specified in the student's transition plan, verified by the IEP team, the employer, and the teacher. The transition plan must be delivered and signed by the student, the parent, the teacher, and the employer before placement in the employment and must identify: the following:
 - The expected academic and employment competencies, industry certifications and occupational completion points.
 - The criteria for determining and certifying mastery.
 - The work schedule and the minimum number of hours to be worked per week; and
 - A description of the supervision to be provided by the school district.
- Require that any change to the high graduation option specified in the student's IEP must be approved by the parent and is subject to verification for appropriateness by an independent reviewer selected by the parent as provided s.1003.572, F.S.
- Provide that if a student with a disability, who meets requirements of a standard high school diploma, may defer the receipt of the diploma if the student:
 - Has an IEP that prescribes special education, transition planning, transition services or related services through age 21; and
 - Is enrolled in accelerated college credit instruction, industry certification courses that lead to college credit, a collegiate high school program, courses necessary to satisfy the Scholar designation requirements, or a structured work-study, internship, or pre-apprenticeship program.
- Provide that if a student with a disability who receives a certificate of completion and has an IEP that prescribes special education, transition planning, transition services or related services through age 21 may continue to receive specified instruction and services.
- Provide that any waiver of the results of a statewide, standardized assessment by the IEP team must be approved by the parent and is subject to verification for appropriateness by an independent reviewer selected by the parent as provided in s.1003.572, F.S., Collaboration of public and private instructional personnel.

Section 34.

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- States that “If this act and CS/HB 7031, 2014 Regular Session, or similar legislation, are adopted in the same legislative session or an extension thereof and become law, respective provisions of such acts amending s. 1003.4282 (4), F.S., differ, it is the intent of the Legislature that the amendments made by this act to s. 1003.4282(4), F.S., shall control language of CS/HB 7031, or similar legislation, regardless of the order in which they are enacted.”

Section 35.

Creates s. 1003.4995, Fine arts report, to:

- Require the commissioner to prepare an annual report that includes a description of student access to an participation in fine arts courses, based on annual reporting by schools; the number and certification status of educators providing instruction in those courses; educational facilities designed and classroom space equipped for fine arts instruction; and the manner in which schools are providing the core curricular content for fine arts established in the Next Generation Sunshine State Standards. This report must be posted on FDOE’s website and updated annually.

Section 36.

- Renames the Florida Agricultural and Mechanical University (FAMU) Crestview Education Center to the “Senator Durell Peaden Jr., FAMU Educational Center.”

Section 37.

Except as otherwise expressly provided in this act, this act shall take effect upon becoming law.

General Implementation Timeline:

July 1, 2014 The act becomes effective.

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HB 851 Postsecondary Education Tuition and Fees

(CH. 2014-62, Laws of Florida)

Bill Sponsor: Representative Nunez

Effective Date: July 1, 2014

DOE Contact: Randy Hanna, Chancellor of the Florida College System, (850) 245-0407

Executive Summary:

The bill extends caps on tuition and fee contract payments from the Stanley G. Tate Florida Prepaid College Program through 2024. It prohibits the amount assessed for registration fees, the tuition differential fee, local fees, and dormitory fees paid to state universities from exceeding 100 percent of the amount charged by the state university. The bill sets standard tuition rates for career certificates and applied technology diplomas. The bill sets standard tuition rates for advanced and professional, postsecondary vocational, developmental education, and education preparation institute programs at Florida College System (FCS) institutions, and undergraduate tuition for lower-level and upper-level coursework. It amends the tuition waiver for Purple Heart recipients, and waives out-of-state fees for students who meet certain criteria including undocumented students. The bill defines "parent" and revises residency for tuition purposes requirements for certain students.

Section 1.

Amends s. 1009.98, F.S., Stanley G. Tate Florida Prepaid College Program to:

- Extend caps on tuition and fee contract payments from the Stanley G. Tate Florida Prepaid College Program through July 1, 2024.
- Prohibit the amount assessed for registration fees, the tuition differential fee, local fees, and dormitory fees paid to state universities from exceeding 100 percent of the amount charged by the state university.

Section 2.

Amends s. 1009.22, F.S., Workforce education postsecondary student fees to:

- Set the standard tuition at \$2.33 per contact hour for residents and \$6.99 per contact hour for nonresidents for programs leading to a career certificate or an applied technology diploma.
- Eliminate the out-of-state fee for adult general education programs.

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- Eliminate the statutory rate of inflation increase for workforce education program.

Section 3.

Amends s. 1009.23, F.S., Florida College System institution student fees to:

- Set the standard tuition at \$71.98 per credit hour for residents and \$215.94 per credit hour for nonresidents for advanced and professional, postsecondary vocational, developmental education, and education preparation institute programs at FCS institutions.
- Eliminate the statutory rate of inflation increase for FCS institutions.

Section 4.

Amends s. 1009.24, F.S., State university student fees to:

- Set the resident undergraduate tuition for lower-level and upper-level coursework at \$105.07 per credit hour.
- Eliminate the statutory rate of inflation increase for state universities.
- Allow the Board of Governors (BOG) to approve the establishment of or an increase in tuition differential for preeminent state research universities.
 - Limit this increase in tuition differential to no more than six percent from the preceding fiscal year.
 - Require universities to meet or exceed performance standard targets in order to raise tuition differential. Meeting or exceeding each target makes the university eligible to increase tuition differential by two percent. The performance standards:
 - An increase in the 6-year graduation rate for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS);
 - An increase in the total annual research expenditures; and
 - An increase in the total patents awarded by the United States Patent and Trademark Office for the most recent years

Section 5.

Amends s. 1009.26, F.S., Fee waivers to:

- Require career centers operated by school districts, and charter technical career centers to waive tuition for undergraduate college credit programs and career certificate programs for Purple Heart or another combat decoration superior in precedence.

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- Require state universities, FCS institutions, career centers operated by school districts, and charter technical career centers to waive out-of-state fees for students, including, but not limited to, students who are undocumented for federal immigration purposes if they:
 - Attended a secondary school in this state for 3 consecutive years immediately before graduating from a high school in this state.
 - Apply for enrollment in an institution of higher education within 24 months after high school graduation. and
 - Submit an official Florida high school transcript as evidence of attendance and graduation.
- Prohibit tuition and fees charged to a student who qualifies for the out-of-state fee waiver to be greater than those charged to a resident student. Stipulates that the waiver is applicable for 110 percent of the required credit hours of the degree or certificate program for which the student is enrolled.
- Require each state university, FCS institution, career center operated by a school district, and career charter technical center to report to the BOG and the State Board of Education (SBE) respectively, the number and value of all fee waivers granted annually. By October 1 of each year, the BOG and the SBE shall annually report for the previous year the percentage of resident and nonresident students enrolled systemwide.
- Require students receiving the out-of-state fee waiver to be reported as nonresident students for the purposes of calculating the systemwide total enrollment of nonresident students as limited by regulation of the BOG.
- Prohibit students receiving the out-of-state fee waiver from being eligible for state financial aid and prohibits reporting as a resident for tuition purposes.
- Require each state university, FCS institution, career center operated by a school district, and career charter technical center to prioritize the enrollment of a veteran who is granted an out-of-state fee waiver pursuant to the C.W. Bill Young Tuition Waiver Act over a student who is granted this out-of-state fee waiver within the nonresident student enrollment systemwide.

Section 6.

Amends s. 1009.21, F.S., Determination of resident status for tuition purposes to:

- Re-define “parent” as either or both parents of a student, any guardian of a student, or any person in a parental relationship to a student.

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- For residency purposes, revise the provision for a child to have lived with an adult relative for three years immediately before the child's enrollment in an institution of higher education.
- Prohibit a child who is a US citizen from being denied classification as a resident for tuition purposes based solely upon the immigration status of his or her parent.
- Revise the provision to allow a person who physically resides in this state to be classified as a resident for tuition purposes if he or she marries a person who meets the 12-month residency requirement and is a legal resident of this state.

General Implementation Timeline:

July 1, 2014

The act becomes effective.

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SB 864 Instructional Materials for K-12 Public Education

(CH. 2014-15, Laws of Florida)

Bill Sponsor: Senator Hays

Effective Date: July 1, 2014

DOE Contact: Mary Jane Tappen, Executive Vice Chancellor, Division of Public Schools, (850) 245- 0509

Executive Summary:

The bill retains the state adoption process for core content instructional materials and amends s. 1006.29, F.S., to authorize the Florida Department of Education to assess fees from publishers to pay for reviewer stipends. The bill makes explicit the role of the district school board as having final responsibility for all instructional materials adopted by the district and utilized in the classroom and requires the creation of district policies and procedures that allow for parental objection to adopted materials. The language adopted in 2013 that allows for districts to undertake their own adoption process is revised to include expanded requirements with regard to rule adoption related to program processes, the ability of the public to review materials ahead of adoption meetings, and the types and number of meetings that must be held. The bill also requires that parents must have access through the district's Local Instructional Improvement System (LIIS) to their children's instructional materials and must make sample copies of all instructional materials available upon request for public inspection. The bill removes redundant language in s.1006.40, F.S., regarding the 2012-2013 mathematics adoption and makes explicit the ability of districts to use all of their annual instructional materials allocation for the purchase of digital or electronic materials that are aligned with state standards. The bill also clarifies that the act does not limit or remove the responsibility of the district to include in its curriculum instruction required in s. 1003.42, F.S.

Section 1.

Amends s. 1006.28, F.S., Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials, to:

- Add that districts have the constitutional duty and responsibility to select adequate instructional materials.
- Specify that the district school board has specific duties and responsibilities:
 - The adoption of courses of study including the adoption of instructional materials.
 - Specify that the school district is responsible for the content of all instructional materials used in the classroom whether purchased from the

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state adopted list, through the district program under s. 1006.283, F.S., or otherwise purchased or made available in the classroom.

- Specify that the district school board must adopt a policy that clearly describes the process to handle objections from parents regarding the use of specific instructional materials by their children. This process must also provide for resolution.
 - Establish a process that allows parents of public school children to contest the adoption of a specific instructional material. The parent must file a petition, on a form provided on the school district's website, within 30 days of the materials adoption by the school board. The form must be signed by the parent, contact information must be provided, and the nature of the objection must be stated. Within 30 days after the 30-day objection period has expired, the school board must conduct at least one public hearing on all petitions received within the 30-day objection period. Petitioners must receive written notification of the date and time of the hearing at least 7 days before it takes place. All contested materials must be made available online to the public at least 7 days before the hearing. The school board's decision after the hearing is final and not subject to further petition or review.
- Remove reference to district performance standards in relation to instructional materials alignment and provide that the district school board will ensure that instructional materials used in the district are consistent with the state standards provided for in s. 1003.41, F.S.

Section 2.

Amends s. 1006.283, F.S., District school board instructional materials review process, to:

- Add the word "district" before "school board" to make language conforming.
- Allow that the district school board may implement an instructional materials program that includes the recommendation rather than approval of instructional materials.
- Remove date specific language.
 - Remove language that a district's adopted rules for implementing an instructional materials program must include but not be limited to its review and purchase process and add the requirement for the adoption of rules for the processes, criteria, and requirements of the following:
 - Selection of reviewers, one or more of whom must be parents of children in public schools.

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- Review of instructional materials.
- Selection of instructional materials, including a thorough review of curriculum content.
- Reviewer recommendations.
- District school board adoption.
- Purchase of instructional materials.
- Add that district school board rules must also:
 - Identify a review cycle by subject area.
 - Specify qualifications and the process for selecting reviewers. List the reviewer's duties and responsibilities including compliance with the statutory requirements of s. 1006.31, F.S., and provide that all reviews must be accompanied by a statement that the materials align to standards pursuant to s. 1003.41, F.S., and the requirements of s. 1006.31, F.S.
 - Establish the process by which instructional materials are adopted by the district school board to include:
 - A process to allow student editions of recommended materials to be accessed online by the public at least 20 days before school board hearings and meetings as allowed for in the bill amendment. The process for access must include reasonable safeguards against the unauthorized use, reproduction, and distribution of the materials.
 - An open, noticed school board hearing to receive public comment on the recommended materials.
 - An open, noticed public meeting to approve an annual instructional materials plan, including the adoption of instructional materials which must be held on a different date than the public hearing.
 - The notices for the public hearing and the public meeting must state the instructional materials being reviewed and how the public may access the materials.
 - Establish the process, by which the district school board will receive public comment on, and review, the recommended materials.

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- Establish the process by which the school district will notify parents of their ability to access their children's instructional materials through the district's LIIS and how the districts will encourage parents to access the system. Notification must be prominently displayed on the district school board's website and provided annually in a written format to the parents of every enrolled student.
- Add to the annual certification provided by the district superintendent that the materials have been reviewed, selected, and adopted by the district school board in accordance with the school board hearing and public meeting requirements of statute.
- Add that the school district make available on request sample copies of all instructional materials that have been purchased by the district school board.

Section 3.

Amends s. 1006.29, F.S., State Instructional materials reviewers, to:

- Allow that the department may assess and collect fees from publishers not to exceed the actual cost of the review process and not more than \$1000 per submission. The amount assessed and collected must be posted on the department's website and deposited in the Operating Trust Fund to provide stipends for state instructional materials reviewers.

Section 4.

Amends s. 1006.31, F.S., Duties of the Department of Education and school district instructional materials reviewer, to:

- Require that reviewers use the selection criteria in s. 1006.34(2)(b), F.S., and recommend only those materials aligned with state standards provided for in s. 1003.41, F.S.
- Add balanced and non-inflammatory to the list of standards that recommended materials should meet.
 - Add religious and physical to the list of diversities that must be accurately portrayed in instructional materials.
 - Add that recommended material cannot contain matter that reflects unfairly upon anyone because of their religion, disability, or socioeconomic status.

Section 5.

Amends s. 1006.40, F.S., Use of instructional materials allocation; instructional materials, library books, and reference book; repair of books, to:

- Remove language regarding the 2012-13 mathematics adoption.

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- Change the timeframe by which district school boards must use at least 50 percent of their annual instructional materials allocation on digital or electronic materials from the 2015-2016 to the 2014-2015 fiscal year;
- Clarify that all the allocation may be used on digital or electronic materials; and
- Clarify that the materials must be aligned with state standards and meet the requirements laid out in statute.
- Specify that the district school board is responsible for the content of all instructional materials used in a classroom however purchased or made available.
 - Add that the district superintendent will implement procedures to provide for a public review and comment on the adoption of instructional materials that satisfy the requirements laid out in the relevant subsections of s. 1006.283, F.S.

Section 6.

Add that the act does not limit or remove the responsibility of the school district to include in its curriculum the instruction specified in s. 1003.42, F.S.

General Implementation Timeline:

July 1, 2014

The act becomes effective

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HB 953 State Contracting

(CH. 2014-135, Laws of Florida)

Bill Sponsor: Representative Peters

Effective Date: July 1, 2014

DOE Contact: Linda Champion, Deputy Commissioner, Division of Finance and Operations
(850) 245-0406

Executive Summary:

The bill revises requirements regarding state agency competitive solicitations. Current procurement law, s. 287.057, Florida Statutes, (F.S.), requires state agencies to use the competitive solicitation process for contracts for commodities or services in excess of \$35,000.00. Depending on the characteristics of the needed goods or services, agencies may use different methods, which may include a request for proposal (RFP) or invitation to negotiate (ITN). To use the RFP or ITN, the agency must consider certain criteria before selecting a vendor for award. The bill requires state agencies to consider the prior relevant experience of a vendor when evaluating the responses to an RFP or ITN. Currently, agencies may consider prior relevant experience, but are not required to do so.

Section 1.

Amends s. 287.057, F.S., Procurement of commodities or contractual services, to:

- Require that consideration of prior relevant experience of the vendor as an additional element to the criteria used for the evaluation of responses to an RFP or ITN. and
- Require state agencies to consider the prior relevant experience of a vendor when evaluating responses to an RFP or ITN.

Section 2.

Provides an effective date of July 1, 2014.

General Implementation Timeline:

July 1, 2014 Pending final action by the Governor, the act becomes effective.

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HB 977 Motor Vehicle Insurance & Driver Education for Children in Care

(CH. 2014-166, Laws of Florida)

Bill Sponsor: Representative Albritton

Effective Date: July 1, 2014

DOE Contact: Mary Jane Tappen, Executive Vice Chancellor, Division of Public Schools, (850) 245-0509

Executive Summary:

The Department of Children and Families (DCF) shall establish a statewide pilot program to pay specified costs of driver education, licensure and costs incidental to licensure, and motor vehicle insurance for a child in licensed out-of-home care who meets certain qualifications. It authorizes the court to remove the disability of nonage of minors for purposes of obtaining motor vehicle insurance. In addition, secondary schools must provide preferential enrollment in driver education courses for specified children in care. The full bill can be accessed at <http://www.flsenate.gov/Session/Bill/2014/0977/BillText/e1/PDF>.

Section 1.

Amends s. 39.701, F.S., Judicial Review, to:

- Allow the court to remove the disability of nonage of minors if the court finds it in the best interest of the child.
- Require all relevant information related to the Road-to-Independence Program be presented to the child, including but not limited to, eligibility requirements, information on participation, and assistance in gaining admission to the program.

Section 2.

Creates s. 409.1454, F.S., Motor vehicle insurance for children in care, to:

- Establish a three-year pilot program through DCF to pay the cost of driver education, licensure and other cost incidental to licensure, and motor vehicle insurance for children in licensed out-of-home care who have successfully completed a driver education program.
- Reimburse a caregiver, or an individual or not-for-profit entity approved by the caregiver, who adds a minor child in care to his or her existing insurance policy. The amount paid to the caregiver or approved purchaser may not exceed the increase in cost attributable to the addition of the child to the policy. Payment shall be made to eligible recipients in the order of eligibility until available funds are exhausted.

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- Require DCF to contract with a not-for-profit entity whose mission is to support youth aging out of foster care to develop procedures for operating and administering the pilot program, including, but not limited to:
 - Determining eligibility, including responsibilities for the child and caregivers.
 - Developing application and payment forms.
 - Notifying eligible children, caregivers, group homes, and residential programs of the pilot program. and
 - Providing technical assistance to lead agencies, providers, group homes, and residential programs to support removing obstacles that prevent children in foster care from driving.
- Require DCF to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives evaluating the success of and outcomes achieved by the pilot program by July 1, 2015, and annually thereafter for the duration of the pilot program. The report shall include a recommendation as to whether the pilot program should be continued, terminated, or expanded.

Section 3.

Creates s. 743.047, F.S., Removal of disabilities of minors, to:

- Remove the disability of nonage for minors executing agreements for motor vehicle insurance, provided that the child has reached 16 years of age, has been adjudicated dependent, is residing in an out-of-home placement, and has completed a driver education program.
- Authorize such child to make and execute all documents, contracts, or agreements necessary for obtaining motor vehicle insurance as if the child is otherwise competent to make and execute contracts, upon issuance of an order by the court.

Section 4.

Amends s. 1003.48, F.S., Instruction in operation of motor vehicles, to:

- Require secondary schools to provide preferential enrollment to a student who is in the custody of DCF if the student maintains appropriate progress as required by the school.

Section 5.

- Appropriates \$800,000 in recurring funds to DCF for the purpose of implementing this program during the 2014-15 fiscal year.

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General Implementation Timeline:

July 1, 2014 The act becomes effective.

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SB1036 Nursing Education Programs

(CH. 2014-92, Laws of Florida)

Bill Sponsor: Senator Grimsley

Effective Date: July 1, 2014

DOE Contact: Samuel Ferguson, Executive Director, Commission for Independent Education,
(850) 245-3200

Executive Summary:

This legislation makes revisions to nursing education standards in Florida. To address the shortage of clinical slots, clinical simulation will become acceptable for up to 50% of clinical training. In an effort to bolster licensure examination passage rates, any graduate of an approved program who fails to take the licensure examination within 6 months of graduation must take and pass an examination preparatory course prior to taking the exam. Approved programs that do not achieve a passage rate within 10% of the national program passage rate will be placed on probation for two years and must establish specific benchmarks to measure progress towards the program passage rate standard. Probation may be extended for an additional year if the program can demonstrate "adequate progress" towards the passage rate standard during the probationary period. Approved programs that are closed, and that have students with at least 12 credits who transfer to other programs licensed by the Commission for independent Education (CIE), will not have their licensure examination scores counted in the program passage rate for the new program. All existing approved nursing programs must be accredited in accordance with s. 464.003, F.S. (receive programmatic accreditation) by July 1, 2019. Any program approved after July 1, 2014 must be accredited in accordance with s. 464.003, F.S. with 5 years of enrolling students, CIE institutions offering nursing programs that are exempt under s. 1005.06(1) (e), F.S. are not subject to this legislation.

Section 1.

Amends s. 464.003, F.S., Definitions, to:

- Clarify that "clinical simulation" is included in the definition of "clinical training."
- Add the phrase "...the teaching of general principles of health and wellness to the public and to students other than nursing students" to the definition of "Practice of practical nursing."

Section 2.

Amends s. 464.008, F.S., Licensure by examination, to:

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- Require that a candidate who graduated from an approved program and who does not take the licensure examination within 6 months after graduation must enroll in and successfully complete a board-approved licensure examination preparatory course.

Section 3.

Amends s. 464.013, F.S., Renewal of license or certificate, to

- Change language to read “up to 30 hours” of biennial continuing education from “not to exceed 30 hours.” and
- Exempt a nurse, who is certified by a program accredited by the National Commission for Certifying Agencies or the Accreditation Board for Specialty Nursing Certification, from continuing education requirements.

Section 4.

Amends s. 464.019, F.S., Approval or nursing education programs, to:

- Require that the major curriculum must consist of 50% clinical training in the United States or its possessions or territories, for the following programs:
 - practical nursing program;
 - an associate degree in professional nursing; or
 - a professional diploma in nursing education.
- Require that the major curriculum must consist of 40% clinical training in the United States or its possessions or territories, for a bachelor’s degree in professional nursing education.
- Increase the amount of clinical simulation that can be used for clinical training from 25% to 50%.
- Delete obsolete language regarding the status of certain nursing programs.
- Require that an approved program must achieve a graduate passage rate that is not more than 10 percentage points lower than the average passage rate for comparable degree programs, during the same calendar year. Also, require that the graduate passage rate be based on first-time test takers who take the licensure examination within 6 months after graduation.
- Require an approved program to ensure that a graduate who does not take the licensure examination within 6 months after graduation to enroll in and successfully complete a board-approved licensure examination preparatory course pursuant to s. 464.008, F.S..

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- Add language that specify benchmarks to identify progress toward a graduate passage goal must be part of the remediation plan for nursing programs that do not equal or exceed the program graduation passage rate standard.
- Allow the State Board of Nursing to extend the probationary period for an additional year (beyond the original 2 years) for a remediation plan for nursing programs that do not equal or exceed the program's graduation passage rate standard if the program "...demonstrates adequate progress toward the passage rate goal by meeting a majority of the benchmarks established in the remediation plan."
- Allow students who have completed at least 12 credits from a program that is terminated because the program's previous graduates did not meet the graduation passage rate standards during the probationary period, and who transfer to another approved program under the direction of the Commission of Independent Education (CIE), shall not have their licensure examination scores used in the calculation of the program passage rate at their new school.
- Require that all existing approved nursing programs with enrolled students must be accredited programs in accordance with s.464.003, F.S., by July 1, 2019.
- Require that any approved nursing programs with no enrolled students must be accredited programs in accordance with s. 464.003, F.S., within 5 years of enrolling their first students.
- Exempt nursing education programs provided by an institution that is exempted from licensure by the CIE in accordance with s. 1005.06 (1) (e).

Section 5.

Amends s. 456.014, F.S., Public inspection of information requires from applicants; exceptions; examination hearing, to

- Correct cross-references made by the act.

Section 6.

The act will take effect July 1, 2014.

General Implementation Timeline:

The act will take effect July 1, 2014.

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HB 1131 Emergency Allergy Treatment

(CH. 2014-141, Laws of Florida)

Bill Sponsor: Representative Hudson

Effective Date: July 1, 2014

DOE Contact: Mary Jane Tappen, Executive Vice Chancellor, Division of Public Schools, (850)
245-0509

Executive Summary:

This bill expands provisions to apply to all emergency allergy reactions. It authorizes certain health care practitioners to prescribe epinephrine auto-injectors to authorized entities and authorizes such entities to maintain a supply of epinephrine auto-injectors. This bill authorizes certified individuals to use epinephrine auto-injectors, and authorizes uncertified individuals to use epinephrine auto-injectors under certain circumstances. It provides immunity from civil liability provided under s. 768.13, F.S., (Good Samaritan Act) to any person who possesses, administers, or stores epinephrine auto-injectors under this bill. To view a full version of the bill visit: <http://flsenate.gov/Session/Bill/2014/1131/BillText/er/PDF>.

Section 1.

Amends s. 381.88, F.S., Emergency allergy treatment, to:

- Rename s. 381.88, F.S., and the new s. 381.885, F.S., (created in Section 2 of the bill), to be cited as the Emergency Allergy Treatment Act.
- Define the terms used in the Emergency Treatment Act:
 - "Administer,"
 - "Authorized entity,"
 - "Authorized health care practitioner,"
 - "Department,"
 - "Epinephrine auto-injector," and
 - "Self-administration."
- Provide certification for laypersons to administer epinephrine injection(s) to individuals who have a severe allergic reaction when a physician is not immediately available.
- Require laypersons who seek certification for emergency allergy treatment to obtain educational training by a nationally recognized organization experienced in training

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laypersons in emergency health treatment, or an entity or individual approved by the Florida Department of Health.

- The required educational training program curriculum for emergency allergy treatment must include:
 - Recognition of the symptoms of systemic reactions to food, insect stings, and other allergens. and
 - The proper administration of an epinephrine auto-injector.
- Allow certification of training for persons who:
 - Are 18 years of age or older.
 - Have, or reasonably expected to have, responsibility for, or contact with at least one other person as a result of his or her occupational or volunteer status, including, but not limited to a: camp counselor, scout leader, school teacher, forest ranger, tour guide, or chaperone. and
 - Has successfully completed the required educational training program curriculum.
- Establish that such certification of training authorizes the layperson to receive a prescription for epinephrine auto-injector from an authorized health care practitioner or the Florida Department of Health.
- Establish that such certification of training also authorized the layperson to possess and administer an epinephrine auto-injector to a person experiencing a severe allergic reaction.

Section 2.

Creates s. 381.885, F.S., Epinephrine auto-injectors; emergency administration, to:

- Allow an authorized health care practitioner to prescribe epinephrine auto-injectors in the name of an authorized entity.
- Allow an authorized entity to acquire and stock a supply of epinephrine auto-injectors pursuant to a prescription issued by an authorized health care practitioner.
- Require that the epinephrine auto-injectors be stored in accordance with the epinephrine auto-injector's instructions for use as well as any additional requirements that may be established by the Florida Department of Health.
- Require an authorized entity to assign employees or agents who hold a certificate issued pursuant to s. 381.88, F.S., to be responsible for the storage, maintenance, and general oversight of the epinephrine auto-injector acquired by the authorized entity.

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- Allow a layperson who holds a certificate issued pursuant to s. 381.88, F.S., to use the epinephrine auto-injector that was prescribed by an authorized health care practitioner on the premises of, or in connection with, the authorized entity.
- Allow the layperson with certification of training to provide the epinephrine auto-injector to an individual for self-administration if the certified layperson believes the individual is experiencing a severe allergic reaction, regardless of whether the individual has a prescription for an epinephrine auto-injector or has been previously diagnosed with an allergy.
- Allow the layperson with certification of training to administer an epinephrine auto-injector to an individual who the certified layperson believes is experiencing a severe allergic reaction, regardless of whether the individual has a prescription for an epinephrine auto-injector or has been previously diagnosed with an allergy.
- Expand the availability of epinephrine auto-injectors by allowing an authorized entity that acquires a stock supply of epinephrine auto-injectors pursuant to a prescription issued by an authorized health care practitioner to make the epinephrine auto-injector available to laypersons without the certification of training requirement to administer the stock epinephrine auto-injector to an individual the non-certified layperson believes to be experiencing a severe allergic reaction IF the epinephrine auto-injector is stored in a locked, secure container and made available ONLY upon remote authorization by an authorized health care practitioner after consultation with the authorized health care practitioner by audio, televideo, or other similar means of electronic communication.
 - Stipulates that the consultation with an authorized health care practitioner for this purpose is not considered the practice of telemedicine or otherwise construed as violating any law or rule regulating the professional practice of the authorized health care practitioner.
- Provides immunity from civil liability provided under s. 768.13, F.S., (Good Samaritan Act), to any person, as defined in s. 1.01, F.S., who possesses, administers, or stores epinephrine auto-injectors under this bill, including:
 - An authorized health care practitioner;
 - A dispensing health care practitioner or pharmacist;
 - Any person certified under the Emergency Allergy Treatment Act;
 - Any non-certified individual who receives epinephrine auto-injectors from an authorized entity for purposes of administering it to another person suffering from a severe allergic reaction; and

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- An individual trainer who conducts the educational training program under s. 381.88(5), F.S.

General Implementation Timeline:

July 1, 2014 The act becomes effective.

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HB 1161 Department of Transportation

(CH. 2014-215, Laws of Florida)

Bill Sponsor: Representative Goodson

Effective Date: July 1, 2014

DOE Contact: Linda Champion, Deputy Commissioner, Division of Finance and Operations
(850) 245-0406

Executive Summary:

The bill amends several provisions relating to the Florida Department of Transportation (DOT), including authorizing the agency to enter into agreements with investors to purchase the revenue stream from wireless communications leases and revising provisions related to public service warning signs on water management district property. The bill also updates the state's outdoor advertising statutes. The following two sections of the bill apply to the state's system of public education.

Section 18.

Amends s. 479.16, Florida Statutes (F.S.), relating to signs for which permits are not required, to include:

- Acknowledgment signs erected upon publicly funded school premises which relate to a specific public school club, team or event and which are placed at least 1,000 feet from any other acknowledgment sign on the same side of the roadway. The act requires sponsor information on an acknowledgment sign to constitute not more than 1,000 square feet of the sign and clarifies that the term "acknowledgement sign" means a sign that informs the traveling public that a public school club, team, or event has been sponsored by a person, firm, or other entity.
- Displays erected upon a sports facility that are directly related to the facility's activities or to the facility's products or services. The act requires the display to be mounted flush to the surface of the sports facility and rely upon the building façade for structural support. The act clarifies that the term "sports facility" means an athletic complex, athletic arena or athletic stadium, including physically connected parking facilities, which is open to the public and has a seating capacity of 15,000 or more permanently installed seats.

Signs that are exempted from permitting requirements must comply with s. 479.11(4)-(8), F.S., relating to prohibited signs. Further, exempted signs must be removed if they have an adverse

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impact on the allocation of federal funds to the DOT. The DOT is required to notify the sign owner if the sign poses an adverse effect and the sign must be removed within 30 days following notification.

Section 24.

Establishes a pilot program to allow the School District of Palm Beach County to recognize business partners by publicly displaying their names on school district property in unincorporated areas of the county; The bill:

- Requires the school district to make every effort to display names of its business partners in a manner that is consistent with the county standards for uniformity in size, color and placement of the signs.
- Provides that if the Federal Highway Administration determines that the DOT is not providing effective control of outdoor advertising as a result of a business partner recognition by the school district under this program, the DOT shall notify the school district by certified mail of any nonconforming recognition.
- Requires the school district to remove the recognition specified in a notice within 30 days after receiving the notification and
- Provides that the pilot program shall expire on June 30, 2015.

General Implementation Timeline:

July 1, 2014	Pending final action by the Governor, the act becomes effective.
June 30, 2015	The School District of Palm Beach pilot program expires.

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SB 1194 Citizen Support and Direct Support Organizations

(CH. 2014-96, Laws of Florida)

Bill Sponsor: Government Oversight and Accountability Committee

Effective Date: Upon becoming law

DOE Contact: Mary Lee Kiracofe, Executive Director, Florida Education Foundation (850) 245-9655

Executive Summary:

The bill creates new reporting and transparency requirements for each citizen support and direct support organization that is adjunct to an executive agency. Specifically, the bill requires citizen support and direct-support organizations to annually submit certain information to the appropriate agency, and the appropriate agency must submit the information to the Legislature, the Governor and make the information available on the agency's website.

Section 3.

Creates s. 20.058, F.S., Citizen support and direct-support organizations, to

- Require that by August 1 of each year, a citizen support organization or direct-support organization created or authorized pursuant to law or executive order and created, approved, or administered by an agency, shall submit the following information to the appropriate agency:
 - The name, mailing address, telephone number, and website address of the organization.
 - The statutory authority or executive order pursuant to which the organization was created.
 - A brief description of the mission of, and results obtained by, the organization.
 - A brief description of the plans of the organization for the next 3 fiscal years.
 - A copy of the organization's code of ethics. and
 - A copy of the organization's most recent federal Internal Revenue Service Return of Organization Exempt from Income Tax form (Form 990).
- Require that each agency receiving information from a citizen support organization or direct-support organization shall make such information available to public through the

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agency's website. If the organization maintains a website, the agency's website must provide a link to the organization's website.

- Require that by August 15 of each year, each agency shall report to the Governor, The President of the Senate, the Speaker of the House of Representatives, and the Office of Program Policy Analysis and Government Accountability the information provided by the citizen support organization or direct support organization. The report must also include a recommendation by the agency, with supporting rationale, to continue, terminate, or modify the agency's association with each organization.
- Specify that a contract between an agency and a citizen support organization or direct-support organization must be contingent upon the organization's submission and posting of required information. If an organization fails to submit the required information for 2 consecutive years, the agency head shall terminate any contract between the agency and the organization.
- Require that citizen support organizations and direct-support organizations in existence on July 1, 2014, must be reviewed by the Legislature by July 1, 2019.

General Implementation Timeline:

Upon becoming law	Effective date.
August 1, 2014	The Florida Education Foundation and the Florida College System Foundation shall post required information on the respective websites.
August 15, 2014	Florida Department of Education reports the required information to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Office of Program Policy Analysis and Government Accountability.

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HB 1385 Inspectors General

(CH. 2014-144, Laws of Florida)

Bill Sponsor: Representative Raulerson

Effective Date: July 1, 2014

DOE Contact: Mike Blackburn, Inspector General, (850) 245-0403

Executive Summary:

This bill revises provisions relating to the appointment and removal of the Chief Inspector General. Specifically the bill revises provisions relating to the duties, appointment, and removal of agency inspectors general; updates a cross-reference; and provides an effective date. This bill is pending final action by the Governor.

Section 1.

Amends s. 14.32, F.S., Office of Chief Inspector General, to:

- Add language stating that upon a change in Governors or reelection of the Governor, the Governor shall appoint, or may reappoint, a Chief Inspector General before adjournment sine die of the first regular session of the Legislature that convenes after such change in Governors or reelection of the Governor.

Section 2.

Amends s. 20.055, F.S., Agency inspectors general, to:

- Clarify that state agencies under the jurisdiction of the Governor, the inspector general shall be appointed by the Chief Inspector General. The inspector general will be under the general supervision of the agency head, but will report to the Chief Inspector General. Agency inspectors general for state agencies under the jurisdiction of the governor may only be removed from office by the Chief Inspector General for cause, including concerns regarding performance, malfeasance, misfeasance, misconduct, or failure to carry out the duties of the inspector general.
- Require written notice to the Governor at least 21 days prior to removal and provides the inspector general an opportunity to present objections in writing to the Governor within 21 days if the inspector general disagrees with the removal.
- Require that a copy of all audit reports, external audit status reports, and annual reports be provided to the Chief Inspector General. The bill also corrects a statutory reference.

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Section 3.

Establishes an effective date of July 1, 2014.

General Implementation Timeline:

The inspector general's reporting structure will change on July 1, 2014.

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SB 1524 Security of Confidential Personal Information

(CH. 2014-189, Laws of Florida)

Bill Sponsor: Senator Thrasher

Effective Date: July 1, 2014,

DOE Contact: Ron Nieto, Deputy Commissioner of Innovation, (850) 245-9855

Executive Summary: This bill states requirements for the department and districts to take reasonable measures to protect personal information. It defines requirements for notification in the event of a breach of personal information.

Section 1.

Names the act as the "Florida Information Protection Act of 2014"

Section 2.

Repeals s. 817.5681, F.S., Breach of security concerning confidential personal information in third-party possession; administrative penalties.

Section 3.

Creates s.501.171, F.S., Confidential personal information, to:

- Provide a list of definitions used in the new section of law that include:
 - "Governmental entity" means any department ... district....
 - "Personal Information" means first and last name in combination with any of the following:
 - Social Security Number.
 - Driver license number.
 - Passport number.
 - Military ID.
 - Financial account number.
 - Credit/debit card number with security code or password,
 - Medical history, condition, treatment, or diagnosis, health insurance policy number and unique identifier.

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- Email address combined with a password or security question and answer. The term does not include information that has been made publicly available or has been encrypted, secured, or modified.
- Provide criteria and requirements for entities to notify the Department of Legal Affairs (DLA) in the occurrence of a breach of security that include:
 - DLA must be notified of any breach affecting 500 or more individuals.
 - No later than 30 days after determination of the breach or reason to believe a breach has occurred.
- Require the compromised entity to provide to DLA in the written notice, in the instance of a security breach:
 - a synopsis of the events;
 - number of individuals potentially affected;
 - services to be offered to individuals;
 - a copy of the notice to the individuals; and
 - contact information of the employee or agent at the compromised entity.
- Require the compromised entity to provide DLA, upon its request:
 - a police report;
 - incident report, or a forensics report;
 - a copy of existing breach policies; and
 - steps to rectify the breach.
- Provide criteria and requirements for entities to notify individuals in the occurrence of a breach of security that include:
 - Notice shall be provided to individuals whose personal information was or is reasonably believed to have been compromised as a result of a breach.
 - Notice should be given within 30 days of the breach. However, this requirement may be affected by law enforcement investigations.
 - Notice to individuals may not be required if it is determined that the breach has not and will not likely result in identity theft or any other financial harm. Such determination must be made in writing and maintained for 5 years.
 - Individuals must be notified by written notice to either the mailing address or email address and shall include: the date of the breach, a description of what was

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accessed or believed to be accessed, information to contact the entity regarding the breach.

- Alternative methods of notification are outlined if the cost exceeds \$250,000 or the affected individuals exceed 500,000, or there is no known contact information for the individuals.
- Provide criteria and requirements for entities to notify credit reporting agencies in the occurrence of a breach of security that include:
 - If more than 1,000 individuals are affected by the breach then all consumer reporting agencies shall be notified.
- Provide criteria and requirements for reporting by third party agents in the occurrence of a breach of security that include:
 - Third-party agents shall notify the covered entity (FDOE or district) within 10 days of learning of a breach.
- Provide requirements for disposal of customer records that include:
 - The covered entity (FDOE or district) shall properly dispose of all records containing personal information when records no longer need to be retained.
- Provide requirements for enforcement that include:
 - Violation of this section shall be treated as an unfair or deceptive trade practice.
 - Civil penalties up to \$500,000 could be applied.

Section 4.

Amends s.282.0041, F.S., Definitions, to

- Define the term "breach of security".

Section 5.

Amends s.282.318, F.S., Enterprise security of data and information technology, to:

- Require that the agency shall develop a process for detecting, reporting, and responding to suspected or confirmed security incidents and breaches.

Section 6.

This act shall take effect July 1, 2014.

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General Implementation Timeline:

This act shall take effect July 1, 2014.

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SB 1642 Education Accountability

(CH. 2014-23, Laws of Florida)

Bill Sponsor: Education Committee

Effective Date: July 1, 2014

DOE Contact: Juan Copa, Deputy Commissioner, Accountability, Research and Measurement
(850) 245-0437

Executive Summary:

The school accountability bill simplifies the school grade calculation and ensures that the accountability system is fair, transparent, and promotes improvements in student outcomes. The revisions to the school grading system take effect for the 2014-15 school grades. The bill provides a transition plan to the new system. The 2014-15 grades are baseline grades for informational purposes. The school grading system is re-focused on student success measures in the areas of achievement, learning gains, graduation and earning college credit and/or industry certifications. The bill requires the State Board of Education (SBE) to periodically review the school grading scale to determine if the scale needs to be adjusted. The new system avoids provisions that over-complicate the school grade formula. The bill removes bonus factors or additional weights that may raise a school grade, and there are no additional requirements or automatic adjustments that lower a school's grade below the grade they would have received based on the points earned. The calculation of school improvement ratings for alternative schools is changed to focus on current year learning gains. Beginning in 2014-2015 the bill provides additional reporting provisions for school district report cards to ensure that parents and the public have information on the performance of their school district. The school report cards must include student performance in English Language Arts (ELA). Writing is included in ELA components, mathematics, science and social studies. The bill also provides flexibility regarding the local assessments used for courses that do not have an associated statewide assessment. Districts that demonstrate outstanding progress toward educator effectiveness are eligible for bonus rewards as provided in the 2014 budget. The bill provides exemptions from statewide assessments for children with medical complexity if the IEP team determines that the child should not be assessed based on medical documentation and the parent consents.

Section 1.

Amends 1008.34, F.S., School grading system; school report cards; district grades, to:

- Provide definitions for the following terms as they relate to Florida's standardized assessment program and the school grading system:

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- "Achievement level," "student achievement" which defines the level of content mastery a student has acquired in a particular subject, as measured by a statewide standardized assessment.
- "Student performance," "student academic performance," or "academic performance" which includes but is not limited to student learning growth, achievement levels, and Learning gains on statewide standardized assessments pursuant to s 1008.22. and
- "Learning gains," "annual learning gains," or "student learning gains" which defines the degree of student learning growth occurring from one school year to the next.
- Clarify that a score at Achievement level 3 indicates satisfactory performance and that a student passes an assessment if the student achieves a score at or above Achievement level 3.
- Require SBE to adopt in rule, the number of achievement levels and identify the achievement levels considered passing for the alternate assessment.
- Specify that the 2013-14 school grades will be calculated based on the provisions in effect on June 30, 2014.
- Provide that a school must assess at least 95 percent of its eligible students, except as provided under s. 1008.341 F.S., for alternative schools, to earn a school grade.
- Clarify that if a school does not have a least 10 students in one or more of the components, those components may not be used in calculating the school's grades
- Clarify that the school grade calculation must be based upon the percentage of points earned.
- Require that the school grading scale, adopted by SBE in rule, shall specify that at least five percentage points separates the percentage thresholds needed to earn each of the school grades.
- Require SBE to periodically review the grading scale to determine if the scale should be adjusted upward.
- Prohibit any provision that would raise or lower the school's grade beyond the percentage of points earned and that extra weight may not be added in the calculation of any components.
- Specify that beginning with the 2014-15 school year, the criteria for designating school performance grades are based on the following:

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- The percentage of eligible students passing standardized assessments in the following subjects. Each is worth 100 points
 - English language arts;
 - Mathematics;
 - Science; and
 - Social Studies
- The percentage of eligible students who make Learning Gains in ELA and Mathematics are measured by statewide, standardized assessments pursuant to s. 1008.22(3) F.S., each is worth 100 points.
- The percentage of eligible students in the lowest 25 percent in ELA and mathematics who make learning gains as measured by statewide standardized assessment pursuant to s. 1008.22(3), F.S. Each is worth 100 points.
- For schools with grades 6 to 8 or grades 7 and 8 the calculation will also include the percentage of eligible students passing high school level statewide, standardized end-of course assessments or students attaining of national industry certifications identified in the Industry Certification Funding List. This component is worth 100 points.
- For schools comprised of grades 9-12 or 10-12 the school's grades shall also be based on the following components, each worth 100 points:
 - The four year graduation rate as defined by SBE rule;
 - The percentage of students who were eligible to earn college and career credit through Advanced Placement, International Baccalaureate, Advanced International Certificate of Education exams, or dual enrollment. or earned industry certifications
- Require that when calculating Learning gains SBE shall require growth toward levels 3, 4, and 5 for students who scores below each of those levels.
- Specify that for English language learners should only be included in the achievement measures of the school grade calculation, if they have been enrolled in school in the U.S. for more than 2 years.
- Require that beginning in the 2014-15 school year, a district's grade will include a district level calculation of the components required for school grades and the resulting grade shall be included on a district report card.

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- Require that the Florida Department of Education (FDOE) shall develop a district report card that includes:
 - Percentage of students demonstrating learning growth on the ELA and mathematics assessments by school and grade level;
 - Percentage of students in the highest and lowest quartiles demonstrate learning growth in English language arts by school and grade level;
 - Intervention and support strategies used by school boards;
 - Closing the gap between higher performing and lower performing subgroups;
 - Learning gains of its highest-performing students;
 - Districts success in improving student attendance;
 - Grade-level promotion of students scoring achievement levels 1 and 2, on ELA and mathematic assessments; and
 - Preparation of students for the transition from elementary to middle school, middle to high school and high school to postsecondary institutions and careers.
- Clarify that the 2014-15 school grades shall serve as an informational baseline for schools to work toward improved performance in future years. Schools will not be required to implement a turnaround option based on the 2014-15 school grades.
- Clarify that for determining grade three retention and high school graduation, student performance on the 2014-15 statewide standardized assessment shall be linked to 2013-14 student performance expectations.

Section 2.

Amends s. 10221.42 F.S., Powers and duties of district school board, to:

- Provide that if one or more student subgroups have not significantly increased the percentage of students demonstrating learning gains who passes statewide assessments the school improvement plans for the school shall include plans for improving results.

Section 3.

Amends s. 1002.33 F.S., Charter Schools, to:

- Require FDOE to report each charter school receiving a grade pursuant to s. 1008.34 F.S., or a school improvement rating pursuant to s. 1008.341 to the school's student assessment data.

Section 4.

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Amends s. 1003.621 F.S., Academically high-performing school districts, to:

- Update and add cross references.

Section 5.

Amends 1008.31 K-12 education performance accountability system, legislative intent, mission, goals and system wide measure and data quality improvements, to:

- Delete outdated language related to the performance accountability system and update terminology to include changes made by the act.

Section 6.

Amends s. 1008.33 F.S. Authority to enforce public school improvement, to:

- Replace the term “low performing” with “not meeting accountability standards” or “fail to meet accountability standards.”
- Replace the term “achievement” with “performance.”

Section 7.

Amends s. 1008.341 School improvement rating for alternative schools, to:

- Provide that if an alternative school does not have at least 10 students with complete data for a component of the improvement rating, that component may not be used in calculating the school's rating.
- Specify that if a school has not met the requirements to receive an improvement rating for the prior 2 consecutive years, the school shall receive an improvement rating for the current year based on all of the student learning gains for those 3 years.
- Redefine the criteria of a “Maintaining” school improvement rating and replace the school improvement ratings of “Improving”, “Declining,” with the following:
 - Commendable: a significant percentage of the students attending the school are making learning gains
 - Maintaining: a sufficient percentage of the students attending the school are making learning gains.
 - Unsatisfactory: an insufficient percentage of the students attending the school are making learning gains.
- Clarify that schools that improve at least one level or maintain a commendable rating are eligible for school recognition awards.

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- Clarify that the percentage of eligible students who make learning gains in ELA and mathematics shall comprise the components of an alternative school's rating.
- Require that the learning gains for school improvement ratings will be calculated consistent with the provisions in 1008.34 (3) F.S.

Section 8.

Amends s. 1008.3415, F.S, School grade or school improvement rating for exceptional student education centers, to:

- Correct cross references.

Sections 9 and 12.

Amends s. 1008.22 F.S., Student assessment program for public schools, to:

- Establish a provision that allows children with medical complexities to be exempted from taking statewide standardized assessments. Effective July 1, 2014 a child with a medical complexity may be exempt from participating in statewide, standardized assessments, including the Florida Alternate Assessment (FAA).
 - Define a child with a medical complexity as a child who, based upon medical documentation from a physician licensed under chapter 458 and 459, is medically fragile and needs intensive care due to a condition such as congenital or acquired multisystem disease, has a severe neurological or cognitive disorder with marked functional impairment, is technology dependent for activities of daily living, and lacks the capacity to perform on an assessment.
- Clarify that if a parent consents in writing and the Individualized Education Plan team determines that the child shouldn't be assessed based upon medical documentation then the parent may choose one of the three following assessment exemption options:
 - One year exemption approved by the district superintendent.
 - One to three year exemption approved by the Commissioner of Education (Commissioner). or
 - Permanent exemption approved by the Commissioner.
- Require the Commissioner to annually report to the legislature, data, by district, on the waivers at the same time as results on student performance on statewide, standardized assessments.
- Clarify that it is the responsibility of the school districts to measure student performance in all subjects and grades levels except those subjects and grade levels assessed by statewide, standardized assessment programs.

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- Add teacher-selected or principal-selected assessments, to the list of assessments that may be included as local assessments under s.1008.22 (6),F.S.
- Require each district school board to adopt policies for selection, development, administration and scoring of local assessments. The assessments may include a variety of assessment formats, project-based assessments, adjudicated performances and practical application assignments.
- Require that for all ELA, mathematics, science, and social studies courses used to meet graduation requirements and are not assessed by statewide assessments may not use teacher or principal selected assessments as the local assessment.

Section 10.

Amends s. 1008.345 F.S., Implementation of state system of school improvement and accountability, to:

- Require the Commissioner to report on recommended changes in state policy necessary to foster school improvement and education accountability which should include, for each school district:
 - Percentage of students by school and grade demonstrating learning growth in ELA and Mathematics.
 - Percentage of students by school and grade level in both the highest and lowest quartiles demonstrating learning growth in ELA and Mathematics
 - Intervention and support strategies used by school boards whose students in both the highest and lowest quartiles exceed the statewide average learning growth for students in those quartiles.
 - Intervention and support strategies used by school boards whose schools provide educational services to youth in Department of Juvenile Justice programs that demonstrate learning growth in ELA and Mathematics that exceed the statewide average learning growth for students in those subjects.

Section 11.

Amends s. 1001.64, F.S, School district minimum classroom expenditure requirements, to:

- Corrects a cross reference.

Section 13.

Amends s. 1012.34 F.S., Personnel evaluation procedures and criteria, to

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- Require the district school superintendent to provide instructional personnel the opportunity to review their class rosters for accuracy and to correct any mistakes. The superintendent shall report accurate class rosters for the purpose of calculating district and statewide student performance.
- Require, annually, the Commissioner shall report each district's performance-level standards, a comparative analysis of the district's student academic performance results and evaluation results to the Governor, President of the Senate and the Speaker of the House of Representatives.
- Delete the term Florida Comprehensive Assessment Test and replaces it with the statewide standardized assessments administered in ELA and Mathematics under s.1008.22, F.S.
- Replace the term "student learning growth" in a number of places with the term "performance of students", clarifying that methods developed by districts to compute the required 40% to 50% performance of students component of annual evaluations do not have to necessarily be growth models, but can be achievement-based.
- Replace the term "equally appropriate formula" from s.1012.34(7)(b), F.S., with the term "a methodology determined by the district", clarifying that districts are not required to use VAM or other statistical modeling techniques for differentiating among levels of teacher performance for grades and subjects without approved statewide growth models.
- Require that school districts measure student learning growth for courses associated with statewide standardized assessments no later than the year immediately following the formula's approval by the commissioner.
- Specify that for grades and subjects not assessed by standardized statewide assessments, each school district shall measure performance of students using a methodology determined by the school district.
- Clarify that for the 2014-15 school year school districts may use measureable learning targets on local assessments pursuant to s. 1008.22(6) to evaluate student performance for courses not assessed by statewide, standardized assessments.
- Clarify that the standards for each performance level in s. 1012.34 (2) F.S. shall be established by SBE, in rule, beginning with the 2015-16 school year.
- Clarify that school districts are eligible for bonus rewards provided in the 2014 General Appropriations Act for making outstanding progress toward educator effectiveness, including implementation of instructional personnel salaries based on performance results under s. 1012.34 F.S.

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Section 14.

Amends s. 1012.341 F.S. exemptions from performance evaluation system and compensation and salary schedule requirements, to:

- Allow Hillsborough County to base 40 percent, instead of 50 percent, of instructional personnel and school administrator performance evaluations upon student performance under s. 1012.34 F.S.
- Specify that failure to provide the attestation required by s.1012.341 (2) F.S. is grounds for SBE, at a public hearing to revoke the exemption.

Section 15.

This act shall take effect July 1, 2014.

General Implementation Timeline:

The bill takes effect on July 1, 2014. The changes to the school grading and school improvement ratings provisions take effect for the 2014-15 school year. The 2013-14 school grades will be based on the provisions in effect on June 30, 2014.

Florida Department of **EDUCATION**

SB 1666 Child Welfare

(CH. 2014-224, Laws of Florida)

Bill Sponsor: Children, Families, and Elder Affairs

Effective Date: July 1, 2014, except otherwise stated

DOE Contact: Mary Jane Tappen, Executive Vice Chancellor, Division of Public Schools, (850) 245-0509

Executive Summary:

CS/SB 1666 makes numerous changes to statutes designed to protect children from abuse and neglect. The bill seeks to improve the quality of child abuse investigations conducted by the Department of Children and Families (DCF) and certain sheriff's offices. The bill directs the DCF to conduct immediate investigations of deaths and other significant incidents involving children who have been known to the child protection and child welfare system. The purpose of the investigations is to identify root causes and to rapidly determine the need to change policies and practices related to child protection and child welfare. The bill requires referrals to local child developmental screening programs, under certain circumstances. The bill requires improvements in the care of medically complex children and the investigation of child abuse cases involving such children. The bill requires DCF to coordinate services for children and families through local and statewide interagency agreements.

Section 6.

Creates s. 39.2015, F.S., Critical incident rapid response team, to:

- Require all employees of DCF or other state agencies to cooperate with investigations conducted by critical incident rapid response teams through participation in interviews and timely responses to any requests for information.

Section 8.

Amends s. 39.301, F.S., Initiation of protective investigations, to:

- Require DCF or the sheriff providing child protective investigative services to refer the parent to a local child developmental screening program, such as the Child Find program of the Florida Diagnostic and Learning Resource System, for screening of the child if a delay or disability of the child is suspected.

Section 26.

Amends s. 409.165, F.S., Alternate care for children, to:

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- Require DCF to collaborate with all relevant state and local agencies to provide support services necessary to maintain medically complex children in the least restrictive and most nurturing environment.

Section 39.

Creates s. 409.996, F.S., Duties of the Department of Children and Families, to:

- Require DCF to develop and implement statewide and local interagency agreements to coordinate services for children and parents involved in the child welfare system who are also involved with the Agency for Persons with Disabilities, the Department of Juvenile Justice, the Department of Education, the Department of Health, and other governmental organizations that share responsibilities for children and parents in the child welfare system.

General Implementation Timeline:

July 1, 2014 The bill takes effect.

Florida Department of **EDUCATION**

HB 5003 Implementing the 2014-2015 General Appropriations Act

(CH. 2014-53, Laws of Florida)

Bill Sponsor: Conference Committee on Appropriations

Effective Date: July 1, 2014

DOE Contact: Linda Champion, Deputy Commissioner, Division of Finance and Operations,
(850) 245-0406

Executive Summary:

The act provides implementing and administering provisions that apply to the General Appropriations Act (GAA) for fiscal year 2014-15. Only those sections of the bill that apply directly to education programs under the jurisdiction of the Commissioner of Education and the State Board of Education or to all state functions are cited in the section summary below:

Section 1.

Limits implementing and administering provisions of this act as they apply to the GAA to the 2014-15 fiscal year only.

Section 2.

To implement Specific Appropriations 9 through 11 and 96 through 97 in the 2014-15 GAA:

- Incorporates the 2014-15 Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the Legislature.

Section 3.

To implement Specific Appropriations 9 and 96 in the 2014-15 GAA:

- Requires that funds provided in the Florida Education Finance Program (FEFP) for Instructional Materials are released and expended according to proviso.

Section 4.

Amends s. 1013.64, Florida Statutes (F.S.), Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects:

- For fiscal year 2014-15 only, requires funds appropriated for remodeling, renovation, maintenance, repairs and site improvement for existing satisfactory facilities to be based on each district's share of the 2013-14 reported fixed capital outlay full-time equivalent (FTE) students.

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Section 5.

Amends s. 1011.62, F.S., Funds for operation of schools:

- Amends prior-period funding adjustment millage, authorizing an adjustment when the district's 2013 final taxable value has not been determined.
- Authorizes districts to include any shortfall or surplus in the prior-period unrealized required local effort that would have been levied in 2014 had a final tax roll been available.
- Requires the provision be implemented by a district only if the millage calculated when added to the millage levied by the district for 2014-15 is less than or equal to the total millage levied for 2013-14.

Section 6.

To implement Specific Appropriation 28A in the 2014-15 GAA:

- For fiscal year 2014-15 only, allows any district school board that generates less than \$1 million from a 1-mill levy of ad valorem taxes to contribute 0.75 mills toward the cost of funded special facilities construction projects.

Section 26:

To implement the appropriations authorized in the 2014-15 GAA for the payments of existing lease contracts:

- Requires the Department of Management Services (DMS) and state agencies to seek to renegotiate private lease agreements in excess of 2,000 square feet expiring between July 1, 2015, and June 30, 2017, to achieve cost savings.
- Authorizes DMS to use tenant broker services to explore possibilities of colocation, review space needs of each agency, and review length and terms of potential renewals or renegotiations.
- Requires DMS to report by November 1, 2014, each lease contract for private office or storage space, status of renegotiations and savings achieved.

Section 48:

Amends s. 216.292, F.S., Appropriations nontransferable; exceptions:

- For fiscal year 2014-15 only, removes the limitation on the type of review the Executive Office of the Governor and the chairs of the legislative appropriations committees may perform when reviewing certain notices of proposed budget transfers authorized by agencies.

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Section 49:

Specifies that amendments to s. 216.292, F.S. made by this act expire on July 1, 2015, and language shall revert to that in existence on June 30, 2014.

Section 50:

To implement the appropriation of funds in the Contracted Services and Expenses categories in the 2014-15 GAA:

- Prohibits a state agency from initiating a competitive solicitation for a product or service that would require a change in law or a change in budget outside of that authorized in s. 216.292(2) or (3), F.S. This section does not apply to valid emergencies as certified by the agency head.

Section 51:

To implement the appropriation of funds in Special Categories – Risk Management Insurance of the 2014-15 GAA:

- For fiscal year 2014-15 only, allows the Executive Office of the Governor to transfer funds appropriated for the payment of risk management insurance premiums between departments. The amendment to the approved operating budget is subject to the notice and objection procedures of s. 216.177, F.S.

Section 52:

To implement the appropriations of funds in Special Categories – Transfer to Department of Management Services – Human Resources Services Purchased per Statewide Contract of the 2014-15 GAA:

- For fiscal year 2014-15 only, allows the Executive Office of the Governor to transfer funds appropriated for the payment of human resource management assessments between departments. The amendment to the approved operating budget is subject to the notice and objection procedures of s. 216.177, F.S.

Section 53:

Amends s. 112.24, F.S., Intergovernmental interchange of public employees:

- For fiscal year 2014-15 only, extends the authorization to assign an employee from one agency to another agency if recommended by the Governor and approved by the chairs of the respective legislative appropriations committees.

Section 55:

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Reenacts s. 215.32(2)(b)4.a., F.S., to allow for the transfer of unappropriated cash balances by the Legislature in order to implement Section 92 of the GAA.

Section 56:

Specifies that amendments to s. 215.32(2)(b)4.a., F.S., carried forward by this act from chapter 2011-47, Laws of Florida, expire on July 1, 2015, and language shall revert to that in existence on June 30, 2011.

Section 57:

To implement the issuance of new debt authorized in the 2014-15 GAA:

- Provides a legislative determination that the authorization and issuance of state debt for fiscal year 2014-15 is in the best interest of the state and is necessary to address a critical state emergency.

Section 58:

To implement the funds appropriated in the 2014-15 GAA for State Employees Travel:

- Limits the use of state funds for travel by state employees during fiscal year 2014-15.
- Requires the agency head to state, in writing, that certain travel, such as out-of-state conferences and training, are mission-critical.

Section 59:

To implement the appropriations authorized in the 2014-15 GAA for data center services scheduled for consolidation in the 2014-15 fiscal year:

- For fiscal year 2014-15 only, the consolidating agencies may request the transfer of resources between Data Processing Services categories and the appropriation categories for operations based upon changes to the consolidation schedule.

Section 60:

To implement Specific Appropriations 2907A through 2907L and 2926A through 2926N related to the Southwood and Northwood Shared Resource Centers in the 2014-15 GAA:

- Provides that the Executive Office of the Governor is authorized to transfer funds appropriated in any appropriation category used to pay for data processing in the GAA between agencies in order to align the budget authority granted with the utilization rate of each department.

Section 62:

To implement Specific Appropriation 2887 of the 2014-15 GAA:

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- For fiscal year 2014-15 only, provides that the Executive Office of the Governor is authorized to transfer funds appropriated in the "Expenses" category between agencies in order to allocate a reduction relating to SUNCOM services.

Section 63:

Amends s.110.12315, F.S., Prescription drug program:

- Removes references to the Department of Management Services.
- Authorizes a 90-day supply limit program for certain maintenance drugs.
- Authorizes the pharmacy dispensing fee to be negotiated by the department.
- Establishes pharmacy reimbursement rates.
- Reenacts s. 110.12315, F.S., to continue current copayment amounts for prescriptions under the State Group Health Insurance Program.

Section 64:

- Specifies that amendments to s. 110.12315(2)(b), F.S., carried forward by this act from chapter 2013-41, Laws of Florida, expire on July 1, 2015, and language shall revert to that in existence on June 30, 2012.

Section 65:

- Specifies that no section will take effect if the appropriations and/or proviso to which it relates are vetoed.

Section 66:

- Provides that a permanent change made by another law to any of the same statutes amended by this bill takes precedence over the provision in this bill.

Section 67:

- Provides for a severability clause.

Section 68:

- Provides an effective date.

General Implementation Timeline:

July 1, 2014	Pending final action by the Governor, the act becomes effective.
November 1, 2014	The DMS reports each lease contract for private office or storage space, renegotiations and savings achieved.

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HB 5005 State-Administered Retirement Systems

(CH. 2014-54, Laws of Florida)

Bill Sponsor: Appropriations Committee

Effective Date: July 1, 2014

DOE Contact: Linda Champion, Deputy Commissioner, Division of Finance and Operations
(850) 245-0406

Executive Summary:

The bill adjusts employer contribution rates paid to the Retiree Health Insurance Subsidy Trust Fund for the health insurance subsidy for members of the Florida Retirement System (FRS). Applicable sections of law are revised to increase the employer contribution rate for the HIS from 1.20 to 1.26 percent. . The bill adjusts the employer contribution rates to the FRS by implementing the rates recommended by the independent actuary to fully fund the FRS based on the 2013 Actuarial Valuation. The bill conforms the law to the 2014-15 General Appropriations Act (GAA), as retirement and HIS contributions are included in the GAA. The bill further provides that a proper and legitimate state purpose is served when public retirement systems are administered and funded in an actuarially sound manner.

Sections 1 through 4.

Amend ss. 112.363, 121.052, 121.055 and 121.071, Florida Statutes, (F.S.), to increase the employer-paid contribution rates for all classes for the Retiree Health Insurance Subsidy (HIS), from 1.20 percent July 1, 2013, through June 30, 2014, to 1.26 percent effective July 1, 2014.

Section 5.

Amends subsections (4) and (5) of s. 121.71, F.S., to set the uniform employer contribution rates and the rates required to address the normal cost and unfunded actuarial liability for each class and subclass of the FRS. The proposed employer contributions, compared to rates currently in effect, are shown in the table below.

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Proposed and Current FRS Employer Contribution Rates

Membership Class	"Blended" Normal Costs		Unfunded Actuarial Liability	
	7/1/2013	7/1/2014	7/1/2013	7/1/2014
Regular Class	3.53%	3.53%	2.19%	2.54%
Special Risk Class	11.00%	11.01%	6.83%	7.51%
Special Risk Administrative Class	4.17%	4.18%	30.56%	36.59%
Elected Officer Class				
Leg/Gov/SAs/PDs	6.52%	6.30%	24.85%	38.66%
Judges	10.05%	10.05%	17.00%	21.77%
County Officers	8.44%	8.36%	23.36%	33.58%
Senior Management	4.81%	4.80%	12.27%	15.04%
DROP	4.63%	4.30%	7.01%	6.72%

Section 6.

Makes technical changes relating to the contributions for FRS administrative and educational expenses.

Sections 7 and 8.

Provide legislative findings that a proper and legitimate state purpose is served when public retirement systems, including the FRS, are administered and funded in a reasonable manner.

Section 9.

Provides an effective date of July 1, 2014.

General Implementation Timeline:

July 1, 2014 Pending final action by the Governor, the bill becomes effective.

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HB 5101 Education Funding

(CH. 2014-56, Laws of Florida)

Bill Sponsor: Representative Fresen

Effective Date: July 1, 2014

DOE Contact: Linda Champion, Deputy Commissioner, Division of Finance and Operations

(850) 245-0406

Executive Summary:

The bill amends statutory laws to align policies with funding authorized in the General Appropriations Act (GAA) for the 2014-15 fiscal year.

Section 1.

Amends s. 215.61, F.S., State system of public education capital outlay bonds, to:

- Require the State Board of Education to deposit gross receipts tax revenues into a separate account at least once per month, from the gross receipts taxes available in the Public Education Capital Outlay and Debt Service Trust Fund. The deposit shall be one-sixth of the amount due on the next interest payment date and one-twelfth of the amount due on the next principal payment date for all outstanding bonds secured by a pledge of gross receipts taxes.
- Require that, if there are insufficient funds to make the required deposit, the State Board of Education shall deposit an amount equal to the funds available into the separate account and, in the following month, add an amount equal to the previous month's shortfall.
- Require the State Board of Education to transfer funds deposited into the separate account to the State Board of Administration, as the trustee for bondholders, by the 20th day of the month before a principal or interest payment on bonds is due.

Section 2.

Requires that, on or before June 30, 2014, the State Board of Education transfer two-sixths of the amount due on the next interest payment date and two-twelfths of the amount due on the next principal payment date for all outstanding bonds issued pursuant to s. 9(a)(2), Article XII of the State Constitution, from cash balances in the Public Education Capital Outlay and Debt Service Trust Fund to the separate account within the trust fund provided for in s. 215.61, F.S., to be reserved for the payment of debt service due on the outstanding bonds.

Section 3.

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Amends subsection (15) of s. 1001.03, F.S., Specific powers of State Board of Education to:

- Not approve Florida College System Institution baccalaureate degree program proposals from March 31, 2014, through May 31, 2015.

Section 4.

Adds subsection (8) to s. 1001.11, F.S., Commissioner of Education; other duties, to:

- Require the Commissioner to oversee the development and implementation of the five-year strategic plan for establishing Florida digital classrooms to assist school districts in their efforts to integrate technology in classroom teaching and learning to improve student performance.

Section 5.

Amends paragraph (a) of subsection (4) of s. 1001.20, F.S., Department under direction of state board, to:

- Clarify the responsibilities of the Office of Technology and Information Services.
- Require the development of a five-year strategic plan for establishing Florida digital classrooms by October 1, 2014, and annually updating the plan by January 1.
- Require the publication of Florida digital classroom plans on the Florida Department of Education (FDOE) website.
- Detail the requirements of the Florida digital classrooms plan.

Section 6.

Amends paragraph (a) of subsection (9) of s. 1002.32, F.S., Developmental research (laboratory) schools, to:

- Revise the date a lab school with a permanent high school center must be in operation to September 1, 2013, to be eligible for the sparsity supplement.

Section 7.

Amends paragraph (b) of subsection (17) and paragraph (a) of subsection (20) of s. 1002.33, F.S., Charter schools, to:

- Provide funding for charter schools through the Florida Education Finance Program from the Florida digital classrooms allocation.
- Directs virtual charter school sponsors to use the funds generated by the withholding fee of up to 5 percent to cover the costs of implementation of the school district's digital classrooms plan.

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Section 8.

Amends paragraph (e) of subsection (1) and subsection (10) of s. 1002.45, F.S., Virtual instruction programs, to:

- Require school districts to expend the difference in funds provided for a student and the price paid for contracted services procured for implementation of the school district's digital classrooms plan.
- Clarifies that parents must be notified at the beginning of each school year about a student's right and choice to participate in a virtual instruction program and in courses offered by the Florida Virtual School.

Section 9.

Amends subsection (1) and adds a new subsection (4) to s. 1004.32, F.S., New College of Florida, to:

- Make conforming terminology changes related to being the residential liberal arts honors college of the State of Florida.
- Make conforming terminology changes related to educational reform.
- Make conforming terminology changes related to all students, not only undergraduates.
- Require New College of Florida to establish a two-year master's degree program in data science and analytics upon approval from the Board of Governors.

Section 10.

Creates s. 1004.444, F.S., Florida Center for Cybersecurity, to:

- Establish the Florida Center for Cybersecurity within the University of South Florida and set the goals for the center.

Section 11.

Repeals s. 1006.281, F.S., Local instructional improvement systems, to:

- Delete language pertaining to the local instructional improvement system.

Section 12.

Repeals s. 1006.282, F.S., Pilot program for the transition to electronic and digital instructional materials, to:

- Delete language relating to the pilot program for the transition to electronic and digital instructional materials.

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Section 13.

Amends paragraph (b) of subsection (3) of s. 1006.38, F.S., Duties, responsibilities, and requirements of instructional materials publishers and manufacturers, to:

- Add that publishers and manufacturers must provide materials that can be accessed through the school district's digital classrooms plan and a variety of electronic, digital and mobile devices.

Section 14.

Repeals s. 1006.72, F.S., Licensing electronic library resources, to:

- Delete language relating to the coordination of electronic library resources for Florida College System Institutions, State Universities, school districts and public libraries.

Section 15.

Amends s. 1006.73, F.S., Florida Virtual Campus, to:

- Establish the Florida Academic Library Services Cooperative to provide a single library automation system and associated resources and services that all public postsecondary institutions can use to support learning, teaching and research needs.
- Describe the responsibilities and tasks of the Florida Academic Library Services Cooperative.
- Require the University of West Florida to submit a report to the President of the Senate and the Speaker of the House of Representatives describing the implementation and operation of the Florida Academic Library Services Cooperative on December 31, 2014.

Section 16.

Amends s. 1006.735, F.S., Complete Florida Plus Program, to:

- Change the section name from "Degree Program" to "Plus Program."
- Create the Complete Florida Plus Program at the University of West Florida and describe its purpose.
- Establish the Complete Florida Degree Initiative within the Complete Florida Plus Program for the purpose of recruiting, recovering and retaining the state's adult learners and assisting them in completing degrees that align to high-wage, high-skill workforce needs.
- Conform language by changing references from "program" to "initiative."

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- Require the Complete Florida Plus Program to develop and manage a statewide Internet-based catalog of distance learning courses, degree programs and resources offered by public postsecondary education institutions.
- List the operational procedures for the statewide Internet-based catalog.
- Require the Complete Florida Plus Program to make available on a statewide basis online services and support, including: an online admissions application process, a K-20 statewide computer-assisted student advising system, a method for identifying and evaluating new technologies and instructional methods for improving distance learning instruction, help desk support and training and consultation services to institutions and students using the Complete Florida Plus Program, negotiation of statewide licensing resources and preferred pricing agreements, and development and implementation of a plan that describes the services and resources available through the Complete Florida Plus Program.
- Require the University of West Florida to provide a report to the President of the Senate and Speaker of the House of Representatives by December 31, 2014, regarding the implementation and operation of all components of the Complete Florida Plus Program, including information and associated costs relating to the services and functions of the program.
- Require the Northwest Regional Data Center to provide all data center services necessary to support the statewide Internet-based catalog and the statewide online student advising services.

Section 17.

- Transfer all records, personnel, property, pending issues and unexpended balances of appropriations, allocations and other funds of the Florida Virtual Campus to the University of West Florida.
- Transfer all Florida Virtual Campus binding contracts or agreements to the University of West Florida for the remainder of those contract or agreement terms.
- Terminate the agreement executed July 1, 2012, between the University of Florida Board of Trustees and the Florida Virtual Campus on December 31, 2014, or upon the transfer, whichever occurs first.
- Provide a transition period between July 1, 2014, and December 31, 2014.
- Require the Board of Governors, on behalf of the University of West Florida, to develop and submit to the Legislative Budget Commission a budget amendment that includes a

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transition plan for the transfer of the Florida Virtual Campus resources to the University of West Florida.

Section 18.

Amends paragraph (h) of subsection (3) of s. 1007.01, F.S. and adds paragraph (i), Articulation; legislative intent; purpose; role of the State Board of Education and the Board of Governors; Articulation Coordinating Committee, to:

- Conforms a cross-reference.
- Require the committee to make recommendations regarding the cost and requirements to develop and implement an online system for collecting and analyzing data regarding requests for transfer of credit by postsecondary education students.
- Set minimum collection requirements for the online system.
- Require recommendations be reported to the President of the Senate and the Speaker of the House of Representatives on or before January 31, 2015.

Section 19.

Creates s. 1007.2616, Computer science and technology instruction, to:

- Require public schools to provide students in grades K-12 opportunities for learning computer science, including computer coding and computer programming.
- Allow elementary and middle schools to establish digital classrooms in which students are provided opportunities to improve digital literacy and competency.
- Allow high schools to provide students opportunities to take computer science courses to satisfy high school graduation requirements.
- Allow the State Board of Education to adopt rules to administer this section.

Section 20.

Amends subsection (1) of s. 1007.27, F.S., Articulated acceleration mechanisms, to:

- Provide that the state-funded electronic library resources are licensed by the Florida Academic Library Services Cooperative.

Section 21.

Amends subsection (21) of s. 1007.271, F.S., Dual enrollment programs, to:

- Change all references to "Florida College System" to "postsecondary institution."

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- Clarify that school districts pay public postsecondary institutions the standard tuition rate per credit hour from the funds provided in the Florida Education Finance Program when dual enrollment course instruction takes place on the postsecondary institution's campus and the course is taken during the fall or spring term.
- Clarify that, when dual enrollment is provided at the high school site by postsecondary institution faculty, the school district must reimburse the costs associated with the postsecondary institution's proportion of salary and benefits to provide the instruction.
- Clarify that, when dual enrollment is provided at the high school site by school district faculty, the school district is not responsible for payment to the postsecondary institution.
- Provide public institutions an amount of funding equivalent to the standard tuition rate per credit hour for each dual enrollment course taken by a student during the summer term, subject to annual appropriation in the General Appropriations Act.

Section 22.

Amends subsection (4) of s 1007.33, F.S., Site-determined baccalaureate degree access, to:

- Direct the Board of Trustees of St. Petersburg College not to establish any new baccalaureate degree program from March 31, 2014, through May 31, 2015.

Section 23.

Amends paragraphs (a) and (c) of subsection (16) and subsection (17) of s. 1009.23, F.S., Florida College System Institution student fees, to:

- Revise statutory reference related to per-credit-hour distance learning course user fees.
- Require an institution that assesses the distance learning fee to provide a link to the catalog within the advising and distance learning sections of the institution's website, using a graphic and description provided by the Complete Florida Plus Program.
- Revise statutory reference related to transient student fees.

Section 24.

Amends paragraph (t) of subsection (14) and paragraphs (a) and (c) of subsection (17) of s. 1009.24, F.S., State University Student Fees, to:

- Revise statutory reference related to per-credit-hour distance learning course user fees.
- Require an institution that assesses the distance learning fee to provide a link to the catalog within the advising and distance learning sections of the institution's website, using a graphic and description provided by the Complete Florida Plus Program.

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Section 25.

Amends subsection (1) and paragraph (a) of subsection (2) of s. 1009.55, F.S., Rosewood Family Scholarship Program, to:

- Increase the number of annual scholarships awarded from 25 to 50.
- Increase the annual scholarship amount awarded to a student from up to \$4,000 to up to \$6,100.

Section 26.

Creates s. 1009.893, F.S., Florida National Merit Scholar Incentive Program, to:

- Reward any Florida high school graduate who receives recognition as a National Merit Scholar or National Achievement Scholar and who initially enrolls in the 2014-2015 academic year or, later, in a baccalaureate degree program at an eligible Florida public or independent postsecondary education institution.
- Require the department to administer and advertise the program.
- Provide student eligibility requirements for the program.
- Provide award amount calculations.
- Require the department to annually issue awards from the incentive program.
- Allow the department to withhold payments, if necessary.
- Allow a student to use an award for a summer term if funds are available and appropriated by the Legislature.
- Require the department to allocate funds to institutions and collect and maintain data regarding the incentive program within the student financial assistance database.
- Allow the State Board of Education to adopt rules necessary to administer this section.

Section 27.

Amends paragraph (f) of subsection (1), paragraph (a) of subsection (4), and paragraphs (a) and (c) of subsection (9) of s. 1011.62, F.S.; rennumbers subsections (12) through (14); and adds a new subsection (12), Funds for operation of schools, to:

- Increase from 100 to 300 the number of lowest-performing elementary schools based on the state reading assessment that must provide an additional hour of instruction for fiscal year 2014-2015.

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- Add that a K-5 mentoring reading program that is supervised by a teacher who is effective at teaching reading may constitute the additional hour of instruction.
- Change reference from FCAT reading to the statewide, standardized reading assessment, or English Language Arts assessment.
- Create the Florida digital classrooms allocation to support school district efforts to create digital classrooms by integrating technology in classroom teaching and learning.
- Require each district to develop a digital classrooms plan and submit the plan to DOE for approval by October 1, 2014, and by March 1 each year thereafter.
- Provide the digital classrooms plan requirements.
- Annually provide, in the General Appropriations Act, funding through the Florida Education Finance Program allocation for the implementation of the Florida digital classrooms plan.
- Provide the methodology for calculating the annual digital classrooms allocation.
- Provide a minimum of \$250,000 per school district for the allocation with the remaining funds allocated based on each district's proportion of FTE.
- Require plan submission and FDOE approval prior to release of funds.
- Require district school boards, beginning in the 2015-2016 fiscal year, to report to the department their use of funds provided through the Florida digital classrooms allocation and student performance outcomes.
- Require the Commissioner to provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a summary of each district's use of funds, student performance outcomes and progress toward meeting statutory requirements and timelines by October 1, starting with fiscal year 2015-16.
- Require school districts to provide teachers, administrators, students and parents with access to: digital or electronic formatted instructional materials, digital materials, and teaching and learning tools and resources.

Section 28.

Amends subsection (1) and paragraph (d) of subsection (2) of s. 1011.71, F.S., District School Tax, to:

- Authorize the capital outlay millage levy to be used for a district's digital classrooms plan.

Section 29.

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Requires the Pasco County Sheriff's Office and the Pasco-Hernando State College to negotiate an interlocal agreement governing the operation of the Law Enforcement and Corrections Academy for the training of officers and employees of the Pasco County Sheriff's Office by October 1, 2014.

Section 30.

Requires the FDOE to provide the funds appropriated in Specific Appropriation 111 of the 2014-2015 General Appropriations Act to Jobs for Florida's Graduates.

Section 31.

Provides an effective date of July 1, 2014, or upon becoming a law as noted in section 1.

General Implementation Timeline:

June 30, 2014	The State Board of Education must transfer two-sixths of the amount due on the next interest payment date and two-twelfths of the amount due on the next principal payment date for all outstanding bonds issued.
July 1, 2014	Pending final action by the Governor, the act becomes effective.
August 2014	Parents must be notified at the beginning of each school year about a student's right and choice to participate in a virtual instruction program and in courses offered by the Florida Virtual School.
October 1, 2014	The Office of Technology and Information Services must develop a five-year strategic plan for establishing Florida digital classrooms.
October 1, 2014	School districts must submit to FDOE their digital classrooms plans for approval.
October 1, 2014	Pasco County Sheriff's Office and Pasco-Hernando State College to negotiate an interlocal agreement governing the operation of the Law Enforcement and Corrections Academy for the training of officers and employees of the Pasco County Sheriff's Office.
December 31, 2014	The University of West Florida must submit a report to the President of the Senate and the Speaker of the House of Representatives describing the implementation and operation of the Florida Academic Library Services Cooperative.

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- December 31, 2014 The Florida Virtual Campus is transferred to the University of West Florida.
- January, 1, 2015, The Office of Technology and Information Services must update the five-year and annually thereafter strategic plan for establishing Florida digital classrooms.
- January 31, 2015 The Articulation Coordinating Committee must provide a report with recommendations for the online system for collecting and analyzing data regarding requests for transfer of credit by postsecondary education students to the President of the Senate and the Speaker of the House of Representatives.
- October 1, 2015 The Commissioner must provide to the Governor, the President of the Senate and the Speaker of the House of Representatives a summary of each district's use of Florida digital classrooms funds, student performance outcomes and progress toward meeting statutory requirements and timelines.

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HB 7015 Military and Veteran Support

(CH. 2014-1, Laws of Florida)

Bill Sponsor: House Veteran and Military Affairs Subcommittee

Effective Date: July 1, 2014

DOE Contact: Randy Hanna, Chancellor of the Florida College System, (850) 245-0407
Rod Duckworth, Chancellor of Workforce and Career Education, (850) 245-0446
Adam Miller, Executive Director, Office of Independent Education and Parental Choice, 850-245-0502

Executive Summary:

The bill revises numerous statutes relating to military personnel, veterans and their families. As it relates to education, the bill creates the "Congressman C.W. Bill Young Veteran Tuition Waiver Program" to waive out-of-state fees for honorably discharged veterans of the United States (U.S.) Armed Forces, U.S. Reserve Forces or the National Guard, who reside in the state while enrolled in a Florida college system (FCS) institution, state university and/or technical career center. Also, the bill encourages military installation commanders and the Commissioner of Education (commissioner) to collaborate to increase military family student achievement, including the possible establishment of charter schools on military installations. In the section breakdown below, only sections of the bill related to education are included, to read the full version of the bill please visit: <http://www.myfloridahouse.gov/sections/bills/bills.aspx>.

Section 1.

Amends s. 250.10, F.S., Appointment and duties of the Adjutant General, to:

- Include postsecondary institutions and technical centers in the education assistance program administered by the Adjutant General.
- Include that the educational assistance program may also be used for training to obtain industry certifications approved by Florida Department of Education pursuant to s. 1008.44, F.S., and continuing education to maintain license certifications.
- Specify that inactive members of the Florida National Guard and members of the Individual Ready Reserve Program are not eligible to participate in the education assistance program.
- Specify that the education assistance program may not pay for courses that have to be repeated.

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- Provide that the education assistance program may include the following:
 - Courses at a public and nonpublic postsecondary institution or technical center in the state which is accredited by an accrediting body recognized by the U.S. Department of Education or licensed by the Commission for Independent Education.
 - Training to obtain industry certifications.
 - Continuing education to maintain a license. and
 - Developmental education courses.
- Provide that the Adjutant General shall adopt rules for the proper use of the program that include the following:
 - Guidelines for approving courses of study that are authorized for the education assistance program including online courses, industry certification training, and continuing education to maintain license certifications.
 - Guidelines for approving the use of program funds for licensing and industry certification examination fees.
 - Procedures that require a public or nonpublic postsecondary institution or technical center that receives funding from the education assistance program to provide information regarding course enrollment, course withdrawal, course cancellation, course completion, course failure, and grade verification of enrolled member to the education service office of the Department of Military Affairs (DMA). and
 - Guidelines for the payment of tuition and fees, not to exceed the highest in-state tuition rate charged by a public postsecondary institution in the state.
- Clarify that the DMA may reimburse eligible participants for student textbooks and instructional materials for courses in accordance with funding availability and only after tuition and fees for all eligible participants have been paid for that fiscal year.

Section 2.

"Beginning in the 2014-15 fiscal year, the sum of \$1.53 million in recurring funds is appropriated from the General Revenue Fund to the Department of Military Affairs to supplement the Educational Dollars for Duty program to ensure that Florida National Guard members are rewarded for their service to the country with the ability to pursue higher learning in the state pursuant to s. 250.10 (7) and (8), Florida Statutes."

Section 3.

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"For the 2014-15 fiscal year, the sum of \$250,000 in nonrecurring funds is appropriated from the General Revenue fund to the Department of Military Affairs for the purpose of information technology upgrades to accommodate administering and auditing the Educational Dollars for Duty program."

Section 35.

Amends s. 1002.33, F.S., Charter Schools, to:

- Declare legislative intent that military families face unique challenges due to the highly mobile nature of military service and that a framework needs to be established to address the needs of children in a military family.
- Encourage military installation commanders to collaboratively work with the commissioner to increase military family student achievement, which could include the establishment of charter schools on military installations.

Section 36.

Amends s. 1009.26, F.S., Fee Waivers, to:

- Establish the "Congressman C.W. Bill Young Veteran Tuition Wavier program."
- Require that a state university, FCS institution, or career centers operated by a school district under s. 1001.44, F.S., or charter technical career centers to waive out-of-state fees for an honorably discharged veteran of the U.S. Armed forces, the U.S. Reserve Forces, or the National Guard who physically reside in Florida while enrolled in the institution.
- Clarify that the waiver will cover 110 percent of the required credit hours of the degree or certificate program for which the student is enrolled.
- Require that FCS institutions, state universities, or career centers operated by a school district under s. 1001.44, F.S, or charter technical career center report to the Board of Governors and the State Board of Education the number and value of all fee waivers granted annually under the Congressman C.W. Bill Young Veteran Tuition Waiver program.

General Implementation Timeline:

July 1, 2014

The act becomes effective

Florida Department of **EDUCATION**

HB 7029 Code of Student Conduct

(CH. 2014-219, Laws of Florida)

Bill Sponsor: Representative Baxley

Effective Date: Upon Becoming Law

DOE Contact: Sam Foerster, Deputy Chancellor of Student Achievement and School Improvement, Division of Public Schools, 850-245-0509

Executive Summary:

The bill revises the requirements for the Code of Student Conduct to clarify that simulating a firearm while playing, wearing clothing or accessories depicting weapons, or expressing an opinion regarding gun ownership rights are not grounds for disciplinary action or law enforcement intervention. The bill provides exceptions for students whose actions substantially disrupt the learning environment, cause bodily harm, or place a person in reasonable fear of bodily harm

Section 1.

Amends s. 1006.07, F.S., District School Board Duties Relating to Student Discipline and School Safety, to:

- Clarify that students simulating a firearm during play, wearing weapon-themed clothing or clothing expressing an opinion regarding the right to keep and bear arms are not grounds for disciplinary action or law enforcement intervention.
- Provide examples of student behavior that do not meet the criteria of firearms possession/use, such as wielding food, small toys, fingers, writing instruments, etc. as a gun; making firearm or weapon sound; or drawing/possessing a picture of a firearm.
- Specify exceptions for students whose actions substantially disrupt the learning environment, cause bodily harm, or place a person in reasonable fear of bodily harm. In those cases, appropriate disciplinary action or referral to law enforcement would be warranted. However, the consequences imposed must be proportionate to the infraction.
- Provide that firearm or weapon-themed clothing or accessories should be addressed through the district's dress code unless the clothing causes a substantial disruption of the learning environment.

General Implementation Timeline:

The act is effective upon becoming law.

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HB 7031 Education

(CH. 2014-39, Laws of Florida)

Bill Sponsor: K-12 Subcommittee

Effective Date: Upon becoming law

DOE Contact: Tanya Cooper, Director, Governmental Relations, (850) 245-9633

Executive Summary:

HB 7031 repeals discontinued or unfunded programs, corrects and updates cross-references, eliminate duplicated reporting requirements, and updates terminology. The bill prohibits the double-testing of students in the middle grade enrolled in Algebra I, Geometry, and Biology I who must take the statewide, standardized EOC assessment, from taking the corresponding grade-level FCAT. Also, the bill clarifies new graduation requirements for certain high school students who were in high school before SB 1076 passed in 2013.

Section 1.

Amends s. 11.45, F.S., Definitions; duties; authorities; reports; rules, to:

- Require that the Auditor General provide notification to the Legislative Auditing Committee if a district school board fails to take full corrective action on a recommendation that had been included in the two previous financial or operational audit reports.
- Add that the district school board may be required to provide a written statement in response to the inquiry made by the Legislative Auditing Committee or be referred to the State Board of Education to take action if the district school board fails to respond or the response does not include a justifiable reason for not taking appropriate corrective action.

Section 2.

Amends s. 120.74, F.S., Agency review, revision, and report, to:

- Add exemption from s. 120.74, F.S. for educational units as defined in s. 120.52(6), F.S.

Section 3.

Amends s. 120.81, F.S., Exceptions and special requirements; general areas, to:

- Revise citations to statutes to reflect the current statute mandating the requirements for a standard high school diploma.

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Section 4.

Amends s. 409.1451, F.S., The Road-to-Independence Program, to:

- Reflect the current graduation statutes, s. 1002.3105(5), s. 1003.4281, s.1003.4282 and adds reference to special diploma by name in addition to existing statute number.

Section 5.

Amends s. 496.404, F.S., Definitions, to:

- Delete a cross-reference to s. 1001.25, F.S., Educational television, which is repealed by the bill.

Section 6.

Amends s. 775.215, F.S., Residency restriction for persons convicted of certain sex offenses, to:

- Delete reference to a K-8 virtual school under s. 1002.415, F.S. from the definition of 'School'.

Section 7.

Amends s. 984.151, F.S., Truancy petition; prosecution; disposition, to:

- Allow a superintendent's designee to file a truancy petition.

Section 8.

Repeal subsection (5) of s. 1000.01, F.S., The Florida K-20 education system; technical provisions, to:

- Repeals subsection dealing with education governance transfers

Section 9.

Amends s. 1000.21, F.S., Systemwide definitions.-As used in the Florida K-20 Education Code, to:

- Delete reference to common core standards in English Language Arts and Mathematics.

Section 10.

Repeals s. 1000.33, F.S., Copies to other states approving to:

- Delete the requirement that the Secretary of State of Florida furnish to each of the states approving the Regional Education Compact an engrossed copy of this bill.

Section 11.

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Repeals s. 1000.37, F.S., Copies to other states approving, to:

- Delete the requirement that the Secretary of State of Florida furnish to each of the states approving the Interstate Compact on Educational Opportunity for Military Children an enrolled copy of the act.

Section 12.

Amends s. 1001.10, Commissioner of Education; general powers and duties F.S., to:

- Delete the requirement for the commissioner to develop and implement a plan for working with the Federal Government in carrying out the No Child Left Behind Act prior to its reauthorization.
- Delete the requirement that the aforementioned plan be submitted to the Legislature for review prior to submission to federal agencies.
- Re-label paragraph (l) as paragraph (k), and generally requires the commissioner to “prepare, publish, and disseminate” user-friendly material relating to the state’s education system rather than specifically through the Citizen Information Center.

Section 13.

Repeals s. 1001.25, F.S., Educational television, to:

- Delete the requirement for Florida Department of Education (FDOE) to establish and maintain an educational television network.

Section 14.

Amends s. 1001.26, F.S., Public broadcasting program system, to:

- Add funding of educational television stations qualified by the Corporation for Public Broadcasting to the public broadcasting program system.
- Remove the requirement to provide equipment, support or maintenance to new educational television stations or update the existing educational television systems.
- Delete a cross-reference to s. 1001.25, F.S, Educational Television.
- Delete the requirement to implement provisions pursuant to s. 282.702, F.S., Powers and duties.
- Remove the requirement to recommend rules to the State Board of Education (SBE) to extend educational television services.

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- Add that an educational television station that receives state funding may not advertise or promote a political candidate for any public office, but may broadcast a fair and open discussion between political candidates.
- Add that violation of prohibition is a second-degree misdemeanor, punishable pursuant to s. 775.082 or s. 775.083, F.S.

Section 15.

Amend s. 1001.34, F.S., Membership of district school board, to:

- Allow a district school board to modify the number of members by on its school board by adopting a resolution that establishes the total number of members and the number of members who shall be elected by residence area or elected at large.
- Specify that the total number of school board members shall not be less than five members.
- Provide that the resolution specify a procedure for modifying the membership of the board, including staggering terms of additional members as necessary.
- Clarify that if the resolution is adopted, the school board must submit the referendum at the next primary or general election.

Section 16.

Repeals subsection (7) of s. 1001.47, F.S., District school superintendent; salary, to:

- Delete the obsolete requirement to reduce each elected district school superintendent's salary by 2 percent for the 2009-10 fiscal year (FY).

Section 17.

Repeals subsection (6) of s. 1001.50, F.S., Superintendents employed under Art. IX of the State Constitution, to:

- Delete the obsolete requirement to reduce the superintendent's salary by at least 5 percent for the 2009-10 FY.

Section 18.

Repeals s. 1001.62, F.S., Transfer of benefits arising under local or special acts, to:

- Remove outdated language relating to the transfer of benefits arising under local or specials acts.

Section 19.

Repeals subsection (3) of s. 1001.73, F.S., University board empowered to act as trustee, to:

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- Delete that any or all such appointment of, and acts by, the Board of Regents as trustee of any estate, fund, or property prior to May 18, 1949, are hereby validated.

Section 20.

Amends s. 1002.20, F.S., K-12 student and parent rights, to:

- Change the word “any” meeting to “a” meeting.
- Clarify the parent of a student “with a disability”.
- Correct cross-references.
- Clarify that parents are entitled to an easy-to-read report card about their child’s school grade or school improvement rating.
- Delete that public school students and their parents may provide input regarding concerns about the operations and management of the school district during and after the conduct of a school districts best financial management practices review.

Section 21.

Amends s. 1002.31, F.S., Public School Parental Choice, to:

- Change the title of the statute to “Controlled open enrollment; public school parental choice.”
- Clarify the open enrollment process for school districts.
- Delete a requirement that school districts submit controlled open enrollment plans to FDOE.
- Delete the requirement that FDOE develop an annual report.

Section 22.

Amends s. 1002.3105, F.S., Academically Challenging Curriculum to Enhance Learning (ACCEL) options, to:

- Add clarification language that specifies applicable grade 9 cohort graduation requirements.
- Add reference to meeting the graduation requirements of s. 1003.4282 (10)1.-5., (b) 1.-5., (c) 1.-5, or (d) 1.-5.

Section 23.

Amends s. 1002.321, F.S., Digital learning, to:

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- Clarify the online course graduation requirement as per s. 1003.4282 and delete reference to s. 1003.428, F.S., the previous statute relating to high school graduation requirements.

Section 24.

Amends s. 1002.33, F.S., Charter schools, to:

- Update citations relating to graduation requirements for students in charter schools.
- Clarify that Local Education Agency status for specified charter systems is granted to the governing board of the system.

Section 25.

Amends s. 1002.34, F.S., Charter technical career centers, to:

- Make a technical change to reword section (d)1 and 2 requiring FDOE to offer or arrange for training and technical assistance to centers which must include developing and amending business plans, estimating and accountability reporting requirements, implementing good business practices and identifying state and federal financial aid the center may be eligible to receive.
- Require the applicant to participate in the training provided by the department after approval of its application but at least 30 days prior to the first day of school.

Section 26.

Amends s. 1002.345, F.S., Determination of Deteriorating financial conditions and financial emergencies for charter schools and charter technical career centers, to:

- Conform language related to financial reporting requirements for high-performing charter schools.
- Delete the requirement that the Commissioner provide an annual report to SBE relating to charter school corrective action plans.

Section 27.

Amends s. 1002.39, F.S., The John M. McKay Scholarships for Students with Disabilities Program, to:

- Delete obsolete language for a time limited provision of the McKay Scholarship Program that expired after the 2011-2012 school year.

Section 28.

Amends s. 1002.41, F.S., Home Education Programs, to:

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- Update and conform statutory references related to the Bright Futures Scholarship program.

Section 29.

Repeals s. 1002.415, F.S., K-8 Virtual School Program, to:

- Repeal the statute related to the K-8 Virtual School Program which is being phased out.

Section 30.

Amends s. 1002.45, F.S., Virtual instruction programs, to:

- Delete reference to statute being repealed related to high school graduation requirements and add statutes related to academically challenging curriculum and accelerated instruction (ss. 1002.3105(5), F.S.) and early graduation (s. 1003.281, F.S.) to the contract requirements for district virtual instruction programs.
- Delete reference to “parents” to clarify it is the student’s right to participate in virtual programs offered by school district’s and Florida Virtual School (FLVS).

Section 31.

Amends s. 1002.455, F.S., Student eligibility for K-12 virtual instruction, to:

- Delete reference to s. 1002.415, F.S., K-8 Virtual School Program, when listing eligibility criteria for virtual instruction programs.

Section 32.

Repeals s. 1002.65, F.S., Professional credentials of prekindergarten instructors; aspirational goals; legislative intent, to:

- Repeal section (s.) 1002.65, Florida Statutes (F.S.), relating to aspirational goals for credentials of prekindergarten instructors.

Section 33.

Amends s. 1003.01, F.S., Definitions, to:

- Delete “any” prior to extracurricular when excluding extracurricular classes from class size requirements.

Section 34.

Amends s. 1003.02, F.S., District school board operation and control of public K-12 education within the school district, to:

- Remove the phrase “curriculum frameworks” and replace it with “course descriptions.”

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Section 35.

Amends s. 1003.03, F.S., Maximum class size, to:

- Delete the cross-reference to s. 1003.428, F.S.
- Add the reference to s. 1002.3105(5), F.S. that describes the requirements for a student to earn a standard high school diploma.

Section 36.

Amends s. 1003.41, F.S., Next Generation Sunshine State Standards, to:

- Delete the requirement the Commissioner of Education prepare an analysis of the costs associated with implementing a separate one-half credit course in financial literacy.

Section 37.

Amends s. 1003.4156, F.S., General requirements for middle grades promotion, to:

- Remove reference to common core Algebra 1 and Geometry assessments.
- Require that to earn high school credit for Algebra 1, a middle grades student must take the statewide, standardized Algebra 1 End-of-Course (EOC) assessment and pass the course, and in addition, beginning with the 2013-14 school year a student's performance on the Algebra 1 EOC assessment will constitute 30 percent of the student's final course grade.
- Remove the requirement that, to earn high school credit for Algebra 1, a middle grades student must pass the Algebra 1 EOC statewide, standardized assessment.
- Add the term "EOC" to the title of the Geometry assessment.
- Require that 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.
- Remove reference to FCAT and common core assessments required under s. 1008.22 and replaces them with "statewide, standardized assessment when implemented" for Reading, English Language Arts (ELA) and Mathematics.

Section 38.

Repeals s. 1003.428, F.S., General requirements for high school graduation, to:

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- Repeals outdated graduation requirements for high school students.

Section 39.

Amends s. 1003.4281, F.S., Early high school graduation, to:

- Add the provision that a student meeting the requirements of the early graduation option will receive a standard high school diploma.
- Remove reference to s. 1003.428 which this bill repeals.

Section 40.

Amends s. 1003.4282, F.S., Requirements for a standard high school diploma, to:

- Standard diploma requirements for students who enter 9th grade in the 2013-2014 school year and thereafter
- Remove references to common core Algebra 1, Geometry, and Algebra 2 assessments.
- Remove references to the requirement to pass the grade 10 Florida Comprehensive Assessment Test (FCAT) Reading and replaces it with pass the "statewide, standardized grade 10 Reading assessment," or when implemented, the grade 10 ELA assessment, or earn a concordant score in order to earn a standard high school diploma.
- Remove references to s. 1003.428, F.S.
- Add that a student may earn a comparative score in order to satisfy the must pass the statewide, standardized Algebra 1 EOC assessment requirement in order to earn a standard diploma.
- Clarify that a student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the SBE may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits except for Algebra 1 and Geometry.
- Clarify that a student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the SBE may substitute the certification for one science credit, except for Biology 1.
- Add additional course substitution options for a student to satisfy the one credit physical education (to include the integration of health) and one credit fine arts requirements. This includes the following provisions:
 - Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons will satisfy the one credit physical education requirement.

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- Must pass a personal fitness competency test with a score of “C” or better.
- Personal fitness test developed by FDOE must be used.
- Completion of one semester with a grade of “C” or better in a:
 - marching band class;
 - physical activity class that requires participation in marching band activities as an extracurricular activity; or
 - dance class that satisfies one-half credit in physical education or one-half credit in performing arts; or
 - 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 (including a significant component of drills) will satisfy the
 - One credit requirement in physical education
 - 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.
- Add that a district may award a standard diploma to a student who meets the requirements for s. 1002.3105(5), F.S. (18-credit Academically Challenging Curriculum to Enhance Learning [ACCEL] option) and earns a cumulative grade point average (GPA) of a 2.0 on a 4.0 scale.
- Require that an adult student in an adult general education program shall be awarded a standard diploma if the student meets the requirements of s. 1003.4282(3), F.S., or s. 1002.3105(5), F.S., except for the following:
 - One elective credit may be substituted for the one credit requirement in fine or performing arts, speech and debate, or practical arts.
 - The district school board may waive the requirement that two of the science credits include a laboratory component.
 - The one credit in physical education may be substituted with an elective credit.
- Delete the provision that all students enrolled in high school as of the 2012-2013 school year who earned a passing grade in Biology 1 or Geometry before the 2013-2014 school year shall be awarded a credit in that course if the student passed the course. The

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

- Remove that a student who “fails to earn” the required 24 credits and replaces it with a student who “earns” the required 24 credits or the required 18 credits under s. 1002.3105(5) [ACCEL option], F.S., but fails to pass the assessments required under s. 1008.22(3), F.S., or achieve a 2.0 GPA shall be awarded a certificate of completion.
- Add that a student who is awarded a certificate of completion may elect to remain in high school either as a full-time or part-time student for up to one additional year and receive special instruction designed to remedy his or her identified deficiencies.
- Remove “mathematic credit in a course that requires passage of a statewide, standardized assessment in order to earn a standard diploma” and replaces it with “credit in Algebra 1” related to the uniform transfer of high school credit requirements.
- Add that if a transfer student's transcript shows a credit in high school reading or ELA 2 or 3, in order to earn a standard high school diploma, the student must take and pass the statewide, standardized grade 10 Reading assessment or, when implemented, the grade 10 ELA assessment, or earn a concordant score.
- Add that if a transfer student's transcript shows a final course grade and credit in Algebra 1, Geometry, Biology 1, or United States History, the transferring final grade and credit must 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.
- Delete reference to s. 1003.428, F.S., with regard the Florida Department of Education, to develop additional career education courses that allow students to earn credit in courses required for high school graduation.
- Delete reference to s. 1004.02(27), F.S., and replaces it with s. 1004.02(26), F.S., as related to the requirement that the regional consortium service organizations that assist school districts and others to create career education courses.
- Add a new subsection that specifies the standard diploma course credit and assessment requirements for 9th grade student cohorts entering prior to the 2013-2014 school year. This is a result of the repeal of s. 1003.428, F.S. The new standard diploma requirements include the following:
 - A student entering 9th grade before the 2010-2011 school year must:
 - Earn four credits in English/English Language Arts (ELA)

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- Pass the statewide, standardized grade 10 Reading assessment;
or
- Earn a concordant score in order to graduate with a standard diploma
- Earn four credits in mathematics, which must include Algebra 1
 - Pass the Grade 10 FCAT Mathematics or earn a concordant score, in order to graduate with a standard diploma
 - A student who takes Algebra 1 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 to earn course credit.
 - A student's performance on the Algebra 1 or Geometry EOC assessment is not required to constitute 30 percent of a 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 1.
- Earn three credits in science, two of which must have a laboratory component
 - A student who takes Biology 1 after the 2010-2011 school year must take the statewide, standardized Biology 1 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 course.
- Earn three credits in social studies

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- One credit in World History
- One credit in United States History
 - A student who took 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.
- One-half credit in United States Government
- One-half credit in Economics
- Earn one credit in fine or performing arts, speech and debate, or practical arts
 - The practical arts course must incorporate artistic content and techniques of creativity, interpretation, and imagination. These courses are identified in the Course Code Directory.
- Earn one credit in physical education
 - Physical education must include the integration of health.
- Earn eight credits in electives
- A student entering 9th grade in the 2010-2011 school year must earn:
 - Earn four credits in English/ELA
 - Pass the statewide, standardized grade 10 Reading assessment or
 - Earn a concordant score in order to graduate with a standard diploma.
 - Earn four credits in mathematics, which must include Algebra 1 and Geometry
 - The statewide, standardized Algebra 1 EOC assessment constitutes 30 percent of the student's final course grade
 - A student who takes Algebra 1 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 to earn course credit.

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- A student's performance on the Geometry EOC assessment is not required to constitute 30 percent of a 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 1 and Geometry.
- Earn three credits in science, two of which must have a laboratory component
 - A student who takes Biology 1 after the 2010-2011 school year must take the statewide, standardized Biology 1 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 course, except for Biology 1.
- Earn three credits in social studies
 - One credit in World History
 - One credit in United States History
 - A student who took 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.
 - One-half credit in United States Government
 - One-half credit in Economics
- Earn one credit in fine or performing arts, speech and debate, or practical arts

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- The practical arts course must incorporate artistic content and techniques of creativity, interpretation, and imagination. These courses are identified in the Course Code Directory.
- Earn one credit in physical education.
 - Physical education must include the integration of health.
- Earn eight credits in electives
- A student entering 9th grade in the 2011-2012 school year must:
 - Earn four credits in English/ELA
 - Pass the statewide, standardized grade 10 Reading assessment or
 - Earn a concordant score in order to graduate with a standard diploma.
 - Earn four credits in mathematics, which must include Algebra 1 and Geometry
 - A student who takes Algebra 1 after the 2010-2011 school year must take the statewide, standardized Algebra 1 EOC assessment, or earn a comparative score, in order to earn a standard high school diploma.
 - A student who takes Algebra 1 or Geometry after the 2010-2011 school year must take the statewide, standardized EOC assessment but is not required to pass the Algebra 1 or Geometry EOC assessment to earn course credit.
 - A student's performance on the Algebra 1 or Geometry EOC assessment is not required to constitute 30 percent of a 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 1 and Geometry.

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- Earn three credits in science, two of which must have a laboratory component, and one science credit must be in Biology 1
 - A student who takes Biology 1 after the 2010-2011 school year must take the statewide, standardized Biology 1 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 course, except for Biology 1.
- Earn three credits in social studies
 - One credit in World History
 - One credit in United States History
 - A student who took 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.
 - One-half credit in United States Government
 - One-half credit in Economics
- Earn one credit in fine or performing arts, speech and debate, or practical arts
 - The practical arts course must incorporate artistic content and techniques of creativity, interpretation, and imagination. These courses are identified in the Course Code Directory.
- Earn one credit in physical education
 - Physical education must include the integration of health.
- Earn eight credits in electives
- Take one online course.
- A student entering 9th grade in the 2012-2013 school year must:

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- Earn four credits in English/ELA
 - Pass the statewide, standardized grade 10 Reading assessment or
 - Earn a concordant score in order to graduate with a standard diploma.
- Earn four credits in mathematics, which must include Algebra 1 and Geometry
 - A student who takes Algebra 1 after the 2010-2011 school year must take the statewide, standardized Algebra 1 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 standardized, statewide assessment Geometry EOC assessment.
 - A student is not required to pass the statewide, standardized EOC assessment in Algebra 1 or Geometry in order to earn course credit.
 - A student's performance on the Algebra 1 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 1 and Geometry.
- Earn three credits in science, two of which must have a laboratory component, and one science credit must be in Biology 1
 - A student who takes Biology 1 after the 2010-2011 school year must take the statewide, standardized Biology 1 EOC assessment but is not required to pass the assessment in order to earn course credit.

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- 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 course, except for Biology 1.
- Earn three credits in social studies
 - One credit in World History
 - One credit in United States History
 - A student who took United States History after the 2011-2012 school year must take the statewide, standardized United States History EOC assessment and the student's performance on the assessment constitutes 30 percent of the student's final course grade.
 - One-half credit in United States Government
 - One-half credit in Economics
- Earn one credit in fine or performing arts, speech and debate, or practical arts
 - The practical arts course must incorporate artistic content and techniques of creativity, interpretation, and imagination. These courses are identified in the Course Code Directory.
- Earn one credit in physical education
 - Physical education must include the integration of health.
- Earn eight credits in electives
- Take one online course
- Add that a policy in rule adopted by a 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.
- Revise course and assessment requirements for the award of a standard high school diploma.

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- Provide requirements for a student in an adult general education program to be awarded a standard high school diploma.
- Revise requirements for award of a certificate of completion.
- Provide an exemption for transfer students from certain course grade and assessment requirements.
- Provide specificity regarding course and assessment requirements for graduation for certain cohorts of high school students transitioning to new graduation requirements.
- Provide for future repeal of transition requirements (July 1, 2020).

Section 41.

Amends s. 1003.4285, F.S., Standard high school diploma designations, to:

- Remove reference to s. 1003.428 which this bill repeals.
- Remove reference to transition to common core assessments for ELA and Mathematics and replaces it with "statewide, standardized assessment."
- Require that beginning with students entering grade 9 in the 2014-15 school year, a student must also pass the statewide, standardized Geometry EOC and Biology I assessments in order to earn the Scholar diploma designation.
- Clarifies that a student enrolled in an AP, IB, or AICE course in Biology or United States History and earns the minimum score necessary to earn college credit as identified pursuant to s. 1007.27 (2) is not required to take the statewide, standardized EOC assessment in those subjects in order to earn the Scholar diploma designation.

Section 42.

Amends s. 1003.438, F.S., Special high school graduation requirements for certain exceptional students, to:

- Reflect current graduation requirements, s.1002.3105(5) and s.1003.4281, F.S.

Section 43.

Repeals subsection (5) of s. 1003.451, F.S., Junior Reserve Officers' Training Corps; military recruiters; access to public school campuses, to:

- Remove that SBE may adopt rules to administer this section.

Section 44.

Amends s. 1003.49, F.S., Graduation and promotion requirements for publicly operated schools, to:

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- Remove reference to s. 1003.428 and 1003.429 and add reference to 1003.4282.

Section 45.

Amends s. 1003.493, F.S., Career and professional academies and career-themed courses, to:

- Technical change to update statutory references.

Section 46.

Amends s. 1003.4935, F.S., Middle grades career and professional academy courses and career-themed courses, to:

- Technical change to update statutory references.

Section 47.

Amends s. 1003.57, F.S., Exceptional students instruction, to:

- Change the word “student” to “teacher”. This clarifies that a teacher may receive technical assistance in best practices, instructional methods, and supports tailored to meet the student’s needs based on current research.

Section 48.

Amends s. 1003.621, F.S., Academically high-performing school districts, to:

- Delete the reference to the beginning year of 2004-05 school year within the first criterion for a district to qualify for designation.
- Add the reference s. 11.45 to the criterion regarding annual financial audits.

Section 49 through Section 54 repeals certain statues dealing with the State University System and the Board of Governors.

Section 55.

Amends s. 1004.935, F.S., Adults with Disabilities Workforce Education Pilot Program, to:

- Update statutory references.

Section 56.

Repeals s. 1006.141, F.S., Statewide school safety hotline, to:

- The statute reads in part: “The department may contract with the Florida Sheriffs Association to establish and operate a statewide toll-free school safety hotline for the

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purpose of reporting incidents that affect the safety and well-being of the school's population."

Section 57.

Amends s. 1006.147, F.S., Bullying and harassment prohibited, to:

- Delete language within statute that provides a date for districts to adopt policies prohibiting bullying and harassment;
- Delete language requiring FDOE to develop a model policy by an expired date;
- Delete language providing the distribution of safe schools funds is contingent upon the FDOE approval and certification that each school district's bullying and harassment policy is in substantial conformity with the department's model policy.

Section 58.

Repeals subsection (2) of s. 1006.148, F.S., Dating Violence and abuse prohibited, to:

- Remove outdated language requiring FDOE to develop a model policy that would serve as a guide for district school boards.

Section 59.

Amends s. 1006.15, F.S., Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation, to

- Remove reference to repealed statute in paragraph (a) of subsection (3) of s. 1006.15, F.S.

Section 60.

Amends s. 1006.28, F.S., Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials, to:

- Conform language by replacing the term "courses" with "subject areas".
- Remove language in (b) specific to the district school board and district performance standards.
- Specifies instructional materials must be consistent with Next Generation Sunshine State standards.
- Change the statute reference from 1001.03(1) to 1003.41.
- Remove language related to section 1008.35 which is repealed.

Section 61.

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Amends s. 1006.31, F.S., Duties of the Department of Education and school district instructional materials reviewer, to:

- Remove unnecessary language related to evaluation of instructional materials.
- Specify that the selection criteria used for evaluation of instructional materials are those listed in s. 1006.34(2) (b).
- Add that materials recommended for adoption align to Next Generation Sunshine State standards.
- Change the statute reference from 1001.03(1) to 1003.41.

Section 62.

Amends s. 1006.34, F.S., Powers and duties of the commissioner and the department in selecting and adopting the instructional materials, to:

- Remove the phrase “in considering instructional materials for classroom use”.
- Conform language by replacing the phrase “state and district school board performance standards” with Next Generation Sunshine State Standards.
- Change the statute reference from 1001.03(1) to 1003.41.
- Clarify that curriculum frameworks are those for career and technical education and adult general education.
- Replace the word “approved” with “adopted”.
- Specify the statute (s. 1004.92) under which the State Board of Education adopts the curriculum frameworks.

Section 63.

Amends s. 1006.40, F.S., Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books, to:

- Add an exemption to purchasing current instructional materials within the first 3 years after the effective date of an adoption cycle for district school boards or a consortium of districts implementing an instructional materials program pursuant to s. 1006.283.
- Remove language regarding the 2012-13 mathematics adoption.
- Replace the word “By” with “Beginning with” in relation to district school boards using 50 percent of their annual allocation for the purchase of instructional materials.

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- Remove language under (3) (a) that specifies that the section does not apply to district school boards or a consortium of districts implementing an instructional materials program pursuant to s. 1006.283, except that by the 2015-16 FY, each district shall use at least 50 percent of their allocation for the purchase of digital or electronic instructional materials.
- Add subsection (8) that allows that subsections (3), (4) and (6) do not apply to district school boards or a consortium of districts implementing an instructional materials program pursuant to s. 1006.283, except that by the 2015-16 FY, each district shall use at least 50 percent of their allocation for the purchase of digital or electronic instructional materials that align with state standards adopted by SBE pursuant to s. 1003.41.

Section 64.

Amends s. 1006.42, F.S., Responsibility of students and parents for instructional materials, to:

- Specify the subsection of statute [1006.28(3)] that allows the school board to collect fees related to the damage or loss of instructional materials.
- Remove subsection (2) that states “nothing in this part shall be construed to prohibit parents from exercising their right to purchase instructional materials from the district school board.”
- Delete the word “tools” as a descriptor for an alternate assessment.

Section 65.

Amends s. 1007.02, F.S., Access to postsecondary education and meaningful careers for students with disabilities; popular name; definition, to:

- Change the title of the statute to “students with disabilities”.
- Deletes paragraph (1) that named the chapter.

Section 66.

Amends s. 1007.2615, F.S., American Sign Language; findings; foreign-language credits authorized; teacher licensing, to:

- Delete obsolete reference to an American Sign Language task force.

Section 67.

Amends s. 1007.263, F.S., Florida College System Institutions; admissions of students, to:

- Correct cross-references.

Section 68.

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Amends s. 1007.264, F.S., Persons with disabilities; admission to postsecondary educational institutions; substitute requirements; rules and regulations, to:

- Conform provisions made by the act.

Section 69.

Amends s. 1007.265, F.S., Persons with disabilities; graduation, study program admission, and upper-division entry; substitute requirements; rules and regulations, to:

- Conform provisions made by the act.

Section 70.

Amends s. 1007.271, F.S., Dual enrollment programs, to:

- Clarify that an eligible secondary student is a student who is enrolled in any of grades 6 through 12 in a Florida public school or a Florida private school that is in compliance with s. 1002.42 (2).
- Remove reference to s. 1003.428 which this bill repeals.

Section 71.

Amends s. 1008.22, F.S., Student assessment program for public schools, to:

- Clarify that participation in the assessment program is mandatory for adult students seeking a standard high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law, rather than as otherwise prescribed by the commissioner.
- Require that, in order to earn a standard high school diploma, a student not earning a passing score on the Algebra 1 EOC assessment must earn a passing score on the assessment retake or a comparative score as authorized under subsection (8).
- Remove language requiring a student who has not earned a passing score on the Algebra 1 EOC assessment to participate in each retake of the assessment until the student earns a passing score.
- Add language requiring that middle grades students enrolled in Algebra 1, Geometry, or Biology 1 must take the statewide, standardized EOC assessment for those courses and shall not take the corresponding subject and grade-level statewide, standardized assessment.
- Remove reference to FCAT.

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- Require that when a statewide, standardized EOC assessment in Algebra 2 is administered, all students enrolled in Algebra 2 must take the EOC assessment and that student performance on that assessment constitute 30 percent of a student's final course grade.
- Require that performance on the Biology 1 EOC assessment constitute 30 percent of the student's final course grade beginning with students entering grade 9 in the 2013-14 school year.
- Remove outdated language regarding the field test of the middle grades civics EOC assessment.
- Add clarifying language requiring that if the commissioner selects a nationally developed comprehensive examination for use as an EOC assessment, or develop and administer an additional statewide, standardized EOC assessment, state board rule must be amended.
- Remove reference to subsection (2) of s. 1007.02.
- Require that the statement of waiver for a statewide, standardized assessment shall be limited to stating that performance on an assessment was waived for the purpose of receiving a course grade or a standard high school diploma, as applicable.
- Remove references to the FCAT and renames the assessments as statewide standardized comprehensive assessments. Requires that when the Reading and Writing assessments are replaced by the ELA assessments, the ELA assessments shall be administered to students in grades 3 to 11. Retake opportunities must be provided for the grade 10 ELA assessments upon implementation. Students taking the ELA assessments shall not take the Reading and Writing assessments. ELA assessments shall be administered online. Students taking the revised Math assessments shall not take the discontinued assessment. The language provides that students who have not earned a passing score on the grade 10 ELA assessment must earn a passing score on the ELA retake or earn a concordant score under subsection (7) to earn a standard high school diploma.
- Require that in order to earn a standard high school diploma, students who have not earned a passing score on the Algebra 1 EOC must earn a passing score on the retake or a comparative score under (8). Requires that middle school students enrolled in Algebra 1, Geometry, and Biology 1 must take the statewide standardized EOC assessment for those courses and shall not take the corresponding subject and grade level statewide standardized assessment. When a statewide standardized EOC in Algebra 2 is administered all students enrolled in Algebra 2 must take the EOC assessment. Student performance on the Algebra 2 assessment constitutes 30 percent of a student's final course grade. Beginning with students entering grade 9 in the 2013-14 school year,

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performance on the Biology 1 assessment constitutes 30 percent of the students' course grade.

- Require that the statement of waiver from the requirement to pass the statewide assessment on a student with disabilities transcript must be limited to a statement that the "performance assessment was waived for the purpose of receiving a course grade or a standard high school diploma as applicable."
- Require the commissioner to establish and publish on FDOE's website an implementation schedule to transition from the statewide, standardized Reading and Writing assessment to the ELA assessments and to the revised Mathematics assessments including the Algebra I and Geometry EOC assessments.
- Remove references to repealed high school graduation requirements (s.1003.428, F.S.).

Section 72.

Amends s. 1008.25, F.S., Public school student progression; remedial instruction; reporting requirements, to:

- Remove reference to FCAT Reading and Mathematics and common core assessment and replace it with 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 1 EOC assessment.
- Replace reference to s. 1008.212 for SBE rule regarding exemptions from mandatory retention.
- Remove reference to s. 1008.22.

Section 73.

Amends s. 1008.33, F.S., Authority to enforce public school improvement, to:

- Delete obsolete provisions relating to implementation of certain school turnaround options.
- Removes a requirement for a school that earns a grade of "F" within 2 years of raising its grade from an "F" to implement a turnaround option.

Section 74.

Repeals s. 1008.331, F.S., Supplemental educational services in Title I schools; school district, provider, and department responsibilities, to:

- Eliminate the supplemental educational services program.

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Section 75.

Amends s. 1008.3415, F.S., School grade or improvement rating for exceptional student education centers, to:

- Correct a cross-reference.
- Changes “any” to “a” student

Section 76.

Repeals s. 1008.35, F.S., Best financial management practices for school districts; standards; reviews; designation of school districts, to:

- Delete the requirement to develop and update the best financial management practices for school districts.
- Delete the requirement for the Office of Program Policy Analysis and Government Accountability (OPPAGA) to perform a best financial management practices review of all school districts.

Section 77.

Amends s. 1009.22, F.S., Workforce Education postsecondary student fees, to:

- Add “of Trustees” to Board reference
- Removes obsolete language

Section 78.

Amends s. 1009.40, F.S., General requirements for student eligibility of state financial aid awards and tuition assistance grants, to:

- Make a technical correction by replacing the word “any” with the word “a”, referencing eligible postsecondary institutions.
- Delete reference to the repealed s. 1009.56, F.S.
- Make a technical correction by replacing the word “any” with the words “a” or “an” referencing an application or an award.

Section 79.

Amends s. 1009.531, F.S., Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards, to:

- Delete the obsolete effective date of January 1, 2008.

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- Update statutory references relating to high school graduation and strike obsolete, repealed statutory references.

Section 80.

Amends s. 1009.532, F.S., Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards to:

- Update statutory references relating to applied technology diploma programs, technical degree education programs, and career certificate programs and strike obsolete, repealed statutory references.

Section 81.

Amends s. 1009.536, F.S., Florida Gold Seal Vocational Scholars award, to:

- Update statutory references relating to applied technology diploma programs, technical degree education programs, and career certificate programs and strike obsolete, repealed statutory references.

Section 82.

Repeals s. 1009.56, F.S., Seminole and Miccosukee Indian Scholarships, to:

- Repeal the Seminole and Miccosukee Indian Scholarships.

Section 83.

Repeals s. 1009.69, F.S., Virgil Hawkins Fellows Assistance Program to:

- Repeal the Virgil Hawkins Fellows Assistance Program.

Section 84.

Amends s. 1009.91, F.S., Assistance programs and activities of the department, to:

- Delete reference to the repealed s. 1009.56, F.S.

Section 85.

Amends s. 1009.94, F.S., Student financial assistance database, to:

- Delete reference to the repealed s. 1009.56, F.S.

Section 86.

Repeals part V of chapter 1009, F.S., to:

- Repeal statutes related to the obsolete Florida Higher Education Loan Authority.

Section 87.

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Amends s. 1011.62, F.S., Funds for operation of schools, to:

- Delete outdated language regarding audits.

Section 88.

Repeals paragraphs (b) and (c) of subsection (3) of s. 1011.71, F.S., District school tax, to:

- Remove the restriction that local funds generated by the additional 0.25 mills and compression adjustment cannot be included within the Florida Education Finance Program (FEFP) calculation.
- Remove obsolete language that allowed the additional 0.25 mills and compression adjustment to be included in the FEFP calculation for the 2011-2012 and 2012-2013 fiscal years.

Section 89.

Repeals subsection (4) of s. 1011.76, F.S., Small School District Stabilization Program, to:

- Remove the reference to best financial management practices review under the small school district stabilization program.

Section 90.

Amends s. 1011.80, F.S., Funds for operation of workforce education programs, to:

- Technical change to update statutory references.

Section 91.

Amends s. 1012.05, F.S., Teacher recruitment and retention, to:

- Allow FDOE to advertise in media outlets and develop promotional materials pertaining to a career in teaching if it is needed.
- Remove language requiring the FDOE to develop a long range plan for educator recruitment and retention after consulting with district staff.
- Eliminate the requirement that the FDOE establish a First Response Center for educator candidates and a Teacher Lifeline Network to provide online support to beginning teachers or those needing assistance.
- Remove the requirement that the FDOE must notify teachers via email regarding the Excellent Teaching Program and liability insurance protection for teachers.
- Remove language that requires the Commissioner to use the High, Objective, Uniform State Standard of Evaluation (HOUSSE) provision to provide flexibility to satisfy the highly qualified teacher criteria that is required in the No Child Left Behind Act of 2001.

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Section 92.

Amends s. 1012.22, F.S., Public school personnel; powers and duties of the district school board, to:

- Provide clarifying language to require the district school board to proceed with nominations made by the superintendent for filling district personnel positions no later than three weeks following receipt of statewide, standardized assessment scores and data and school grades, or June 30, whichever is later.

Section 93.

Repeals subsection (9) of s. 1012.33, F.S., Contracts with instructional staff, supervisors, and school principals, to:

- Remove the subsection that addresses conditions for awarding new professional service contracts by district school boards for the 2009-10 and 2010-11 FY.

Section 94.

Amends s. 1012.34, F.S., Personnel evaluation procedures and criteria, to:

- Correct cross-referencing relating to measuring student performance in personnel evaluations for instructional staff and school administrators.

Section 95.

Amends s. 1012.44, F.S., Qualifications for certain persons providing speech-language services, to:

- Remove the requirement of the state board to review rules it adopted regarding speech-language services to school districts by October 1, 2003. The state board has reviewed the rules for speech-language services.
- Remove the outdated language requiring the state board to review rules for speech-language services.
- Delete outdated language.

Section 96.

Amends s. 1012.561, F.S., Address of record, to:

- Delete outdated language.

Section 97.

Repeals s. 1012.595, F.S., Saving clause, to:

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- Delete an outdated statute.

Section 98.

Amends s. 1012.885, F.S., Renumeration of Florida College System institutions presidents; limitations, to:

- Remove s. 1012.885(2), F.S., relating to the outdated \$225,000 remuneration provisions.

Section 99 amends statutes related to the State University System and Board of Governors.

Section 100.

Amends s. 1012.98, F.S., Community Professional Development Act, to:

- Require grades K-12 teachers to complete continuing education training on identifying and reporting child abuse and neglect.

Section 101.

Amends s. 1013.35, F.S., School district educational facilities plan; definitions; preparation, adoption, and amendment; long-term work programs, to:

- Revise paragraph (f) of subsection (2), which relates to the five-year audit of the district's educational facilities planning and construction activities. The bill would provide that an operational audit conducted by the Auditor General pursuant to s. 11.45 satisfies the requirement. This is a conforming revision to s. 78 of the bill, which proposes the repeal of s. 1008.35, F.S., which relates to best financial management practices for school districts.

Section 102.

Amends s. 1013.47, F.S., Substance of contract; contractors to give bond; penalties, to:

- Revise the section, which relates to the content of construction contracts for educational facilities. The bill would remove the requirement for construction contracts to provide for payment of wages consistent with the Davis-Bacon Act when 25 percent or more of the construction cost is to be paid out of a trust fund established pursuant to 31 U.S.C. s. 1243(a)(1). There is no trust fund established pursuant to the cited section of the U.S.C.
- Clarify that a person, firm, or corporation that constructs any part of any educational plant based on unapproved plans or in violation of construction plans is subject to forfeiture of the surety bond.

Section 103.

Repeals s. 1013.49, F.S., Toxic substances in construction, repair, or maintenance of educational facilities, to:

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- Remove an obsolete and duplicative section of law that relates to contractor notification of the school district superintendent of the proposed use of toxic substances in construction, repair, or maintenance of educational facilities at least three days prior to use. Toxic substance precautions exist in the Florida Building Code and in the State Requirements for Educational Facilities.

Section 104.

Repeals s. 1013.512, F.S., Land Acquisition and Facilities Advisory Board, to:

- Remove an obsolete section of law that relates to land acquisition and facilities advisory boards named by the Governor, Senate President, and Speaker of the House to address significant deficiencies in a district school board's land acquisition and facilities operations processes. The law was applied once in 2004 and no advisory board exists.

Section 105.

Repeals s. 20 of chapter 2010-24, L.O.F., to:

- Delete authorization for the Department of Revenue to adopt emergency rules pursuant to ss. 120.536(1) and 120.54, F.S.

Section 106.

Provides an effective date of upon becoming a law.

General Implementation Timeline

This act shall be effective upon becoming law.

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HB 7073 Information Technology Governance

(CH. 2014-221, Laws of Florida)

Bill Sponsor: Appropriations Committee

Effective Date: July 1, 2014, Pending final action by the Governor

DOE Contact: Ron Nieto, Deputy Commissioner of Innovation, (850) 245-9855

Executive Summary:

Creates Agency for State Technology (AST); provides for appointment of executive director of AST, who shall serve as chief information officer; transfers certain assets and authority of Agency for Enterprise Information Technology, Northwood Shared Resource Center, & Southwood Shared Resource Center to AST; establishes single state data center; revises schedules for consolidation of state agency data centers & computing facilities into state data center; provides additional duties of FDLE Cybercrime Office; repeals provisions for statewide e-mail service; provides appropriations.

Section 1.

Authorizes a type two transfer from the Agency for Enterprise Information Technology (AEIT) to Agency for State Technology (AST). Voids rules adopted by AEIT except for those in chapters 71A-1 and 71A-2, Florida Administrative Code (FAC).

Section 2.

Authorizes a type two transfer of the Northwood Shared Resource Center from Department of Management Services (DMS) to AST

Section 3.

Authorizes a type two transfer of the Southwood Shared Resource Center from DMS to AST.

Section 4.

Repeals s.14.204, F.S, Agency for Enterprise Information Technology.

Section 5.

Amends s. 20.055, F.S., Agency inspectors general, to:

- Reorder the statute and update terminology.

Section 6.

Creates s. 20.61, F.S., Agency for State Technology, to:

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- Create the Agency for State Technology (AST) within the Department of Management Services (DMS) and AST is responsible for a separate budget program and is not subject to control, supervision or direction of DMS. The executive director of the AST will serve as the state Chief Information Officer and be appointed by the Governor. Establishes the following positions:
 - Executive Director, who will serve as the state's Chief Information Officer.
 - Deputy Executive Director, who will serve as the state's Deputy Chief Information Officer.
 - Chief planning officer.
 - Six strategic planning coordinators including one assigned to education.
 - Chief operations officer.
 - Chief information security officer. and
 - Chief technology officer.
- Establish a seven-member Technology Advisory Council is established within AST. Four members appointed by Governor, two of whom must be from the private sector. One member appointed by the President of the Senate, one by the Speaker of the House of Representatives, one jointly by the Attorney General, the Commissioner of Agriculture and Consumer Services, and the Chief Financial Officer.

Section 7.

Amends s. 215.96, F.S., Coordinating council and design and coordination, to:

- Add the executive director of the AST as a member of the coordinating council within the Financial Management Information Board.

Section 8.

Amends s.216.023, F.S., Legislative budget requests to be furnished to the Legislature by agencies, to:

- Require that the governance structure for information technology related projects, over \$10 million, must incorporate the applicable project management and over sight standards established pursuant to s. 282.0051, F.S.

Section 9.

Amends s. 282.0041, F.S., Definitions, to:

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- Delete obsolete definitions, amending existing definitions, and create definitions made by the act

Section 10.

Creates s.282.0051, F.S. powers duties and functions for the AST.

- Develop and publish information technology policy for the management of the state's IT resources.
- Establish and publish IT architecture standards to provide for the most efficient use of the state's information technology resources and to ensure compatibility and alignment with the needs of state agencies. The agency shall assist state agencies in complying with the standards.
- Establish, by June 30, 2015, project management and oversight standards with which state agencies must comply when implementing information technology projects. The agency shall provide training opportunities to state agencies to assist in the adoption of the project management and oversight standards. The standards must include, but are not limited to:
 - Performance measurements and metrics.
 - Methodologies for calculating acceptable variances.
 - Reporting requirements. and
 - Content, format, and frequency of project updates.
- Provide that beginning January 1, 2015, perform project oversight on all state agency IT projects that have total project costs of \$10 million or more.
- Provide that by April 1, 2016, AST will identify opportunities for standardization and consolidation of IT services.
- In collaboration with DMS, establish best practices for the procurement of IT products. A review of all IT purchases made by state agencies over \$250,000 or more is required unless a purchase is specifically mandated by the Legislature.
- Provide that beginning July 1, 2016, and annually thereafter, conduct annual assessments of state agencies to determine compliance with all IT standards and guidelines developed and published by the agency
- Provide that operational management and oversight of the state data center to include:
 - Implementing industry standards and best practices for data center facilities, operations, maintenance and management processes.

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- Developing and implementing cost-recovery mechanisms that must comply with all applicable state and federal regulations.
- Developing and implementing operating guidelines and procedures.
- Annually conducting a market analysis to determine whether the state's approach to the provision of data center services is still in the best interest of the state.
- Identify opportunities for standardization and consolidation of IT services that support common business functions.
- Recommend additional consolidations of agency data centers or computing facilities into the state data center.
- Perform project oversight on any cabinet agency IT project that has a total project cost of \$25 million or more and impacts another agency or agencies.
- Conduct annual assessments of state agencies to determine their compliance with all IT standards and guidelines developed by the AST.

Section 11.

Creates s.282.00515, F.S., Duties of Cabinet agencies, to:

- Require the Department of Financial Services, Department of Agriculture Consumer and Services and the Department of Legal Affairs to adopt the standards pursuant to s. 282.0051(2), (3) and (8).

Section 12.

Repeals s. 282.0055, F.S., Assignment of Information Technology; and s. 282.0056, F.S., Development of work and implementation plans; development of implementation plans; and policy recommendations.

Section 13.

Amends s. 282.201, F.S., State data center system; agency duties and limitations, to:

- Rename the statute "State data center"
- Define the state data center's duties and responsibilities.
- Modify the agency data center consolidation schedule.
- Exempt the Department of Transportation's regional traffic management centers and the Office of Toll Operations from data center consolidation.
- Align terminology with changes made in s. 282.0051, F.S.

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Section 14.

Repeals section 48 of chapter 2013-41, Laws of Florida.

Section 15.

Repeals s. 282.203, F.S., Primary data centers. s. 282.204, F.S., Northwood Shared Resource Center; and s. 282.205, F.S., Southwood Shared Resource Center.

Section 16.

Amends s. 282.318, F.S., Enterprise Security of data and information technology, to:

- Rename the statute "Security of data and information technology."
- Define the IT security duties and responsibilities of the AST.
- Clarify the responsibilities of agency heads in the administration of their agency's security program.
- Require the agency information security manager to report directly to the agency head for purposes of carrying out his/her IT security duties.
- Align terminology with changes made in s. 282.0051, F.S.

Section 17.

Repeals s. 282.33, F.S., Objective standards for data center energy efficiency.

Section 18.

Repeals s. 282.34, F.S., Statewide e-mail service.

Section 19.

Creates s. 287.0591, F.S., Information Technology, to:

- Require DMS to consult with the AST in the solicitation of state term contracts that deal with technology commodities.
- Require that if the department issues a competitive solicitation for information technology commodities, consultant services, or staff augmentation contractual services, AST shall participate in such solicitations.

Section 20.

Amends s. 943.0415, F.S., Cybercrime Office, to:

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- Define the duties and responsibilities of the Florida Department of Law Enforcement's Cybercrime Office include IT security.

Section 21.

Amends s. 1004.649, F.S., Northwest Regional Data Center, to:

- Define the duties and responsibilities of the Northwest Regional Data Center as they related to the center's state agency customers.

Section 22.

Amends s. 17.0315, F.S., Financial and cash management system; task force, to:

- Align terminology with changes made in s. 282.0051, F.S.

Section 23.

Amends s. 110.25, F.S., Exempt Positions, to:

- Align terminology with changes made in s. 282.0051, F.S.

Section 24.

Amends s. 215.322, F.S., Acceptance of credit cards, charge cards, debit cards, or electronic funds transfers by state agencies, units of local government, and the judicial bank, to:

- Align terminology with changes made in s. 282.0051, F.S.

Section 25.

Amends s. 287.057, F.S., Procurement of commodities or contractual services, to:

- Align terminology with changes made in s. 282.0051, F.S.

Section 26.

Amends s. 327.301, F.S., Written reports of accidents, to:

- Correct a cross-reference.

Section 27.

Amends s. 445.011, F.S., Workforce information systems, to:

- Align terminology with changes made in s. 282.0051, F.S.

Section 28.

Amends s. 445.045, F.S., Development of an Internet-based system for information technology industry promotion and workforce recruitment, to:

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- Align terminology with changes made in s. 282.0051, F.S.

Section 29.

Amends s. 668.50, F.S., Uniform Electronic Transaction Act. To:

- Align terminology with changes made in s. 282.0051, F.S.

Section 30.

Authorizes the AST to conduct a feasibility study and to provide recommendations for managing state government data and requires the AST to submit a report on the feasibility study by January 1, 2015, to the Governor, the President of the Senate and the Speaker of the House of Representatives.

Section 31.

Creates the state data center task force effective June 30, 2014, to assist with the transfer of the NSRC and the SSRC to the AST and the transition to the state data center. Task force is abolished June 30, 2015.

Section 32.

For the 2014-2015 fiscal year, the sums of \$3,563,573 in recurring funds and \$1,095,005 in nonrecurring funds are appropriated from the General Revenue Fund to the Agency for State Technology, and 25 full-time equivalent positions and associated salary rate of 2,083,482 are authorized, for the purpose of implementing this act.

Section 33.

Establishes a Data Center Administration budget entity within the AST with appropriations to this budget entity reflecting the indirect data center costs allocated to customer agencies.

Section 34.

For Fiscal Year 2014-2015, the NSRC budget entity is created within the AST and effective July 1, 2014, the appropriations provided for the NSRC in the Fiscal Year 2014-2015 General Appropriations Act is transferred to the NSRC budget entity within the AST.

Section 35.

For Fiscal Year 2014-2015, the SSRC budget entity is created within the AST and effective July 1, 2014, the appropriations provided for the SSRC in the Fiscal Year 2014-2015 General Appropriations Act is transferred to the SSRC budget entity within the AST.

Section 36.

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For Fiscal Year 2014-2015, \$144,870 in recurring funds and \$7,546 in nonrecurring funds are appropriated from the General Revenue Fund to the Department of Law Enforcement, and 2 full-time equivalent positions and associated salary rate of 93,120 are authorized for purposes of implementing the sections of this act related to cybercrime.

Section 37.

Beginning with Fiscal Year 2015-2016, the State Data Center budget entity is created within the AST with appropriations made to this budget entity reflecting the direct data center costs allocated to customer agencies.

Section 38.

From the funds appropriated in section 32, \$500,000 in nonrecurring general revenue funds shall be used by the Agency for State Technology to contract with an independent third party consulting firm to complete a risk assessment of information technology security that analyzes and provides recommendations for protecting the state's information, data, and information technology resources.

Section 39.

Mandates that the Agency for State Technology shall complete an operational assessment of the state data center.

Section 40.

States that the transfers authorized in sections 2 and 3 of this act do not require Legislative Budget Commission approval.

Section 41.

Provides effective date of July 1, 2014.

General Implementation Timeline:

This act is effective as of July 1, 2014.

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HB 7141 Human Trafficking

(CH. 2014-161, Laws of Florida)

Bill Sponsor: Representative Harrell

Effective Date: July 1, 2014

DOE Contact: Mary Jane Tappen, Executive Vice Chancellor, Division of Public Schools, (850) 245-0509

Executive Summary:

This bill requires the Department of Children and Families (DCF), other agencies, organizations and individuals, to employ screening and assessment instruments for sexually exploited children. It provides criteria for placement of sexually exploited children in safe houses and safe foster homes. It authorizes DCF to certify safe houses and safe foster homes and provides requirements for certification. It directs DCF, Department of Juvenile Justice, and lead agencies to participate in coalitions and task forces to coordinate local responses and creates a Statewide Council on Human Trafficking. This summary includes only sections related to education. The full bill can be viewed at <http://www.flsenate.gov/Session/Bill/2014/7141/BillText/er/PDF>.

Section 1.

Creates s.409.1754, F.S., Sexually exploited children; screening and assessment; training; case management; task forces, to:

- Require the development of screening and assessment instruments to identify sexually exploited children.
- Require DCF or community-based care lead agency to conduct and coordinate regular multidisciplinary trainings relating to services provided for sexually exploited children and invite individuals involved in the child's care, including, but not limited to, the child's guardian ad litem, juvenile justice system staff, school district staff, service providers and victim advocates.
- Require regional DCF and community-based care lead agency to jointly assess local service capacity to meet the specialized service needs of sexually exploited children and establish a plan. Each plan shall be developed in consultation with local law enforcement officials, local school officials, runaway and homeless youth program providers, local probation departments, children's advocacy centers, guardians ad litem, public defenders, state attorneys' offices, safe houses, and child advocates and service providers who work directly with sexually exploited children.

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Section 2.

Amends s.409.1678, F.S., Specialized residential options for children who are victims of sexual exploitation, to:

- Provide definitions and specialized residential options for children who are victims of sexual exploitation.
- Require safe houses and safe foster homes to provide services tailored to the needs of sexually exploited children and to conduct a comprehensive assessment of the service needs of each resident. In addition to the services required to be provided by residential child caring agencies and family foster homes, safe houses and safe foster homes must provide, arrange for, or coordinate at a minimum, the following services:
 - Victim-witness counseling.
 - Family counseling.
 - Behavioral health care.
 - Treatment and intervention for sexual assault.
 - Education tailored to the child's individual needs, including remedial education if necessary.
 - Life skills training.
 - Mentoring by a survivor of sexual exploitation, if available and appropriate for the child.
 - Substance abuse screening and, when necessary, access to treatment.
 - Planning services for the successful transition of each child back to the community. and
 - Activities structured in a manner that provides sexually exploited children with a full schedule.
- Require the community-based care lead agencies to ensure that foster parents of safe foster homes and staff of safe houses complete intensive training regarding, at a minimum, the needs of sexually exploited children, the effects of trauma and sexual exploitation, and how to address those needs using strength-based and trauma-informed approaches. The department shall specify the contents of this training by rule and may develop or contract for a standard curriculum. The department may establish by rule additional criteria for the

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certification of safe houses and safe foster homes that shall address the security, therapeutic, social, health and educational needs of sexually exploited children.

- Allow providers of services to appropriately bill Medicaid for services rendered, to contract with a local school district for educational services, or obtain federal or local funding for services provided.

Section 8.

- The Office of Program Policy Analysis and Government Accountability shall conduct an annual study on commercial sexual exploitation of children in the state.
- The study shall analyze the effectiveness of safe houses, safe foster homes, residential treatment centers and hospitals with specialized programs for sexually exploited children, and other residential options for serving sexually exploited children in addressing their safety, therapeutic, health, educational, and emotional needs, including, but not limited to, the nature and appropriateness of subsequent placements, extent of sexual exploitation post placement, and educational attainment.

Section 9.

Creates s. 16.617, F.S., Statewide Council on Human Trafficking; creation; membership; duties, to:

- Create the Statewide Council on Human Trafficking within the Department of Legal Affairs.
- Specify that membership shall consist of the Commissioner of Education, or a designee, and other state agency leaders.

General Implementation Timeline:

July 1, 2014

This bill shall take effect.