

A Resource Manual



Teenage Parent Programs In Florida School Districts

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Chapter 1

Overview of Florida's Teenage Parent Programs

Teen Parent Programs are voluntary programs designed to provide comprehensive and ancillary services to facilitate the completion of coursework necessary to earn a high school diploma. Program components include a specialized curriculum, parenting education and the following ancillary services: childcare, health services, social services and transportation.

Florida Statute 1003.54 (Appendix A) requires that each school district in Florida maintain a Teenage Parent Program (TAP) that provides pregnant students with the option of remaining in a regular school setting or enrolling in a special program to address their needs.

Florida Administrative Code 6A-6.0525 (Appendix B) establishes and defines the Teenage Parent Program's design to include the following goals:

- support the health and well-being of the teenage mother, father and their infant, both physically and psychologically;
- prevent pregnancy among teenagers and avoid subsequent births;
- provide alternative academic arrangements to assist teen mothers in completing school;
- provide counseling assistance or case management services; and
- teach teen parents strategies for caring for themselves and parenting skills for the care of their child(ren).

Chapter 2

Program Requirements

A. Teenage Parent Program Provisions under Statute and Rule

Section 1003.54, Florida Statutes (F.S.) requires that each district school board establish and implement a teenage parent program which is defined as an educational program designed to provide a specialized curriculum and other services to meet the needs of students who are either pregnant or are already teen mothers or fathers, and the children of these students. Rule 6A-6.0525, Florida Administrative Code (F.A.C.) establishes that pregnant and parenting students and their children shall be entitled to participate in programs designed to provide comprehensive educational and ancillary services to facilitate the parents' completion of high school. This rule further specifies that students participating in teenage parent programs are eligible for all services afforded to students enrolled in programs pursuant to section 1003.53, F.S. (Appendix C).

B. District School Board Responsibilities

Florida law requires district school boards to make adequate provisions for pregnant and parenting teenagers to complete the coursework necessary to earn a high school diploma. Because TAP programs are state entitlement programs, school districts must offer students a choice of educational options that allow the students to earn credit toward a high school diploma at a rate at least commensurate with traditional high school programs.

The district school board shall approve the teenage parent program plan and all subsequent amendments prior to reporting students and their children for teenage parent program funding. Per Rule 6A-6.0525 F.A.C., the plan must include the following:

- agency coordination;
- specific outcome objectives;
- evaluation;
- specific student eligibility criteria;
- student admission procedures; and
- program operating procedures addressing the following: pregnancy- and parenting-related curriculum, special strategies specific to this population, equal access for exceptional and limited English proficient students, implementation sites, length of stay in the program for students and their children, and total teenage parent program Full-Time Equivalent (FTE) projected for students and their children.

C. Eligibility, Participation and Attendance

Pregnant students, parenting students, their children and program completers are eligible to participate in a teenage parent program. Participant eligibility may be documented by a county public health unit or private physician's certification of pregnancy, a child's birth certificate, copy of application for birth certificate, hospital records, notarized affidavit of fatherhood signed by mother and father, or evidence of parent's program completion and documentation of child's birth.

Pregnant or parenting students and their children shall not be assigned to the program without annual consent from the student's parent or guardian or by direct consent from the adult student. By rule, parents of non-adult students shall be notified annually in writing of their child's enrollment in a teenage parent program and of their right to review any action related to such enrollment. Students who receive exceptional education services and are referred for enrollment to a teenage parent program must have an Individualized Education Plan (IEP) review completed prior to enrollment. The review team shall include a staff representative from the district's teenage parent program.

Participation in a teenage parent program is voluntary; however, students enrolled in such a program are expected to attend school regularly. Students participating in teenage parent programs (and program completers) are exempt from minimum attendance requirements for absences related to pregnancy or parenting but are required to make up work missed due to absence. In the case of an absence for which the reason is unknown, the school should contact

the home, refer to the child study team and/or enforce school attendance requirements according to the district's board-approved attendance policy pursuant to section 1003.21, F.S. (Appendix D.)

Teenage parent program participants retain the opportunity to earn the number and type of credits required for a standard or special diploma pursuant to sections 1003.4282 and 1003.438, F.S. (Appendices E and F, respectively.)

D. Program Services and Instruction

School districts shall develop and implement procedures for the provision or coordination of four ancillary services (See Chapter 7) for pregnant and parenting students who are currently enrolled or have successfully completed a teenage parent program and for their eligible children. These services include the following:

- childcare, including developmentally appropriate learning activities for children of teenage parent program participants and completers, during the hours when the child's teenage parent is earning credit toward a standard or special diploma (Students currently in 10th-12th grades (2014-15 school year) or repeating 9th graders can obtain a special high school diploma. All students entering 9th grade for the first time in the 2014-2015 school year must receive a standard diploma);
- health services, including prenatal and postnatal health checkups, physicals, and immunizations;
- social services, including counseling assistance; and
- transportation, regardless of the distance from the school.

While it is preferable that school districts provide programs that allow pregnant and parenting students the opportunity to remain at their "home" school and continue to receive ancillary services such as childcare and transportation for the children of the teen parents, teenage parent programs may be offered at any location approved by the district school board as a school center. The program shall consist of instruction to participants on a full-time, part-time or variable schedule, as needed, to deliver the pregnancy- or parenting-related curriculum, as specified in section 1003.54(3)(b), F.S. See Chapter 4 for more information on the different types of models districts may use for their Teenage Parent Program.

E. Recordkeeping and Evaluation

Records of students participating in a teenage parent program must include the following:

- the student's entry date in the program (example and explanation of entry date can be found at the following link: <http://www.fldoe.org/core/fileparse.php/7670/urlt/0072495-115675.pdf>);
- the student's exit date from the program (example and explanation of a student's exit date from the program can be found at the following link: <http://www.fldoe.org/core/fileparse.php/7670/urlt/0072496-115685.pdf>);

- documentation of eligibility for students and their children;
- documentation of the number of instructional periods or hours of participation;
- evaluation of academic and behavioral progress;
- an annual written documentation of parent notification and involvement in the enrollment decision; and
- documentation of the academic assistance and support services provided.

For more information on recordkeeping/reporting requirements, please see Chapter 7.

Each district receiving state funding for teenage parent programs through the Florida Education Finance Program (FEFP) must submit an annual report during the Survey 5 reporting period to the Florida Department of Education documenting the extent to which the program has met the objectives established by the district. Outcome data for students enrolled in teenage parent programs are reported in the following areas:

- remaining in school or earning a high school diploma;
- improving parenting skills; and
- giving birth to babies weighing 5.5 pounds or greater.*

Appendix H provides statistics on live births to mothers less than 18 years of age, as well as birth rates for teenage females 15-18 years of age. For the full annual report, please visit <http://www.flpublichealth.com/VBOOK/pdf/2013/Births.pdf>.

Chapter 3

Fundamental Program Components

A. Program Definition

The TAP program must be a comprehensive program. Regardless of program design, all TAP program participants must be afforded the opportunity to enroll in an academic course of study that advances students' progress toward a high school diploma, pursuant to section 1003.4282, F.S. (requirements for high school graduation and standard diploma). Also, all TAP program participants must receive pregnancy- and parenting-related instruction in the topics of prenatal and postnatal health care, parenting skills, benefits of sexual abstinence, and the consequences of subsequent pregnancies, pursuant to section 1003.54, F.S. Finally, all TAP program participants and their eligible children must be offered the ancillary services of childcare, transportation, health services and social services, pursuant to section 1003.54 F.S. and Rule 6A-6.0525, F.A.C.

A TAP program student must be enrolled in courses that lead to a standard or special high school diploma. School districts cannot generate funding for, nor can they offer ancillary services to, a TAP program student who is enrolled in adult education. TAP students who meet program eligibility criteria may utilize the Performance-Based Exit Option Model. For

more information on the Performance-Based Exit Option, please visit <http://www.fldoe.org/family/dropout/strategies.asp>.

B. Funding

Dropout prevention and academic intervention programs are funded through the Florida Education Finance Program (FEFP) and Supplemental Academic Instruction (SAI) categorical funds (See Appendix H – section 1011.62, Florida Statutes – Funds for operation of schools). School districts have flexibility in how SAI funds may be expended as long as dollars are used to help students gain at least a year of knowledge for each year in school.

1. Full Time Equivalent (FTE) Reporting

All current TAP program participants must be reported for basic or other appropriate cost factors such as exceptional student education or English for speakers of other languages.

School districts must report teen parents enrolled in the TAP program in the appropriate cost factor in the FEFP and children of enrolled teenage parents for basic funding under K-3.

2. Supplemental Academic Instruction

The Supplemental Academic Instructional (SAI) Categorical Fund, section 1011.62(1)(f), F.S., provides supplemental academic instruction to students enrolled in kindergarten through twelfth grade. Supplemental instruction may be provided to a student at any time during or beyond the regular 180-day term and in any manner identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and graduate. Since teenage parents are in danger of not gaining a year of knowledge or of being retained if intervention does not occur, these funds are appropriate to use for the entitled TAP programs districts must provide.

Supplemental instruction strategies may include, but are not limited to:

- modified curriculum;
- reading instruction;
- afterschool instruction;
- tutoring;
- mentoring;
- class size reduction;
- extended school year; and
- intensive skills development in summer school and other methods to improve student achievement.

C. Attendance

Many studies indicate a high correlation between student achievement and attendance in class. Although a student shall be allowed to make up work missed as a result of an excused absence, the loss of experiences gained through actual teacher instruction and interaction with other students cannot be replaced. The Florida Legislature specifies findings on school attendance in section 1003.26, F.S. (Appendix I), as follows.

- Poor academic performance is associated with nonattendance.
- Schools must take an active role in enforcing attendance as a means of improving the performance of many students.
- Early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement.

Section 1003.54(3)(a) F.S. provides that students participating in TAP programs shall be exempt from minimum attendance requirements for absences related to pregnancy or parenting but shall be required to make up the work missed due to the absence. Beyond these absences, TAP program students are held to district policy concerning regular attendance.

It is essential that TAP program participants understand that the school district is not required to provide childcare for a student's child if the student is not in attendance at school.

D. Instructional Strategies

TAP program participants must be provided a specialized curriculum to meet their needs, including those needs resulting from early parenting demands. To this end, it is imperative that the curriculum be designed and instruction be delivered to create an engaging classroom environment that invites learning and allows for individual success. Research has identified many effective instructional strategies that teachers and support personnel can use as tools to ensure quality educational experiences for pregnant or parenting students. These include experiential learning, community service, integrated units, course modifications, cooperative learning, identifying and fostering differing intelligences, mentoring, tutoring, individualized instruction, and competency-based instruction.

E. Performance-Based Exit Option Model

The Performance-Based Exit Option Model is a component of the Performance-Based Exit Option (F.A.C., Rule 6A-6.0212, Appendix J). TAP students who meet the eligibility criteria may utilize the Performance-Based Exit Option Model which provides the opportunity for students who are overage for grade, deficient in course credits and who have a low grade point average, to pass the GED® test and earn a high school diploma (Appendix L, section 1003.435, F.S. – High school equivalency diploma program). Students who pass both the GED® test and the required state assessments will earn a State of Florida High School Performance-Based diploma. If a student passes the GED® test but not the state assessment tests, the school district may choose to award only the State of Florida High School diploma.

The Performance-Based Exit Option Model is not a vehicle for early exit and may only be exercised for students whose class or group (with whom they entered kindergarten) is

graduating or has graduated. Participation in this model is voluntary. Participants must receive counseling on other graduation options available in their school district before entering the program, and counseling services must be available throughout the student's participation in the program.

F. Code of Student Conduct

All students, including those in TAP programs, are bound by the school district's Code of Student Conduct for behavior and classroom issues. A TAP program student who violates this code may be referred for disciplinary action, assigned to a disciplinary program, suspended or expelled. If the student remains in school or is placed in an alternative program in lieu of suspension or expulsion, then the district must continue providing childcare for the student's child. Only in cases of out-of-school suspension and expulsion would a disciplinary action result in childcare no longer being provided.

G. TAP Program Completers

Districts must identify the requirements for completing the TAP program. Different methods for documenting successful completion in a TAP program include:

- earning a passing grade on a post-test;
- pre- and post-test comparison;
- earning credit in at least one pregnancy- or parenting-related course. (In this case, it is recommended that assessment techniques go beyond traditional testing and include measuring tools such as portfolios, exhibitions and/or project assessment when determining whether a TAP program student is awarded credit.); or
- earning a grade of "C" or better in at least one pregnancy- or parenting-related course.

The curriculum frameworks of any course can be modified to include the four curriculum topics described in section 1003.54(3)(b) F.S.—prenatal and postnatal health care, parenting skills, benefits of sexual abstinence and consequences of subsequent pregnancies. In this case, the teacher or counselor should maintain a log or lesson plan of topics covered. This is important since students must be TAP program completers to continue receiving ancillary services. TAP program completers retain their entitlement rights to the ancillary services of childcare, transportation, health and social services, as well as excused absences if the absence is due to their child becoming sick.

A student who is participating in dual enrollment at a community college can meet the parenting curriculum requirements as long as the student is earning credit toward a standard high school diploma.

Chapter 4

Teenage Parent Program Models

Pursuant to section 1003.21(1)(d) F.S., pregnant and parenting teens are entitled to participate in a TAP program. TAP programs include pregnancy- and parenting-related instruction, academic coursework and ancillary services. Most school districts utilize one or a combination of the program models described below in the delivery of TAP program curriculum and services. Some districts implement more than one program model in an effort to deliver comprehensive services to meet the needs of a variety of pregnant and parenting students.

A. Separate Center

The separate center model houses the TAP program exclusively at a facility separate from the traditional school. Program participants receive pregnancy- and parenting-related instruction, academic coursework leading toward a high school diploma and ancillary services within this self-contained model. Ancillary health and social services are often provided on site by the school district or through coordination with community agencies and social services providers. Childcare is usually available on site and is either provided directly by the school district or contracted by the school district with a private childcare provider.

B. Center with Other Programs

This model places the TAP program at a facility that houses other school district programs. Examples of programs that are often co-located with the TAP program are other dropout prevention programs, exceptional student education programs and adult basic education programs. Ancillary health and social services are often provided on site by the school district or through coordination with community agencies and social services providers. Childcare is usually available on site and is either provided directly by the school district or contracted by the school district with a private childcare provider.

C. Vocational-Technical School

This model co-locates the TAP program on the campus of a vocational technical school. In many cases, TAP program students are enrolled in vocational classes for a portion of the day. Ancillary health and social services are often provided on site by the school district or through coordination with community agencies and social services providers. Childcare is frequently available on site and is either provided directly by the school district or contracted by the school district with a private childcare provider.

D. Traditional School

Students must be given the opportunity to remain at or return to their “home” school to receive services. This is the preferable model and allows the greatest variety in program design. The TAP program is delivered to the TAP student who remains enrolled in a traditional school. TAP program students may participate in a self-contained TAP program for the full school day. Other designs within this model provide pregnancy- and parenting-related instruction in addition to academic coursework for a portion of the student’s regularly scheduled day. The remainder of the day incorporates enrollment in classes with other dropout prevention students or other students.

The manner in which the pregnancy- and parenting-related instruction is delivered may vary. This instruction can be delivered through a self-contained class, variable scheduling or periodic pullout, or enrollment in a class that easily integrates the required TAP curriculum components into the standard curriculum. The pregnancy and parenting instruction, when provided through the variable scheduling method, can be delivered by a certified teacher or by a health or social services professional under the direct supervision of a certified teacher.

The provision of ancillary services adds further dimension to program design and is dependent on the location of childcare and the method for delivering social and health services. (See Appendices A and B for specific school district responsibilities regarding ancillary services.)

E. Service Center

This model consolidates referrals from traditional schools to a central processing site. The site may be staffed by certified social workers or a combination of certified social workers and academic teachers. When the service center staff receives a referral, they should contact the pregnant or parenting student at the home school. Information is provided to the student regarding service options within the school district and the community for pregnant or parenting students. Referrals may result in short-term contacts that only provide information, or they may result in extended TAP program enrollment. This model is especially effective in large school districts when it is difficult to implement a TAP program at each middle and high school within the district.

F. Full Services School

In this model, the TAP program is located on the campus of a school that serves as a full service school site. The co-location of the full service school and the TAP program provides easy accessibility to essential support services available at the school, particularly for the neediest pregnant or parenting students. Transportation obstacles to and from health and social service providers are reduced or eliminated.

Chapter 5

Pregnancy and Parenting Instruction

Florida law requires that TAP program participants receive pregnancy and parenting instruction in the areas of prenatal and postnatal health care, parenting skills, benefits of sexual abstinence and consequences of subsequent pregnancies. Information regarding proper nutrition, substance abuse, physical changes and the act of childbirth itself may also be valuable for improving the outcome of a student’s pregnancy.

A student who completes a course that includes the pregnancy and parenting instructional requirements of section 1003.54(3)(b), F.S., may be considered a program completer based on the school district’s program requirements. However, a one semester curriculum of pregnancy and parenting cannot provide all the necessary information for a lifetime curriculum of parenting. TAP programs may require students to take as many parenting-related courses as possible without increasing their academic disadvantage. The appropriate level of related instruction may also be determined by the individual student’s needs.

A. Credit-Bearing Courses That Can Be Used

Courses that include any of the four curriculum topics described in section 1003.54(3)(b), F.S.—prenatal and postnatal health care, parenting skills, benefits of sexual abstinence and consequences of subsequent pregnancies—can be used.

In addition, classes such as health can easily integrate the required TAP curriculum components into the standard curriculum. This is particularly useful for students who wish to remain on traditional school campuses and not participate in a separate parenting class.

Districts have found the courses listed below most practical in providing the required pregnancy and parenting instruction. School districts may wish to determine whether or not these courses are available online through Florida Virtual School (www.flvs.net).

Basic High School Courses	Career and Technical Education
Course Title	Course Title
Parenting 1 and 2	Child Development
Health for Expectant Parents	Family Dynamics
Peer Counseling I, II, III and IV	Family, Home and Consumer
Personal, Social and Family	Life Management Skills
Critical Thinking	Parenting Skills

Although students in grades 4-8 are not typically earning credits, there is some flexibility. It would be appropriate for these students to learn much of the same material presented to older students, though possibly modified for age and educational level. In some districts, middle school students can earn high school credit for successful completion of one or more of the high school credit-bearing courses listed above.

Current course code numbers can be found on the Florida Department of Education website at www.fldoe.org/articulation/CCD.

B. Instruction Without a Credit-Bearing Course

Sometimes it may be difficult for a pregnant or parenting teen to receive pregnancy and parenting instruction through a credit-bearing course. For example, if a student's currently scheduled courses are all required for graduation and the district will not allow an additional course to be added to the schedule, the student must remain enrolled in these courses or jeopardize graduation. In this case, pregnancy and parenting instruction may be delivered by a teacher, school nurse, guidance counselor or other knowledgeable person using a variable schedule model without a credit-bearing course. When this variation is used, all required curriculum topics (prenatal and postnatal health, parenting skills, and the benefits of sexual abstinence and consequences of subsequent pregnancies) must be included.

Basic FTE continues to be reported for the student's regular classes for the number of periods the student receives pregnancy and parenting instruction. In order to earn credit applicable to graduation in the regularly scheduled classes, the student must satisfy the requirements for instruction outlined in section 1003.436, F.S. (Appendix L); one full credit means a minimum of 135 hours (120 in a district school that has been authorized to implement block scheduling) of bona fide instruction in a designated course of study that contains student performance standards. It is recommended that a plan be developed to ensure that content is mastered and the TAP program requirements are met.

C. End-of-Course (EOC) Assessments

1. State EOC Assessments

EOC assessments are computer-based and criterion-referenced. The Algebra I EOC assessment was administered for the first time in spring, 2011. Biology 1 and Geometry EOC assessments were administered for the first time in spring 2012. The U.S. History EOC assessment was administered for the first time in spring 2013, and the Civics EOC assessment was administered for the first time in spring 2014.

2. District EOC Assessments

Section 1008.22(6)(b), F.S. (Appendix M) states: "Except for those subjects and grade levels measured under the statewide, standardized assessment program, beginning with the 2014-2015 school year, each school district shall administer for each course offered in the district a local assessment that measures student mastery of course content at the necessary level of rigor for the course. As adopted pursuant to State Board of Education rule, course content is set forth in the state standards required by s. [1003.41](#), F.S. and in the course description. Local assessments may include:

1. statewide assessments
2. other standardized assessments, including nationally recognized standardized assessments

3. industry certification assessments
4. district-developed or district-selected end-of-course assessments
5. teacher-selected or principal-selected assessments.”

How districts develop and administer these local assessments is a matter committed to the school district.

Additional information and guidance on both state and district EOC assessments can be found at the following links:

- fcats.fldoe.org/eoc/; or
- <http://www.fldoe.org/accountability/assessments/k-12-student-assessment/end-of-course-eoc-assessments/>

D. Certification

Teachers in TAP programs must hold a valid Florida Educator’s Certificate to teach TAP courses. Specific certification requirements are provided in the appropriate section of the *Course Code Directory*, available online at <http://www.fldoe.org/core/fileparse.php/5423/urlt/CCDNarrative1415.pdf>.

Chapter 6

Ancillary Services

This chapter briefly discusses each of the five ancillary services that are required by statute and rule as program components: childcare, health services, social services, parent education and transportation.

A. Childcare

1. Provision of Services

Florida Statute 1003.54(3)(c) states that, “Provision for necessary child care, health care, social services, parent education, and transportation shall be ancillary service components of teenage parent programs. Ancillary services may be provided through the coordination of existing programs and services and through joint agreements between district school boards and early learning coalitions or other appropriate public and private providers.”

Though the children of TAP program participants and completers may be served in unlicensed childcare facilities such as churches or home daycares or through contracted agreements with family members of the teen parent, districts may require that all daycare facilities used in its TAP program be licensed.

Contracted childcare facilities or programs managed by the local school readiness coalition may be used to provide childcare for the children of TAP program participants and

completers. However, it is imperative that school districts pay the childcare provider market rate for their services. Otherwise, two sources of public funds (state education dollars and federal funds) are being used to provide the same service.

The following examples are the most commonly used arrangements to provide childcare in TAP programs.

- Childcare is provided to program participants and completers on school grounds. The school may be a separate center, a vocational-technical school or a traditional high school. A classroom or portable may be modified to meet the licensure standards of the Department of Children and Families or the local licensing agency.
- Childcare is provided in one of the locations described in the above example, but the school district contracts with a private provider to provide the childcare.
- Childcare is provided through a contractual agreement with a private licensed childcare provider at the location of that provider. The private provider—rather than the school district—assumes the responsibility for the physical property, staff, toys and materials. This model is cost-effective if there are relatively few children of program participants and completers in a given area. It is frequently used when the childcare provider is located near a school that TAP program participants or completers are attending. Transportation complications may occur if the facility is not near the school.
- Childcare is provided through a contractual arrangement with a licensed childcare provider that serves low-income families. This is essentially the same arrangement as example 3; except that the childcare provider is not a private organization. Districts using this model are cautioned to pay the market rate to avoid the appearance of two funding sources being used for the same service.

2. Contracts

Developing and managing contracts with childcare providers is a critical element of TAP program success. At a minimum, contracts with childcare providers should include:

- Certification requirements, duties and responsibilities of the private provider and school board;
- Personnel requirements pertaining to licenses and training, and facilities requirements pertaining to sanitation, health and fire safety ;
- clauses pertaining to the confidentiality of students' and children's records;
- a description of the scope of services and associated charges (e.g. the definition of eligible days, number of days, and fee schedule should be agreed upon.); and
- effective date, term of agreement, contract modifications, and cancellation provisions.

3. Staff Training

In accordance with section 402.3025, F.S. (Appendix N), facilities providing childcare for infants and toddlers in a TAP program are subject to licensure. For more information on child care facility licensure, visit <http://www.myflfamilies.com/service-programs/child-care/laws-and-requirements>. In addition, section 402.305(2)(d) (Appendix O), F.S., requires that at a minimum all childcare personnel take an approved 40-clock hour introductory course in childcare training. The Florida Department of Children and Families does not separate licensed TAP programs from other childcare programs.

4. District-Provided Meals

School districts must provide appropriate formula, snacks and meals for babies and toddlers during the school day. Babies and toddlers are eligible for free meals through the National School Lunch Program through the qualifying school district. For more information on the National School Lunch Program in Florida, visit <http://www.freshfromflorida.com/Divisions-Offices/Food-Nutrition-and-Wellness/Nutrition-Programs/National-School-Lunch-Program>.

Federal regulations regarding formula, snacks and meals for infants and toddlers can be found at 7 C.F.R. §210.10 of the National School Lunch Program which can be found at http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&rgn=div5&view=text&node=7:4.1.1.1.1&idno=7#_top. Formula, snacks and meals may also be provided through contracted services from a childcare provider. Programs should contact the district's food service director for more information.

5. Child's State of Health

Pursuant to *Rule 65C-22.006(2)(a), "The child care facility is responsible for obtaining for each child in care a current, complete and properly executed Student Health Examination form DH 3040 (June 2002), which is incorporated herein by reference and may be obtained from the local county health department, from the parent or legal guardian or a signed statement by authorized professionals that indicates the results of the components of the Student Health Examination form are included in the health examination. The Student Health Examination shall be completed by a person given statutory authority to perform health examinations." Therefore, for initial placement, licensed childcare centers, whether on school board property or privately managed, must have written verification regarding the health of any enrolled child. (See Appendix O, F.S. 402.305(9)(a) related to child care admissions and recordkeeping requirements.) *See *Records*, below for citation and link to Rule 65C-22.06.

6. Records

Districts should maintain: (1) a birth certificate, application for birth certificate, or footprint record; (2) documentation of the provision of health and social services; and (3) attendance records, including entry and exit dates. Most districts keep records of emergency contacts in the context of childcare licensure requirements. More information on maintaining records for program participants can be found in the Florida Department of Children and Families Child Care Standards, Ch. 65C-22, F.A.C. at www.flrules.org/gateway/ChapterHome.asp?Chapter=65c-22.

7. Summer Program

Florida law does not require school districts to offer a TAP program during the summer. However, program completers who are earning credit toward a standard high school diploma during the regular summer school program are entitled to ancillary services, including childcare, just as they are during the regular school year. This includes ESE students for whom extended school year is required on the student's individual educational plan.

B. Health Services

Districts must offer health services to all TAP program participants, regardless of economic status and including those whose families have access to health services or who are covered by the families' health insurance. A program participant may prefer to use private health care. This should be discussed on an individual basis with each student. If the participant declines all or any ancillary service, a statement indicating the decision should be signed by the parent, student and district, if required by the school district.

Basic health services must be coordinated by the staff of the TAP program or district designee with the county health department. Additional services such as private obstetricians, who are increasingly accepting Medicaid patients and on-site prenatal and postnatal checkups, may be provided. These services can be coordinated with a full-service school in which nurse practitioners, physicians' assistants, doctors-in-residence, and/or medical doctors visit the school on a regular basis. Routine check-ups and immunizations must be provided or coordinated for the children of teenage parent program participants and completers during the time that the children are reported for FTE in a TAP program.

Medicaid Family Planning Waiver services are available for all women, including teens, who have lost full Medicaid services, such as Medicaid for pregnancy, in the past two years. Teens with Medicaid for pregnancy are automatically enrolled in the Medicaid Family Planning Waiver for the first year. Healthy Start services are available for pregnant teens and their infants who are referred through a risk screening process. Pregnant or parenting students can get additional information by contacting the Family Health Line at 800-451-2229.

C. Social Services

School districts shall provide some level of coordination with the local economic services office or other providers of social services. Social services can be documented by any record that demonstrates the delivery of the service, including but not limited to, a home visit or a referral to an agency that provides assistance to teenage parent students.

D. Transportation

Sections 1006.21(3)(e) and 1011.68, F.S. (Appendices P and Q, respectively), require the transportation of pregnant or parenting students and the children of those students as a TAP

program service regardless of distance from school. Most districts transport TAP participants and their children in school buses. City buses, taxis or family members that provide transport (via a contract) are acceptable transportation alternatives, but the same legal liability that exists with unlicensed childcare facilities also applies here.

It should be noted that child carriers (car seats) are not required by either statute or rule. However, the best practice in this circumstance is for the school district to provide a child safety restraint system (CSRS) for each child of a TAP participant. In so doing, the district is able to ensure that the CSRS is appropriate for the child's age, weight and height; that it is in good working order; and that it has not been recalled or involved in a crash. If the district uses child restraint seats, funds generated by FTE for TAP program students and their children may be used to purchase them. Additional information regarding transportation of the children of teenage parent program participants may be found in a Florida Department of Education publication entitled "Florida Guidelines for Seating of Pre-school Age Children in School Buses" (<http://www.fldoe.org/core/fileparse.php/7585/urlt/0085488-flguidelines.pdf>).

School districts must also provide transportation to and from health check-ups and social services appointments. These are ancillary services to which the TAP program participant is entitled. If the student cannot access these services due to transportation constraints, the district must provide or assist the student with transportation. Transportation provided for these services cannot be included in the district's claims for FEFP student transportation funding by the state.

E. Parent Education

Pursuant to 1003.54 F.S.(3)(b), "The curriculum shall include instruction in such topics as prenatal and postnatal health care, parenting skills, benefits of sexual abstinence, and consequences of subsequent pregnancies. Parenting skills should include instruction in the stages of child growth and development, methods for aiding in the intellectual, language, physical, and social development of children, and guidance on constructive play activities."

F. Teen Mothers Who Do Not Participate in TAP

Districts are not required to provide ancillary services to students or their children who are not currently enrolled in a TAP program or who are not TAP program completers. If a pregnant or parenting student declines to participate in the district's TAP program, it is recommended that the district have the student sign a statement acknowledging his or her waiver of ancillary services.

Chapter 7

Data Collection and Reporting

A. Evaluation

Section 1003.53, F.S. (Dropout prevention and academic intervention) requires that each school district report to the Florida Department of Education information documenting the extent to which each of the district's dropout prevention programs has been successful in the areas of graduation, dropout, attendance and promotion rates. TAP programs are among the programs that must submit data electronically through the Department's Student Information Database each year. The data encompass the regular 180-day school year and the associated summer school program. Data are included for students who participated in a TAP program for at least 50 percent of the school year. Data for teen parents and babies of teen parents are reported separately.

All Florida school districts are required to submit all dropout prevention (including TAP program) enrollment and evaluation data via the Florida Student Information Database using designated data elements. The Dropout Prevention Program Evaluation format (consisting of the designated data elements) is reported in Survey 5 that occurs in August of each school year. An individual database record is generated for each TAP program participant and for each prekindergarten child of a program participant after the child has been assigned a Florida student identification number.

Several of the Dropout Prevention Program Evaluation data elements are common to all dropout prevention programs (including TAP programs). They are:

- program type;
- length of prescribed program;
- school term;
- program enrollment date;
- length of program participation; and
- program withdrawal date.

The Dropout Prevention Program Data format can be found at the following link:
www.fldoe.org/eias/dataweb/database_1314/1314dppe.asp.

This format collects data by school year, so the focus is on each individual school year for each student, even if they participate in the program across school years. (School year is defined as 180 regular school term days and summer term to include June and July.) If the student participates in the program across school years, then data are reported for each school year, with a new entry date and exit date reported for the consecutive school year(s).

B. Withdrawal Codes

A teenage parent who leaves the program is assigned a withdrawal code in accordance with the rules governing PK-12 students, as described in the Florida Department of Education technical assistance paper entitled "The Five-Year Graduation Rate." This document is typically updated each fiscal year by the Florida Department of Education's Education Information and Accountability Services. The most current technical assistance paper can be located at

The withdrawal code that is used for a child of a TAP student who leaves the program is W25—any student who withdraws from school who is under compulsory attendance age.

Chapter 8

Homebound and Hospitalized Education for Pregnant and Parenting Students

Rule 6A-6.03020, F.A.C. (Appendix R), does not address pregnancy, childbirth or recovery from childbirth. Pregnancy and recovery from childbirth are not considered medical conditions that meet eligibility for the homebound and hospitalized (H/H) program. The eligibility criteria for participation in the H/H program are the same for all students, whether or not they are pregnant or have given birth.

A. Eligibility of Teenage Parent Program Participants

In order for any student to be eligible for hospital/homebound services, a physician must certify that the student is expected to be absent from school per one of the following:

- at least 15 consecutive school days, or the equivalent on the block schedule due to a physical or psychiatric condition;
- at least 15 school days, or the equivalent on a block schedule, which need not run consecutively, due to a chronic condition;
- is confined to home or hospital; or
- will be able to participate in and benefit from an instructional program.

Additionally, the physician must certify that the student is under medical care for an illness or injury that is acute, catastrophic or chronic in nature, and that the student can receive an instructional program without endangering the health of the instructor or other students with whom the instructor may come in contact. The student must have been enrolled in a public school in kindergarten through twelfth grade prior to the referral for homebound or hospitalized services, unless the student meets criteria for eligibility specified in Rule 6A-6.03020, F.A.C. A parent, guardian or primary caregiver must also sign a parental agreement concerning parental cooperation in the homebound or hospitalized program and its policies.

The eligibility criteria described above and in Rule 6A-6.03020, F.A.C. would have to be met in order for a student to receive hospital or homebound services for medical circumstances related to pregnancy or recovery from childbirth, including caesarian section delivery.

B. Eligibility of Children of Teenage Parent Program Participants

Where children of TAP program participants or completers are enrolled in an ungraded prekindergarten class and are not missing assignments, tests or assessments that lead to course completion, they can be reported for homebound or hospitalization services when a medical condition precludes them from receiving child care services. This is consistent with Rule 6A-6.03020(3)(b), F.A.C., which requires that the “student is enrolled in public school prior to referral to the hospital/homebound program....”

Chapter 9

Exceptional Student Education and English for Speakers of Other Languages in Teenage Parent Programs

Federal and state laws entitle students with disabilities to a free and appropriate education, and state law entitles pregnant and parenting students to be served in a program that meets their needs. Collaboration between exceptional student education and TAP program staff is necessary to facilitate the delivery of appropriate and effective academic services to students.

A. Exceptional Student Education (ESE) for Pregnant and Parenting Students

Three factors—the needs and services identified on the student’s IEP, the exceptionality of the student and the TAP program model used in a given district—will determine how the TAP program handles cases involving students with disabilities. Rule 6A-6.0525(1)(b), F.A.C., requires that the IEPs of students with disabilities referred for enrollment in a TAP program be review prior to enrollment.

Pregnancy- and parenting-related instruction with appropriate accommodations and supports will be provided in the least restrictive environment. For students with disabilities who receive services and who are pregnant or are parents, the curriculum may be modified in accordance with the student’s IEP. Nevertheless, such students are entitled to instruction and the same ancillary services provided to their pregnant and parenting non-disabled peers.

B. English for Speakers of Other Languages (ESOL)

The district must consider the needs of the participant for whom English is not the native language or who is limited English proficient (LEP) and develop a course of action accordingly. Information regarding program entitlement should be provided in the participant’s home language, and in some cases a bilingual aide may be needed to teach basic health, nutrition or parenting concepts to LEP students.

Chapter 10

Programs Related to Teenage Parent Programs

School districts often provide a number of programs that may complement or strengthen educational and ancillary components of a TAP program. Coordinating with other programs or organizations that have overlapping objectives can enhance TAP efforts in school districts.

A. Comprehensive School Health Services

Comprehensive school health services (described in Appendix S) include increased services for student health management, interventions and classes. These services promote student health, reduce high-risk behaviors and their consequences (substance abuse, unintentional/ intentional injuries and sexually transmitted diseases), provide pregnancy prevention classes and interventions, and provide support services to promote the student's return to school after giving birth. Section 381.0057, F.S. (Appendix T) states that funding may also be available to school districts and schools where there is a high incidence of medically underserved high-risk children, low birth weight babies, infant mortality or teenage pregnancy.

B. Early Intervention Services: Individuals with Disabilities Education Act (IDEA), Part C

Early intervention services and support for families and their young children with developmental delays, or established conditions that place them at significant risk for developmental disabilities, may help prevent or minimize future disabilities. In Florida, the Department of Health, Children's Medical Services (CMS) is the lead agency for administering and implementing the Infants and Toddlers Early Intervention Program called "Early Steps." Authorized by the Individuals with Disabilities Education Act (IDEA), Part C, the state's early intervention program offers eligible children and their families a coordinated system of services that is statewide, community-based, multidisciplinary and family-focused. An individualized family support planning process considers individual needs to identify early intervention services that meet the developmental needs of the eligible child and his/her family. For more information, please visit www.floridahealth.gov/alternatesites/cms-kids/families/early_steps/early_steps.html.

C. The Florida Office of Early Learning

The Florida Office of Early Learning (OEL) is responsible for adopting and maintaining coordinated programmatic, administrative and fiscal policies and standards for all school readiness programs and is the principal organization responsible for enhancing school readiness for children in Florida.

OEL asks school districts to complete a supplemental information form on children of teenage parents. OEL uses the data each district submits to its local early learning coalition to justify a drawdown of additional federal dollars from the Child Care and Developmental Block Grant. A copy of the Teenage Parent Program Supplemental Information Form can be downloaded at www.floridaearlylearning.com/sites/www/Uploads/Teen%20Age%20Parent%20Supplemental%20Information%20form%20%282%29.pdf. Please visit www.floridaearlylearning.com/ for more information.

D. School Readiness

School readiness programs provide developmentally appropriate early education instruction and care to young children. This program serves children from families with incomes at or below 150 percent of federal poverty guidelines with an emphasis on children from birth to five years. For more information, please visit www.floridaearlylearning.com/school_readiness.aspx.

E. Voluntary Prekindergarten Education Program

The Voluntary Prekindergarten Education (VPK) Program is a free educational program to prepare every four-year-old in Florida for kindergarten and build the foundation for educational success. VPK offers each child an opportunity to perform better in school and throughout life by offering quality programs that include developmentally appropriate curricula with a focus on early literacy skills, developmental standards, accountability, substantial instruction periods, manageable class size and qualified instructors. Parents can choose between private early learning and public school providers and can choose one of three VPK Program types. School-year and summer programs offer classroom instruction and are available to all eligible students. There is also a Specialized Instructional Services (SIS) program for children with disabilities. Below are descriptions of these programs.

1. School Year

- 540 instructional hours
- Lead instructor must have training equal to a child development associate credential or greater
- Classes can have a maximum of 11 students with one lead instructor or a maximum of 20 students with a lead instructor and assistant

2. Summer

- 300 instructional hours
- Lead instructor must have a bachelor's degree or greater
- Classes can have a maximum of 12 students with one lead instructor

3. Specialized Instructional Services (SIS) program

- Only available to children with disabilities who have current individual educational plans (IEP)
- Delivered by specialized providers determined eligible by the Florida Department of Education
- Tailored to address the identified needs on a child's IEP developed by the local school board

For more information on VPK, please visit: http://www.floridaearlylearning.com/parents/early_learning_programs_and_services/voluntary_prekindergarten.aspx.

F. Head Start

Founded in 1965, Head Start refers to a variety of programs offering comprehensive services to children from low income families. Along with a strong parent involvement focus, services include high quality early childhood education, nutrition, health and social services. Head Start

grantees serve children from three years of age to school age. Early Head Start grantees serve pregnant women and children from birth to 36 months, and Migrant and Seasonal Head Start grantees serve children from six weeks to school age. Federal funding for the Head Start program originates with the Department of Health and Human Services and is awarded to local grantees. A local Head Start director is required by law to sit on the local early learning coalition board.

For more information on Head Start, please visit www.floridaheadstart.org.

G. Healthy Start

Healthy Start is Florida's statewide initiative that provides services to pregnant women and infants up to age one to assure the best possible birth outcomes. The state funds community-based Healthy Start coalitions to support the Healthy Start model and build community systems of care for pregnant women and infants. By developing local service delivery plans, coalitions identify resources and service gaps and tailor their plans to best meet identified community needs.

Healthy Start services link individuals and families with the essential support and services needed to supplement and complement care provided by prenatal or primary care providers. Services include care coordination, outreach and case finding, information and referral, comprehensive assessment of service needs, ongoing care coordination and support to assure access to needed services, family support planning, psychosocial counseling, nutritional counseling, smoking cessation counseling, childbirth support and education, parenting support and education, breastfeeding support and home visits.

In addition, trained counselors staff Florida's Family Health Line (800-451-BABY) and provide information on health and social services; substance abuse treatment; childbirth education; Women, Infants, and Children nutritional program (WIC); immunizations; well-baby care; Medicaid; and family planning.

For more information on Healthy Start, visit www.floridahealth.gov/healthy-people-and-families/childrens-health/healthy-start.

H. Prekindergarten Programs for Children with Disabilities

The federal Individuals with Disabilities Education Act authorizes prekindergarten programs for children with disabilities. Children must meet requirements for eligibility established in State Board of Education rules. Every school district in Florida serves preschool children with disabilities. Funding is primarily supported through the FEFP. The state also receives federal preschool entitlement funds, which may be used for ancillary services, materials and equipment.

The following rules are specific to serving children birth through age two with developmental delays or an established condition(s):

- Rule 6A-6.03030, F.A.C. – Exceptional Student Education Eligibility for Infants or Toddlers Birth Through Two Years Old Who Have Established Conditions www.flrules.org/gateway/ruleNo.asp?id=6A-6.03030.
- Rule 6A-6.03031, F.A.C. – Special Programs for Children Birth Through Two Years Old Who Are Developmentally Delayed www.flrules.org/gateway/ruleNo.asp?id=6A-6.03031.

The following rule is specific to children ages three to five:

- Rule 6A-6.03026, F.A.C. – Eligibility Criteria for Prekindergarten Children with Disabilities <https://www.flrules.org/gateway/RuleNo.asp?id=6A-6.03026>

For more information on prekindergarten programs for children with disabilities, visit the Florida Department of Education's Bureau of Exceptional Education and Student Services at www.fldoe.org/eese/btt.asp.

Appendix

Appendix A

1003.54–Teenage parent programs (2014 Florida Statutes)

- (1) Each district school board shall maintain a teenage parent program.
- (2) “Teenage parent programs” means educational programs designed to provide a specialized curriculum to meet the needs of students who are pregnant or students who are mothers or fathers and the children of the students.
- (3)(a) The program shall provide pregnant students or students who are parents and the children of these students with a comprehensive teenage parent program. The program shall provide pregnant students or students who are parents with the option of participating in regular classroom activities or enrolling in a special program designed to meet their needs pursuant to s. [1003.21](#). Students participating in teenage parent programs shall be exempt from minimum attendance requirements for absences related to pregnancy or parenting, but shall be required to make up work missed due to absence.
- (b) The curriculum shall include instruction in such topics as prenatal and postnatal health care, parenting skills, benefits of sexual abstinence, and consequences of subsequent pregnancies. Parenting skills should include instruction in the stages of child growth and development, methods for aiding in the intellectual, language, physical, and social development of children, and guidance on constructive play activities.
- (c) Provision for necessary child care, health care, social services, parent education, and transportation shall be ancillary service components of teenage parent programs. Ancillary services may be provided through the coordination of existing programs and services and through joint agreements between district school boards and early learning coalitions or other appropriate public and private providers.
- (d) The district school board shall make adequate provisions for pregnant and parenting teenagers to complete the coursework necessary to earn a high school diploma.
- (e) Children enrolled in child care provided by the district shall be funded at the special program cost factor pursuant to s. [1011.62](#) if the parent or parents are enrolled full time in a public school in the district.
- (4) Districts may modify courses listed in the State Course Code Directory for the purpose of providing teenage parent programs pursuant to the provisions of this section. Such modifications must be approved by the commissioner and may include lengthening or shortening of the school time allotted for in-class study, alternate methods of assessment of student performance, and the integration of curriculum frameworks or student performance standards to produce interdisciplinary units of instruction.
- (5) The State Board of Education shall adopt rules necessary to implement the provisions of this section.

History.—s. 148, ch. 2002-387; s. 14, ch. 2004-484.

Appendix B

Rule 6A-6.0525–Teenage Parent Programs (Florida Administrative Code Chapter 6A)

Pregnant and parenting students and their children shall be entitled to participate in Teenage Parent (TAP) Programs designed to provide comprehensive educational and ancillary services to facilitate the parents' completion of high school. Students participating in teenage parent programs shall be eligible for all services afforded to students enrolled in programs pursuant to Section 1003.54, F.S. and Rules 6A-6.05221 and 6A-6.05291, F.A.C.

(1) Requirements.

(a) Credits. Students served in teenage parent programs shall retain the right to earn the number and type of credits required for a standard or special diploma pursuant to Sections 1003.54, F.S.

(b) Exceptional student education referral. An exceptional student referred for enrollment in a teenage parent program shall have an individual educational plan review prior to enrollment. A staff representative of the teenage parent program in the district shall participate in the review.

(c) Limited English proficient students. Limited English proficient students meeting the eligibility criteria for the teenage parent program shall be considered for enrollment in the teenage parent program based on student needs.

(d) Parent notification. Parents shall be notified annually in writing as specified in Section 230.2316(8), Florida Statutes, of their child's enrollment in a teenage parent program and of their right to review any action relating to such enrollment.

(e) Student records. Records of students participating in a teenage parent program shall contain the following:

1. The students' entry and exit dates in the teenage parent program.
2. Documentation of the eligibility of each student and child prior to enrollment in a teenage parent program.

Eligibility for multi-year programs shall be documented annually.

3. Number of instructional periods or hours of participation.
4. Evaluation of each student's academic and behavioral progress.

5. Annual written documentation of parent notification and involvement in the enrollment decision prior to the date of the student's participation in this voluntary program. Notification shall be in the parent's native language or in the language most understood.

6. Documentation of the academic assistance and support services provided students and teachers in student support and assistance components.

(f) Student eligibility for full-time equivalent (FTE). Eligible pregnant and parenting students shall be reported for teenage parent full-time equivalent student membership in the Florida Education Finance Program in the following settings:

1. Standard teenage parent program in which all students are teenage parent program participants.
2. Student support and assistance component.*

(g) Certification. Any certification is appropriate for teachers in teenage parent programs. Teenage parent program teachers shall be instructional staff members as defined in Rule 6A-1.0501, F.A.C.

(h) Students served in teenage parent programs shall retain their right to have access to a school day as defined by Section 228.041(13), Florida Statutes.

(2) Student eligibility. Districts shall implement student eligibility criteria and establish enrollment procedures for each teenage parent program.

(a) Voluntary participation. Participation in a teenage parent program is voluntary. Pregnant students, teenage parent students, and their children shall not be assigned to the program without annual parental or adult student permission.

(b) Criteria for eligibility.

1. Pregnant students.
2. Parenting students.
3. Children of parenting students and teenage parent program completers.

(c) Documentation of eligibility includes:

1. A county public health unit or private physician's certification of pregnancy;

2. A child's birth certificate, copy of application of birth certificate, hospital records, or a notarized affidavit of fatherhood signed by mother and father.

3. Evidence of parent's program completion and documentation of child's birth.

(3) Instructional periods. The program shall consist of instruction to participants full-time, part-time or on a variable schedule as needed to deliver the pregnancy- or parenting-related curriculum as specified in Section 1003.54(3)(b), F.S. Children of teenage parent students enrolled in teenage parent programs shall be served during the time that the parent student is earning credit towards a standard or special diploma pursuant to Sections 1003.429, 1003.43, or 1003.438, F.S.

(4) Service delivery models. Teenage parent programs may be offered at any location approved by the district school board as a school center.

(5) Ancillary services. School districts shall develop and implement procedures for the provision or coordination of the four ancillary services of child care, social services, health services and transportation for pregnant and parenting students who are currently enrolled or have completed a teenage parent program and their eligible children. Program completers are those students who have successfully completed a teenage parent program as described in the district's approved teenage parent program plan. Ancillary services are described as:

(a) Child care. Child care includes developmentally appropriate learning activities for the children of teenage parent program participants and completers during the hours when the child's teenage parent is earning credit pursuing a standard or special diploma as defined by Sections 1003.429, 1003.43, or 1003.438, F.S. Districts choosing to operate school-based child care for children birth through age three must be licensed by the Department of Health and Rehabilitative Services pursuant to Section 402.3025(1), Florida Statutes, or by the local licensing agent. Districts may report children of teenage parent program participants and completers for teenage parent full-time equivalent student membership in the Florida Education Finance Program when the district provides or contracts for child care for the child and the following criteria are met:

1. The child is assigned a student identification number and all appropriate data for reporting is collected;

2. The parent is currently enrolled in a teenage parent program or is a program completer and enrolled in courses that meet the graduation requirements pursuant to Section 1003.429, 1003.43, or 1003.438, Florida Statutes;

3. The teenage parent has not graduated or legally withdrawn from school;

4. The child has not attained the age of five or is not eligible to enroll in kindergarten according to Section 1003.21(1)(a)2., Florida Statutes, whichever comes last;

5. The child is not served in a preschool program supported by other state or federal funds such as Prekindergarten Early Intervention, Head Start, or other subsidized child care.

(b) Health services. Health services include health and nutrition education and routine prenatal and postnatal health checkups during the time that the teenage parent student is reported for FTE in the teenage parent program. Routine check-ups for the children of teenage parent program participants and completers, including immunizations, shall be provided or coordinated during the time those children are reported for FTE in a teenage parent program.

(c) Social services. Social services include counseling assistance or case coordination related to economic assistance, during the time that the teenage parent students or their children are reported for FTE in a teenage parent program.

(d) Transportation. Transportation includes transportation for pregnant and parenting teenage parent program participants, program completers who have returned to their home schools, and their children regardless of distance from school pursuant to Section 1011.68(1)(b), Florida Statutes. Transportation shall be provided for teenage parents and their children to and from home and the child care facility and for the teenage parents to and from the child care facility and the school, as required for the parent's educational activities in credit earning hours.

(6) The local school board shall approve the teenage parent program plan and all subsequent amendments prior to reporting students and their children for teenage parent program funding. The individual program

description of the teenage parent program plan shall include:

- (a) Agency coordination.
- (b) Specific outcome objectives.
- (c) Evaluation.
- (d) Specific student eligibility criteria.
- (e) Student admission procedures.
- (f) Program operating procedures to include:
 - 1. Pregnancy- and parenting-related curriculum.
 - 2. Special strategies.
 - 3. Equal access for eligible exceptional and limited English proficient students.
 - 4. Student services.
 - a. Description of child care services.
 - b. Description of health services.
 - c. Description of social services.
 - d. Description of transportation.
 - e. Other services which may be provided to participants.
 - 5. Implementation sites.
 - 6. Length of stay in program for students and their children.
 - 7. Total teenage parent program FTE projected for students and their children.

(7) Program Evaluation. Each district receiving state funding for teenage parent programs through the Florida Education Finance Program shall submit an annual report to the Department documenting the extent to which each of the individual teenage parent programs has met the objectives established by the district. These objectives, developed by the district, are based upon the following required common objective criteria:

- (a) Remaining in school or earning a high school diploma.
- (b) Improving parenting skills.
- (c) Giving birth to babies weighing 5.5 pounds or greater.

Specific Authority 1001.02, 1003.54 FS. Law Implemented 1003.54 FS. History—New 10-30-90, Amended 1-2-95, 3-20-96.

***NOTE: The student support and assistance component is no longer valid. Previous Specific Authority – 229.053(1), 230.231.6(10) FS and 230.2316 FS.**

Appendix C

1003.53–Dropout prevention and academic intervention (2014 Florida Statutes)

(1)(a) Dropout prevention and academic intervention programs may differ from traditional educational programs and schools in scheduling, administrative structure, philosophy, curriculum, or setting and shall employ alternative teaching methodologies, curricula, learning activities, and diagnostic and assessment procedures in order to meet the needs, interests, abilities, and talents of eligible students. The educational program shall provide curricula, character development and law education, and related services that support the program goals and lead to improved performance in the areas of academic achievement, attendance, and discipline. Student participation in such programs shall be voluntary. District school boards may, however, assign students to a program for disruptive students. Notwithstanding any other provision of law to the contrary, no student shall be identified as being eligible to receive services funded through the dropout prevention and academic intervention program based solely on the student being from a single-parent family.

(b) Students in grades 1-12 shall be eligible for dropout prevention and academic intervention programs. Eligible students shall be reported in the appropriate basic cost factor in the Florida Education Finance Program. The strategies and supports provided to eligible students shall be funded through the General Appropriations Act and may include, but are not limited to, those services identified on the student’s academic intervention plan.

(c) A student shall be identified as being eligible to receive services funded through the dropout prevention and academic intervention program based upon one of the following criteria:

1. The student is academically unsuccessful as evidenced by low test scores, retention, failing grades, low grade point average, falling behind in earning credits, or not meeting the state or district proficiency levels in reading, mathematics, or writing.
2. The student has a pattern of excessive absenteeism or has been identified as a habitual truant.
3. The student has a history of disruptive behavior in school or has committed an offense that warrants out-of-school suspension or expulsion from school according to the district school board’s code of student conduct. For the purposes of this program, “disruptive behavior” is behavior that:
 - a. Interferes with the student’s own learning or the educational process of others and requires attention and assistance beyond that which the traditional program can provide or results in frequent conflicts of a disruptive nature while the student is under the jurisdiction of the school either in or out of the classroom; or
 - b. Severely threatens the general welfare of students or others with whom the student comes into contact.
4. The student is identified by a school’s early warning system pursuant to s. [1001.42](#)(18)(b).

(d)1. “Second chance schools” means district school board programs provided through cooperative agreements between the Department of Juvenile Justice, private providers, state or local law enforcement agencies, or other state agencies for students who have been disruptive or violent or who have committed serious offenses. As partnership programs, second chance schools are eligible for waivers by the Commissioner of Education from State Board of Education rules that prevent the provision of appropriate educational services to violent, severely disruptive, or delinquent students in small nontraditional settings or in court-adjudicated settings.

2. District school boards seeking to enter into a partnership with a private entity or public entity to operate a second chance school for disruptive students may apply to the Department of Education for startup grants. These grants must be available for 1 year and must be used to offset the startup costs for implementing such programs off public school campuses. General operating funds must be generated through the appropriate programs of the Florida Education Finance Program. Grants approved under this program shall be for the full operation of the school by a private nonprofit or for-profit provider or the public entity. This program must operate under rules adopted by the State Board of Education and be implemented to the extent funded by the Legislature.

3. A student enrolled in a sixth, seventh, eighth, ninth, or tenth grade class may be assigned to a second chance school if the student meets the following criteria:

- a. The student is a habitual truant as defined in s. [1003.01](#).
- b. The student’s excessive absences have detrimentally affected the student’s academic progress and the student may have unique needs that a traditional school setting may not meet.
- c. The student’s high incidences of truancy have been directly linked to a lack of motivation.

- d. The student has been identified as at risk of dropping out of school.
4. A student who is habitually truant may be assigned to a second chance school only if the case staffing committee, established pursuant to s. [984.12](#), determines that such placement could be beneficial to the student and the criteria included in subparagraph 3. are met.
5. A student may be assigned to a second chance school if the district school board in which the student resides has a second chance school and if the student meets one of the following criteria:
 - a. The student habitually exhibits disruptive behavior in violation of the code of student conduct adopted by the district school board.
 - b. The student interferes with the student's own learning or the educational process of others and requires attention and assistance beyond that which the traditional program can provide, or, while the student is under the jurisdiction of the school either in or out of the classroom, frequent conflicts of a disruptive nature occur.
 - c. The student has committed a serious offense which warrants suspension or expulsion from school according to the district school board's code of student conduct. For the purposes of this program, "serious offense" is behavior which:
 - (I) Threatens the general welfare of students or others with whom the student comes into contact;
 - (II) Includes violence;
 - (III) Includes possession of weapons or drugs; or
 - (IV) Is harassment or verbal abuse of school personnel or other students.
6. Prior to assignment of students to second chance schools, district school boards are encouraged to use alternative programs, such as in-school suspension, which provide instruction and counseling leading to improved student behavior, a reduction in the incidence of truancy, and the development of more effective interpersonal skills.
7. Students assigned to second chance schools must be evaluated by the district school board's child study team before placement in a second chance school. The study team shall ensure that students are not eligible for placement in a program for emotionally disturbed children.
8. Students who exhibit academic and social progress and who wish to return to a traditional school shall complete a character development and law education program and demonstrate preparedness to reenter the regular school setting prior to reentering a traditional school.
 - (2)(a) Each district school board may establish dropout prevention and academic intervention programs at the elementary, middle, junior high school, or high school level. Programs designed to eliminate patterns of excessive absenteeism or habitual truancy shall emphasize academic performance and may provide specific instruction in the areas of career education, preemployment training, and behavioral management. Such programs shall utilize instructional teaching methods appropriate to the specific needs of the student.
 - (b) Each school that establishes a dropout prevention and academic intervention program at that school site shall reflect that program in the school improvement plan as required under s. [1001.42\(18\)](#).
 - (3) Each district school board receiving state funding for dropout prevention and academic intervention programs through the General Appropriations Act shall submit information through an annual report to the Department of Education's database documenting the extent to which each of the district's dropout prevention and academic intervention programs has been successful in the areas of graduation rate, dropout rate, attendance rate, and retention/promotion rate. The department shall compile this information into an annual report which shall be submitted to the presiding officers of the Legislature by February 15.
 - (4) Each district school board shall establish procedures for ensuring that teachers assigned to dropout prevention and academic intervention programs possess the affective, pedagogical, and content-related skills necessary to meet the needs of these students.
 - (5) Each district school board providing a dropout prevention and academic intervention program pursuant to this section shall maintain for each participating student records documenting the student's eligibility, the length of participation, the type of program to which the student was assigned or the type of academic intervention services provided, and an evaluation of the student's academic and behavioral performance while in the program. The school principal or his or her designee shall, prior to placement in a dropout prevention and academic intervention program or the provision of an academic service, provide written notice of placement or services by certified mail, return receipt requested, to the student's parent. The parent of the student shall sign an acknowledgment of the notice of placement or service and return the signed acknowledgment to the principal within 3 days after receipt of the notice. The parents of a student assigned to such a dropout prevention and academic intervention program shall be notified in writing and entitled to an administrative review of any action by school personnel relating to such placement pursuant to the provisions of chapter 120.

(6) District school board dropout prevention and academic intervention programs shall be coordinated with social service, law enforcement, prosecutorial, and juvenile justice agencies and juvenile assessment centers in the school district. Notwithstanding the provisions of s. [1002.22](#), these agencies are authorized to exchange information contained in student records and juvenile justice records. Such information is confidential and exempt from the provisions of s. [119.07](#)(1). District school boards and other agencies receiving such information shall use the information only for official purposes connected with the certification of students for admission to and for the administration of the dropout prevention and academic intervention program, and shall maintain the confidentiality of such information unless otherwise provided by law or rule.

(7) The State Board of Education shall have the authority pursuant to ss. [120.536](#)(1) and [120.54](#) to adopt rules necessary to implement the provisions of this section; such rules shall require the minimum amount of necessary paperwork and reporting.

History.—s. 147, ch. 2002-387; s. 18, ch. 2008-108; s. 8, ch. 2014-184.

Appendix D

1003.21–School attendance (2014 Florida Statutes)

(1)(a)1. All children who have attained the age of 6 years or who will have attained the age of 6 years by February 1 of any school year or who are older than 6 years of age but who have not attained the age of 16 years, except as otherwise provided, are required to attend school regularly during the entire school term.

2. Children who will have attained the age of 5 years on or before September 1 of the school year are eligible for admission to public kindergartens during that school year under rules adopted by the district school board.

(b) Any child who has attained the age of 6 years on or before September 1 of the school year and who has been enrolled in a public school or who has attained the age of 6 years on or before September 1 and has satisfactorily completed the requirements for kindergarten in a private school from which the district school board accepts transfer of academic credit, or who otherwise meets the criteria for admission or transfer in a manner similar to that applicable to other grades, shall progress according to the district's student progression plan. However, nothing in this section shall authorize the state or any school district to oversee or exercise control over the curricula or academic programs of private schools or home education programs.

(c) A student who attains the age of 16 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the student files a formal declaration of intent to terminate school enrollment with the district school board. Public school students who have attained the age of 16 years and who have not graduated are subject to compulsory school attendance until the formal declaration of intent is filed with the district school board. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the student and the student's parent. The school district shall notify the student's parent of receipt of the student's declaration of intent to terminate school enrollment. The student's certified school counselor or other school personnel shall conduct an exit interview with the student to determine the reasons for the student's decision to terminate school enrollment and actions that could be taken to keep the student in school. The student's certified school counselor or other school personnel shall inform the student of opportunities to continue his or her education in a different environment, including, but not limited to, adult education and high school equivalency examination preparation. Additionally, the student shall complete a survey in a format prescribed by the Department of Education to provide data on student reasons for terminating enrollment and actions taken by schools to keep students enrolled.

(d) Students who become or have become married and students who are pregnant shall not be prohibited from attending school. These students and students who are parents shall receive the same educational instruction or its equivalent as other students, but may voluntarily be assigned to a class or program suited to their special needs. Consistent with s. [1003.54](#), pregnant or parenting teens may participate in a teenage parent program. Pregnant students may attend alternative education programs or adult education programs, provided that the curriculum allows the student to continue to work toward a high school diploma.

(e) Consistent with rules adopted by the State Board of Education, children with disabilities who have attained the age of 3 years shall be eligible for admission to public special education programs and for related services. Children with disabilities younger than 3 years of age who are deaf or hard of hearing; visually impaired; dual sensory impaired; orthopedically impaired; other health impaired; who have experienced traumatic brain injury; who have autism spectrum disorder; established conditions, or who exhibit developmental delays or intellectual disabilities may be eligible for special programs and may receive services in accordance with rules of the State Board of Education. Rules for the identification of established conditions for children birth through 2 years of age and developmental delays for children birth through 5 years of age must be adopted by the State Board of Education.

(f) Children and youths who are experiencing homelessness and children who are known to the department, as defined in s. [39.0016](#), must have access to a free public education and must be admitted to school in the school district in which they or their families live. School districts shall assist such children in meeting the requirements of subsection (4) and s. [1003.22](#), as well as local requirements for documentation.

(2)(a) The State Board of Education may adopt rules under which students not meeting the entrance age may be transferred from another state if their parents have been legal residents of that state.

(b) Each district school board, in accordance with rules of the State Board of Education, shall adopt a policy that authorizes a parent to request and be granted permission for absence of a student from school for religious instruction or religious holidays.

(3) The district school superintendent may authorize certificates of exemptions from school attendance requirements in certain situations. Students within the compulsory attendance age limits who hold valid certificates of exemption that have been issued by the superintendent shall be exempt from attending school. A certificate of exemption shall cease to be valid at the end of the school year in which it is issued.

(4) Before admitting a child to kindergarten, the principal shall require evidence that the child has attained the age at which he or she should be admitted in accordance with the provisions of subparagraph (1)(a)2. The district school superintendent may require evidence of the age of any child whom he or she believes to be within the limits of compulsory attendance as provided for by law. If the first prescribed evidence is not available, the next evidence obtainable in the order set forth below shall be accepted:

(a) A duly attested transcript of the child's birth record filed according to law with a public officer charged with the duty of recording births;

(b) A duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of the child, accompanied by an affidavit sworn to by the parent;

(c) An insurance policy on the child's life that has been in force for at least 2 years;

(d) A bona fide contemporary religious record of the child's birth accompanied by an affidavit sworn to by the parent;

(e) A passport or certificate of arrival in the United States showing the age of the child;

(f) A transcript of record of age shown in the child's school record of at least 4 years prior to application, stating date of birth; or

(g) If none of these evidences can be produced, an affidavit of age sworn to by the parent, accompanied by a certificate of age signed by a public health officer or by a public school physician, or, if these are not available in the county, by a licensed practicing physician designated by the district school board, which states that the health officer or physician has examined the child and believes that the age as stated in the affidavit is substantially correct. Children and youths who are experiencing homelessness and children who are known to the department, as defined in s. 39.0016, shall be given temporary exemption from this section for 30 school days.

History.—s. 116, ch. 2002-387; s. 18, ch. 2006-74; s. 4, ch. 2006-301; s. 4, ch. 2008-204; s. 5, ch. 2009-35; s. 7, ch. 2009-164; s. 4, ch. 2013-89; s. 16, ch. 2014-20.

Appendix E

1003.4282—Requirements for a standard high school diploma (2014 Florida Statutes)

(1) TWENTY-FOUR CREDITS REQUIRED.—

(a) Beginning with students entering grade 9 in the 2013-2014 school year, receipt of a standard high school diploma requires successful completion of 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.

(b) The required credits may be earned through equivalent, applied, or integrated courses or career education courses as defined in s. [1003.01](#)(4), including work-related internships approved by the State Board of Education and identified in the course code directory. However, any must-pass assessment requirements must be met. An equivalent course is one or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon review of the Next Generation Sunshine State Standards for that subject. An applied course aligns with Next Generation Sunshine State Standards and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses within a content area or across content areas.

(2) NOTIFICATION REQUIREMENTS.—The school district must notify students and parents, in writing, of the requirements for a standard high school diploma, available designations, and the eligibility requirements for state scholarship programs and postsecondary admissions. The Department of Education shall directly and through the school districts notify registered private schools of public high school course credit and assessment requirements. Each private school must make this information available to students and their parents so they are aware of public high school graduation requirements.

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

(a) Four credits in English Language Arts (ELA).—The four credits must be in ELA I, II, III, and IV. A student must pass the statewide, standardized 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.

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

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

(d) Three credits in social studies.—A student must earn one credit in United States History; one credit in World History; one-half credit in economics, which must include financial literacy; and one-half credit in United States Government. The United States History EOC assessment constitutes 30 percent of the student's final course grade.

(e) 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. Eligible practical arts courses are identified in the Course Code Directory.

(f) One credit in physical education.—Physical education must include the integration of health. Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons shall satisfy the one-credit requirement in physical education if the student passes a competency test on personal fitness with a score of "C"

or better. The competency test on personal fitness developed by the Department of Education must be used. A district school board may not require that the one credit in physical education be taken during the 9th grade year. Completion of one semester with a grade of “C” or better in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class shall satisfy one-half credit in physical education or one-half credit in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan. Completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an IEP or 504 plan.

(g) Eight credits in electives.—School districts must develop and offer coordinated electives so that a student may develop knowledge and skills in his or her area of interest, such as electives with a STEM or liberal arts focus. Such electives must include opportunities for students to earn college credit, including industry-certified career education programs or series of career-themed courses that result in industry certification or articulate into the award of college credit, or career education courses for which there is a statewide or local articulation agreement and which lead to college credit.

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

(5) REMEDIATION FOR HIGH SCHOOL STUDENTS.—

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

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

(6) GRADE FORGIVENESS POLICY.—Each district school board shall adopt policies designed to assist students in meeting graduation requirements including grade forgiveness policies. Forgiveness policies for required courses shall be limited to replacing a grade of “D” or “F” with a grade of “C” or higher earned subsequently in the same or comparable course. Forgiveness policies for elective courses shall be limited to replacing a grade of “D” or “F” with a grade of “C” or higher earned subsequently in another course. The only exception to these forgiveness policies shall be made for a student in the middle grades who takes any high school course for high school credit and earns a grade of “C,” “D,” or “F”. In such case, the district forgiveness policy must allow the replacement of the grade with a grade of “C” or higher earned subsequently in the same or comparable course. In all cases of grade forgiveness, only the new grade shall be used in the calculation of the student’s grade point average. Any course grade not replaced according to a district school board forgiveness policy shall be included in the calculation of the cumulative grade point average required for graduation.

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

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

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

1. One elective credit may be substituted for the one-credit requirement in fine or performing arts, speech and debate, or practical arts.
2. The requirement that two of the science credits include a laboratory component may be waived by the district school board.
3. The one credit in physical education may be substituted with an elective credit.

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

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

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

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

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

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

(b) Each school district should take the initiative to work with local workforce boards, local business and industry leaders, and postsecondary institutions to establish partnerships for the purpose of creating career education courses or a series of courses that meet the requirements set forth in s. [1003.493](#)(2), (4), and (5) that students can take to earn required high school course credits. Emphasis should be placed on online coursework and digital literacy. School districts must submit their recommended career education courses to the department for state board approval. School district-recommended career education courses must meet the same rigorous standards as department-developed career education courses in order to be approved by the state board. School districts participating in the development of rigorous career education courses will be able to better address local workforce needs and allow students the opportunity to acquire the knowledge and skills that are needed not only for academic advancement but also for employability purposes.

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

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

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

1. Four credits in English/ELA. A student must pass the statewide, standardized grade 10 Reading assessment, or earn a concordant score, in order to graduate with a standard high school diploma.
 2. Four credits in mathematics, which must include Algebra I. A student must pass grade 10 FCAT Mathematics, or earn a concordant score, in order to graduate with a standard high school diploma. A student who takes Algebra I or Geometry after the 2010-2011 school year must take the statewide, standardized EOC assessment for the course but is not required to pass the assessment in order to earn course credit. A student's performance on the Algebra I or Geometry EOC assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I.
 3. Three credits in science, two of which must have a laboratory component. A student who takes Biology I after the 2010-2011 school year must take the statewide, standardized Biology I EOC assessment but is not required to pass the assessment in order to earn course credit. A student's performance on the assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one science credit.
 4. Three credits in social studies of which one credit in World History, one credit in United States History, one-half credit in United States Government, and one-half credit in economics are required. A student who takes United States History after the 2011-2012 school year must take the statewide, standardized United States History EOC assessment, but the student's performance on the assessment is not required to constitute 30 percent of the student's final course grade.
 5. One credit in fine or performing arts, speech and debate, or practical arts as provided in paragraph (3)(e).
 6. One credit in physical education as provided in paragraph (3)(f).
 7. Eight credits in electives.
- (b) A student entering grade 9 in the 2010-2011 school year must earn:
1. Four credits in English/ELA. A student must pass the statewide, standardized grade 10 Reading assessment, or earn a concordant score, in order to graduate with a standard high school diploma.
 2. Four credits in mathematics, which must include Algebra I and Geometry. The statewide, standardized Algebra I EOC assessment constitutes 30 percent of the student's final course grade. A student who takes Algebra I or Geometry after the 2010-2011 school year must take the statewide, standardized EOC assessment for the course but is not required to pass the assessment in order to earn course credit. A student's performance on the Geometry EOC assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry.
 3. Three credits in science, two of which must have a laboratory component. A student who takes Biology I after the 2010-2011 school year must take the statewide, standardized Biology I EOC assessment but is not required to pass the assessment in order to earn course credit. A student's performance on the assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one science credit, except for Biology I.
 4. Three credits in social studies of which one credit in World History, one credit in United States History, one-half credit in United States Government, and one-half credit in economics are required. A student who takes United States History after the 2011-2012 school year must take the statewide, standardized United States History EOC assessment, but the student's performance on the assessment is not required to constitute 30 percent of the student's final course grade.
 5. One credit in fine or performing arts, speech and debate, or practical arts as provided in paragraph (3)(e).
 6. One credit in physical education as provided in paragraph (3)(f).
 7. Eight credits in electives.
- (c) A student entering grade 9 in the 2011-2012 school year must earn:
1. Four credits in English/ELA. A student must pass the statewide, standardized grade 10 Reading assessment, or earn a concordant score, in order to graduate with a standard high school diploma.
 2. Four credits in mathematics, which must include Algebra I and Geometry. A student who takes Algebra I after the 2010-2011 school year must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score, in order to earn a standard high school diploma. A student who takes Algebra I or Geometry after the 2010-2011 school year must take the statewide, standardized EOC assessment but is not required to pass the Algebra I

or Geometry EOC assessment in order to earn course credit. A student's performance on the Algebra I or Geometry EOC assessment is not required to constitute 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry.

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

4. Three credits in social studies of which one credit in World History, one credit in United States History, one-half credit in United States Government, and one-half credit in economics are required. A student who takes United States History after the 2011-2012 school ¹year must take the statewide, standardized United States History EOC assessment, but the student's performance on the assessment is not required to constitute 30 percent of the student's final course grade.

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

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

7. Eight credits in electives.

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

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

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

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

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

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

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

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

7. Eight credits in electives.

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

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

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

(11) STUDENTS WITH DISABILITIES.—Beginning with students entering grade 9 in the 2014-2015 school year, this subsection applies to a student with a disability.

(a) A parent of the student with a disability shall, in collaboration with the individual education plan (IEP) team during the transition planning process pursuant to s. [1003.5716](#), declare an intent for the student to graduate from high school with either a standard high school diploma or a certificate of completion. A student with a disability

who does not satisfy the standard high school diploma requirements pursuant to this section shall be awarded a certificate of completion.

(b) The following options, in addition to the other options specified in this section, may be used to satisfy the standard high school diploma requirements, as specified in the student's individual education plan:

1. For a student 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:

a. 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 by State Board of Education rule.

b. A portfolio of quantifiable evidence that documents a student's mastery of academic standards through rigorous metrics established by State Board of Education rule. A portfolio may include, but is not limited to, documentation of work experience, internships, community service, and postsecondary credit.

2. For a student with a disability for whom the IEP team has determined that mastery of academic and employment competencies is the most appropriate way for a student to demonstrate his or her skills:

a. Documented completion of the minimum high school graduation requirements, including the number of course credits prescribed by rules of the State Board of Education.

b. Documented achievement of all annual goals and short-term objectives for academic and employment competencies, industry certifications, and occupational completion points specified in the student's transition plan. The documentation must be verified by the IEP team.

c. Documented successful employment for the number of hours per week specified in the student's transition plan, for the equivalent of 1 semester, and payment of a minimum wage in compliance with the requirements of the federal Fair Labor Standards Act.

d. Documented mastery of the academic and employment competencies, industry certifications, and occupational completion points specified in the student's transition plan. The documentation must be verified by the IEP team, the employer, and the teacher. The transition plan must be developed and signed by the student, parent, teacher, and employer before placement in employment and must identify the following:

(I) The expected academic and employment competencies, industry certifications, and occupational completion points;

(II) The criteria for determining and certifying mastery of the competencies;

(III) The work schedule and the minimum number of hours to be worked per week; and

(IV) A description of the supervision to be provided by the school district.

3. Any change to the high school 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 in s. [1003.572](#).

(c) A student with a disability who meets the standard high school diploma requirements in this section may defer the receipt of a standard high school diploma if the student:

1. Has an individual education plan that prescribes special education, transition planning, transition services, or related services through age 21; and

2. Is enrolled in accelerated college credit instruction pursuant to s. [1007.27](#), 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 preapprenticeship program.

(d) A student with a disability who receives a certificate of completion and has an individual education plan that prescribes special education, transition planning, transition services, or related services through 21 years of age may continue to receive the specified instruction and services.

(e) Any waiver of the statewide, standardized assessment requirements by the individual education plan team, pursuant to s. [1008.22](#)(3)(c), must be approved by the parent and is subject to verification for appropriateness by an independent reviewer selected by the parent as provided for in s. [1003.572](#).

²The State Board of Education shall adopt rules under ss. [120.536](#)(1) and [120.54](#) to implement this paragraph, including rules that establish the minimum requirements for students described in this paragraph to earn a standard high school diploma. The State Board of Education shall adopt emergency rules pursuant to ss. [120.536](#)(1) and [120.54](#).

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

History.—s. 17, ch. 2013-27; s. 40, ch. 2014-39; ss. 33, 34, ch. 2014-184.

¹Note.—The word "student" following the word "year" was deleted by the editors.

²Note.—Similar language to what became subsection (11) appears in s. 5, C.S. for C.S. for S.B. 1512, which did not pass; in that text, the flush left language appeared after paragraph (b) of the subsection. The language was inserted after paragraph (e) in C.S. for C.S. for S.B. 850, which became ch. 2014-184.

Appendix F

1003.438—Special high school graduation requirements for certain exceptional students (2014 Florida Statutes)

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

History.—s. 136, ch. 2002-387; s. 5, ch. 2008-204; s. 26, ch. 2013-27; s. 47, ch. 2013-35; s. 42, ch. 2014-39; s. 19, ch. 2014-184.

Appendix G

Live Births to Teen Mothers (2013)

TABLE B-1: RESIDENT AND RECORDED LIVE BIRTHS AND BIRTH RATES PER 1,000 POPULATION, BY RACE OF MOTHER, BY COUNTY, FLORIDA, 2013

	RESIDENT LIVE BIRTHS					RATES		
	TOTAL	WHITE	BLACK	OTHER	UNK	TOTAL	WHITE	BLACK
FLORIDA	215,194	153,278	48,737	12,213	966	11.1	10.1	15.2
ALACHUA	2,823	1,715	853	254	1	11.4	9.7	16.8
BAKER	349	300	42	6	1	12.8	13.2	10.6
BAY	2,239	1,703	327	157	52	13.1	12.0	16.9
BRADFORD	312	244	60	8	0	11.7	11.9	10.8
BREVARD	5,076	4,003	718	350	5	9.2	8.7	12.2
BROWARD	21,541	11,773	8,337	1,369	62	12.1	10.0	16.7
CALHOUN	137	116	17	4	0	9.3	9.7	8.1
CHARLOTTE	1,021	902	63	54	2	6.2	6.0	6.1
CITRUS	1,021	937	34	48	2	7.2	7.1	7.7
CLAY	2,088	1,693	255	134	6	10.7	10.4	12.3
COLLIER	3,154	2,621	384	148	1	9.4	8.6	16.4
COLUMBIA	824	644	163	16	1	12.1	12.0	13.3
MIAMI-DADE	31,147	23,128	7,131	727	161	12.1	11.5	14.3
DESOTO	363	319	36	8	0	10.6	11.0	8.2
DIXIE	156	139	16	1	0	9.4	9.4	11.4
DUVAL	12,555	7,042	4,412	1,076	25	14.3	12.8	16.7
ESCAMBIA	3,804	2,418	1,162	216	8	12.7	11.6	16.5
FLAGLER	783	629	110	44	0	7.8	7.5	9.0
FRANKLIN	112	94	16	1	1	9.6	9.7	9.6
GADSDEN	561	207	343	8	3	12.0	10.3	13.3
GILCHRIST	196	188	6	2	0	11.5	11.9	6.4
GLADES	65	52	9	4	0	5.1	5.0	6.0
GULF	134	119	12	2	1	8.4	9.4	4.1
HAMILTON	160	104	54	2	0	10.7	10.9	10.9
HARDEE	387	364	16	7	0	13.3	14.7	7.7
HENDRY	569	481	68	18	2	15.0	15.6	13.0
HERNANDO	1,484	1,309	120	48	7	8.5	8.2	11.9
HIGHLANDS	855	692	130	30	3	8.6	8.1	12.9
HILLSBOROUGH	16,614	12,081	3,556	958	19	13.0	12.5	15.8
HOLMES	174	164	2	7	1	8.7	9.1	1.6
INDIAN RIVER	1,217	740	224	39	214	8.6	6.0	16.5
JACKSON	495	345	139	11	0	10.0	9.9	10.4
JEFFERSON	135	72	62	1	0	9.3	8.0	12.0
LAFAYETTE	81	74	5	2	0	9.3	10.2	3.9
LAKE	3,077	2,473	421	169	14	10.1	9.6	13.0
LEE	6,399	5,246	827	306	20	9.8	9.2	14.0
LEON	3,011	1,554	1,238	218	1	10.8	8.7	14.3
LEVY	390	331	51	8	0	9.6	9.4	12.8
LIBERTY	88	87	1	0	0	10.0	12.5	0.6
MADISON	221	113	103	5	0	11.5	10.0	13.8
MANATEE	3,375	2,587	452	327	9	10.1	8.9	14.3
MARION	3,338	2,540	669	127	2	9.9	9.0	15.2
MARTIN	1,169	1,020	91	54	4	7.9	7.6	10.6
MONROE	741	604	110	24	3	10.2	9.2	23.6
NASSAU	741	680	40	21	0	9.9	10.1	7.8
OKALOOSA	2,768	2,228	309	222	9	14.5	14.2	16.3
OKEECHOBEE	522	454	29	30	9	13.1	12.9	8.7
ORANGE	15,829	10,017	4,310	1,491	11	13.2	12.0	16.4
OSCEOLA	3,909	3,183	458	265	3	13.4	13.6	12.2
PALM BEACH	14,198	9,229	4,149	794	26	10.5	8.9	17.0
PASCO	4,789	4,257	284	234	14	10.1	9.9	11.3
PINELLAS	8,576	6,174	1,556	652	194	9.3	8.0	15.6
POLK	7,253	5,481	1,438	323	11	11.8	11.1	15.0
PUTNAM	845	623	184	35	3	11.6	10.6	15.2
SAINT JOHN'S	1,988	1,703	169	115	1	9.8	9.4	14.0
SAINT LUCIE	2,990	2,002	843	125	20	10.5	9.2	15.0
SANTA ROSA	1,797	1,614	76	104	3	11.4	11.7	7.6
SARASOTA	2,803	2,407	259	137	0	7.2	6.8	13.3
SEMINOLE	4,416	3,317	715	376	8	10.2	9.4	13.7
SUMTER	461	373	69	19	0	4.4	4.0	7.1
SUWANNEE	486	414	62	9	1	11.0	11.1	11.5
TAYLOR	247	184	60	3	0	10.7	10.5	12.4
UNION	183	162	18	3	0	11.7	13.7	5.1
VOLUSIA	4,632	3,645	751	219	17	9.3	8.6	13.6
WAKULLA	305	263	35	7	0	9.8	10.3	7.6
WALTON	758	697	36	24	1	12.9	13.3	9.8
WASHINGTON	246	196	42	6	2	9.7	9.5	11.3

Appendix H

***1011.62—Funds for operation of schools (2014 Florida Statutes)**

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

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

(a) Determination of full-time equivalent membership.—During each of several school weeks, including scheduled intersessions of a year-round school program during the fiscal year, a program membership survey of each school shall be made by each district by aggregating the full-time equivalent student membership of each program by school and by district. The department shall establish the number and interval of membership calculations, except that for basic and special programs such calculations shall not exceed nine for any fiscal year. The district's full-time equivalent membership shall be computed and currently maintained in accordance with regulations of the commissioner.

(b) Determination of base student allocation.—The base student allocation for the Florida Education Finance Program for kindergarten through grade 12 shall be determined annually by the Legislature and shall be that amount prescribed in the current year's General Appropriations Act.

(c) Determination of programs.—Cost factors based on desired relative cost differences between the following programs shall be established in the annual General Appropriations Act. The cost factor for secondary career education programs and basic programs grade 9 through 12 shall be equal. The Commissioner of Education shall specify a matrix of services and intensity levels to be used by districts in the determination of the two weighted cost factors for exceptional students with the highest levels of need. For these students, the funding support level shall fund the exceptional students' education program, with the exception of extended school year services for students with disabilities.

1. Basic programs.—

a. Kindergarten and grades 1, 2, and 3.

b. Grades 4, 5, 6, 7, and 8.

c. Grades 9, 10, 11, and 12.

2. Programs for exceptional students.—

a. Support Level IV.

b. Support Level V.

3. Secondary career education programs.

4. English for Speakers of Other Languages.

(d) Annual allocation calculation.—

1. The Department of Education is authorized and directed to review all district programs and enrollment projections and calculate a maximum total weighted full-time equivalent student enrollment for each district for the K-12 FEFP.

2. Maximum enrollments calculated by the department shall be derived from enrollment estimates used by the Legislature to calculate the FEFP. If two or more districts enter into an agreement under the provisions of s. [1001.42\(4\)\(d\)](#), after the final enrollment estimate is agreed upon, the amount of FTE specified in the agreement, not to exceed the estimate for the specific program as identified in paragraph (c), may be transferred from the participating districts to the district providing the program.

3. As part of its calculation of each district's maximum total weighted full-time equivalent student enrollment, the department shall establish separate enrollment ceilings for each of two program groups. Group 1 shall be composed of basic programs for grades K-3, grades 4-8, and grades 9-12. Group 2 shall be composed of students in exceptional student education programs support levels IV and V, English for Speakers of Other Languages programs, and all career programs in grades 9-12.

a. For any calculation of the FEFP, the enrollment ceiling for group 1 shall be calculated by multiplying the actual enrollment for each program in the program group by its appropriate program weight.

- b. The weighted enrollment ceiling for group 2 programs shall be calculated by multiplying the enrollment for each program by the appropriate program weight as provided in the General Appropriations Act. The weighted enrollment ceiling for program group 2 shall be the sum of the weighted enrollment ceilings for each program in the program group, plus the increase in weighted full-time equivalent student membership from the prior year for clients of the Department of Children and Family Services and the Department of Juvenile Justice.
- c. If, for any calculation of the FEFP, the weighted enrollment for program group 2, derived by multiplying actual enrollments by appropriate program weights, exceeds the enrollment ceiling for that group, the following procedure shall be followed to reduce the weighted enrollment for that group to equal the enrollment ceiling:
- (I) The weighted enrollment ceiling for each program in the program group shall be subtracted from the weighted enrollment for that program derived from actual enrollments.
 - (II) If the difference calculated under sub-sub-subparagraph (I) is greater than zero for any program, a reduction proportion shall be computed for the program by dividing the absolute value of the difference by the total amount by which the weighted enrollment for the program group exceeds the weighted enrollment ceiling for the program group.
 - (III) The reduction proportion calculated under sub-sub-subparagraph (II) shall be multiplied by the total amount of the program group's enrollment over the ceiling as calculated under sub-sub-subparagraph (I).
 - (IV) The prorated reduction amount calculated under sub-sub-subparagraph (III) shall be subtracted from the program's weighted enrollment to produce a revised program weighted enrollment.
 - (V) The prorated reduction amount calculated under sub-sub-subparagraph (III) shall be divided by the appropriate program weight, and the result shall be added to the revised program weighted enrollment computed in sub-sub-subparagraph (IV).
- (e) Funding model for exceptional student education programs.—
- 1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.
- b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.
- c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.
2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. [1001.42\(4\)\(I\)](#) and rules of the State Board of Education, which shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program, and the amount allocated for each school district shall not be recalculated during the year. These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. Beginning with the 2007-2008 fiscal year, a district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.
- (f) Supplemental academic instruction; categorical fund.—
1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the "Supplemental Academic Instruction Categorical Fund."
2. Categorical funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to

students enrolled in the K-12 program. For the 2012-2013, 2013-2014, and 2014-2015 fiscal years, each school district that has one or more of the 100 lowest-performing elementary schools based on the state reading assessment shall use these funds, together with the funds provided in the district's research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided only by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers shall not be included in the 100 schools. After this requirement has been met, supplemental instruction strategies may include, but are not limited to: modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, class size reduction, extended school year, intensive skills development in summer school, and other methods for improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. Effective with the 1999-2000 fiscal year, funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. [985.19](#). Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

4. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

5. Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. [1003.52](#), [1003.53](#)(1)(a), (b), and (c), and [1003.54](#) shall be included in group 1 programs under subparagraph (d)3.

**Statute has been truncated – for full statute, please visit*

www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=1000-1099/1011/Sections/1011.62.html.

Appendix I

1003.26—Enforcement of school attendance (2014 Florida Statutes)

The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. District school board policies shall require the parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:

(1) CONTACT, REFER, AND ENFORCE.—

(a) Upon each unexcused absence, or absence for which the reason is unknown, the school principal or his or her designee shall contact the student's parent to determine the reason for the absence. If the absence is an excused absence, as defined by district school board policy, the school shall provide opportunities for the student to make up assigned work and not receive an academic penalty unless the work is not made up within a reasonable time.

(b) If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period, the student's primary teacher shall report to the school principal or his or her designee that the student may be exhibiting a pattern of nonattendance. The principal shall, unless there is clear evidence that the absences are not a pattern of nonattendance, refer the case to the school's child study team to determine if early patterns of truancy are developing. If the child study team finds that a pattern of nonattendance is developing, whether the absences are excused or not, a meeting with the parent must be scheduled to identify potential remedies, and the principal shall notify the district school superintendent and the school district contact for home education programs that the referred student is exhibiting a pattern of nonattendance.

(c) If an initial meeting does not resolve the problem, the child study team shall implement the following:

1. Frequent attempts at communication between the teacher and the family.
2. Evaluation for alternative education programs.
3. Attendance contracts.

The child study team may, but is not required to, implement other interventions, including referral to other agencies for family services or recommendation for filing a truancy petition pursuant to s. [984.151](#).

(d) The child study team shall be diligent in facilitating intervention services and shall report the case to the district school superintendent only when all reasonable efforts to resolve the nonattendance behavior are exhausted.

(e) If the parent refuses to participate in the remedial strategies because he or she believes that those strategies are unnecessary or inappropriate, the parent may appeal to the district school board. The district school board may provide a hearing officer, and the hearing officer shall make a recommendation for final action to the district school board. If the district school board's final determination is that the strategies of the child study team are appropriate, and the parent still refuses to participate or cooperate, the district school superintendent may seek criminal prosecution for noncompliance with compulsory school attendance.

(f)1. If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to chapter 1002, the district school superintendent shall provide the parent a copy of s. [1002.41](#) and the accountability requirements of this paragraph. The district school superintendent shall also refer the parent to a home education review committee composed of the district contact for home education programs and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least 3 years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the student, as defined by s. [1002.41](#), every 30 days during the district's regular school terms until the committee is satisfied that the home education program is in compliance with s. [1002.41\(1\)\(b\)](#). The first portfolio review must occur within the first 30 calendar days of the establishment of the program. The provisions of subparagraph 2. do not apply once the committee determines the home education program is in compliance with s. [1002.41\(1\)\(b\)](#).

2. If the parent fails to provide a portfolio to the committee, the committee shall notify the district school superintendent. The district school superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of "regular school attendance" under s. [1003.01\(13\)\(a\)](#), (b), (c), or (e), within 3 days. Upon termination of a home education program pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days. Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of s. [1003.21](#) and may result in criminal prosecution under s. [1003.27\(2\)](#). Nothing contained herein shall restrict the ability of the district school superintendent, or the ability of his or her designee, to review the portfolio pursuant to s. [1002.41\(1\)\(b\)](#).

(g) If a student subject to compulsory school attendance will not comply with attempts to enforce school attendance, the parent or the district school superintendent or his or her designee shall refer the case to the case staffing committee pursuant to s. [984.12](#), and the district school superintendent or his or her designee may file a truancy petition pursuant to the procedures in s. [984.151](#).

(2) GIVE WRITTEN NOTICE.—

(a) Under the direction of the district school superintendent, a designated school representative shall give written notice that requires enrollment or attendance within 3 days after the date of notice, in person or by return-receipt mail, to the parent when no valid reason is found for a student's nonenrollment in school. If the notice and requirement are ignored, the designated school representative shall report the case to the district school superintendent, and may refer the case to the case staffing committee, established pursuant to s. [984.12](#). The district school superintendent shall take such steps as are necessary to bring criminal prosecution against the parent.

(b) Subsequent to the activities required under subsection (1), the district school superintendent or his or her designee shall give written notice in person or by return-receipt mail to the parent that criminal prosecution is being sought for nonattendance. The district school superintendent may file a truancy petition, as defined in s. [984.03](#), following the procedures outlined in s. [984.151](#).

(3) RETURN STUDENT TO PARENT.—A designated school representative may visit the home or place of residence of a student and any other place in which he or she is likely to find any student who is required to attend school when the student is not enrolled or is absent from school during school hours without an excuse, and, when the student is found, shall return the student to his or her parent or to the principal or teacher in charge of the school, or to the private tutor from whom absent, or to the juvenile assessment center or other location established by the district school board to receive students who are absent from school. Upon receipt of the student, the parent shall be immediately notified.

(4) REPORT TO APPROPRIATE AUTHORITY.—A designated school representative shall report to the appropriate authority designated by law to receive such notices, all violations of the Child Labor Law that may come to his or her knowledge.

(5) RIGHT TO INSPECT.—A designated school representative shall have the right of access to, and inspection of, establishments where minors may be employed or detained only for the purpose of ascertaining whether students of compulsory school age are actually employed there and are actually working there regularly. The designated school representative shall, if he or she finds unsatisfactory working conditions or violations of the Child Labor Law, report his or her findings to the appropriate authority.

History.—s. 121, ch. 2002-387; s. 5, ch. 2006-301.

Appendix J

6A-6.0212–Performance-Based Exit Option Model and State of Florida High School Performance-Based Diploma (Florida Administrative Code Chapter 6A)

The Department of Education shall award a State of Florida High School Performance-Based Diploma pursuant to Section 1003.435, F.S., to a candidate who meets all of the requirements of the Performance-Based Exit Option Model, as prescribed herein.

(1) General and Administrative Components.

(a) The Department shall designate the authority of awarding the State of Florida High School Performance-Based Diploma to each approved school district participating in the Performance-Based Exit Option Model.

(b) This program is also known as the “GED Exit Option.”

(c) School districts must apply and be approved by the Department in order to implement the Performance-Based Exit Option Model at all school sites. Beginning with the 2010/2011 school year, and bi-annually thereafter, each approved school district must submit a renewal application to continue to implement the Performance-Based Exit Option Model. School districts who are seeking initial approval to implement the Performance-Based Exit Option Model may apply during any given school year. The Performance-Based Exit Option Model Application, Form BFCO 001, effective July 2010, is incorporated by reference and made a part of this rule and may be obtained by contacting the Director of Dropout Prevention, Bureau of Family and Community Outreach, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, or online at <http://fldoe.org/core/fileparse.php/5423/urlt/PerformanceApplication.pdf>.

(d) School districts may amend approved applications anytime during the school year by completing and submitting an amendment to the Department.

(e) The district shall identify a Performance-Based Exit Option Model administrator who is responsible for ensuring that each approved school site is provided with the appropriate number of GED Testing Authorization Forms. The district Performance-Based Exit Option Model administrator must contact the Department of Education for additional Testing Authorization forms throughout the school year.

(2) Eligibility and Admission Components.

(a) The Performance-Based Exit Option Model is not to be a preferred or accelerated means of completing high school. Thus, this model is not a vehicle for the early exit of students and may only be exercised for students who are off track to graduate with their kindergarten cohort due to being overage for grade, behind in credits or having a low Grade Point Average (GPA). Students participating in the Performance-Based Exit Option Model may not graduate prior to their kindergarten cohort. Participation in this model is voluntary and requires parental notification and consent. Entry and exit policies must conform to state compulsory attendance requirements, as well as district daily attendance policies.

(b) Any eligible student currently enrolled in a PK-12 program, including special programs such as exceptional student education, dropout prevention, teenage parent, Department of Juvenile Justice, and English for Speakers of Other Languages (ESOL) may participate in the Performance-Based Exit Option Model. To be eligible to participate in the Performance-Based Exit Option Model, a student must, at a minimum, be:

1. At least sixteen (16) years old and currently enrolled in a PK-12 program;
2. Enrolled in and attending high school courses that meet high school graduation requirements as specified in Section 1003.428 or 1003.43, F.S., whichever is applicable;
3. In jeopardy of not graduating with their kindergarten cohort because they are overage for grade, behind in credits, or have a low GPA;
4. Assessed at a seventh grade reading level or higher at the time of selection (ninth grade or higher at the time of GED testing), as documented by the Test of Adult Basic Education (TABE) reading component or other assessment to determine grade level proficiency.

(c) The student eligibility criteria articulated in this rule in paragraph (2)(b) are the minimum requirements to which each school district implementing the Performance-Based Exit Option Model must adhere.

(d) After the student's initial eligibility has been determined, a comprehensive review of student records by designated school personnel or a child study team, including, but not limited to grades, credits, attendance, behavior and education plans, must be completed to decide if the Performance-Based Exit Option Model is the most appropriate educational strategy.

(e) If the student is a minor, parents or guardian(s) must be informed and give written consent to a student's participation in the Performance-Based Exit Option Model. The student's record must include written notification of the student's eligibility, parents' or guardians' right to an administrative review of the proposed placement, and parental or guardian consent, in writing, for student's participation prior to utilizing this model. The student's parent or guardian must be informed of the results of the record review and provided clarification that the student's transcript will indicate an alternative graduation route.

(f) Counseling is required before program entry and during participation in the program. Counseling and advisement services must be provided to both students and parents or guardians regarding the Performance-Based Exit Option Model and other graduation options prior to participation so that they can make an informed decision regarding placement.

(3) Curriculum and Instruction.

(a) The curricula and instructional content for the Performance-Based Exit Option Model must be at the high school level and must be rigorous and relevant to the student's postsecondary goals. Each student must be enrolled in and attending K-12 high school courses that meet the high school graduation requirements specified in Section 1003.428 or 1003.43, F.S., whichever is applicable.

(b) The content of the Performance-Based Exit Option Model must be academic and may include career education instruction or activities. The school district must provide a full range of instruction that aligns with the State Standards and the core content measured by GED Tests (high school mathematics, writing, social studies, reading, and science). Career Education instruction and activities should be directed at the knowledge, skills, and abilities required for securing and maintaining employment.

(c) Instruction for the Performance-Based Exit Option Model must be of sufficient intensity and duration to ensure that participating students have a fair opportunity to raise their skills to the level necessary to earn a State of Florida High School Performance-Based Diploma in a reasonable period of time. Appropriate curriculum materials must be provided in adequate quantities and must be available when students need them. Instructional strategies that focus on individual student progress are strongly encouraged.

(d) Students are required to adhere to district attendance and code of conduct policies.

(e) Districts must administer the official GED Practice Tests administered under student testing conditions, prior to testing students for the GED. Districts must provide academic interventions to students who do not earn acceptable scores on the official GED Practice Tests.

(4) Program Completion Requirements.

(a) For students to successfully complete the Performance-Based Exit Option Model, the student must:

1. Continue enrollment and attendance in high school courses that meet high school graduation requirements as specified in Section 1003.428 or 1003.43, F.S., whichever is applicable.

2. Pass the required sections of the FCAT, or receive a concordant score in accordance with Section 1008.22, F.S.;

3. Pass the GED Tests; and

4. Complete any additional requirements established by the school district.

(b) Students earning the State of Florida High School Performance-Based Diploma are not required to obtain the minimum credits and GPA that are required for a standard high school diploma.

(c) Students must successfully participate in the Performance-Based Exit Option Model for at least one full semester.

(d) Students who are participating in the Performance-Based Exit Option Model during their 13th year of school and their kindergarten cohort has already graduated are not required to continue classes until the end of the currently enrolled semester if they have:

1. Successfully passed the required sections of the FCAT or received a concordant score in accordance with Section 1008.22, F.S.;

2. Passed the GED Tests; and

3. Completed any additional requirements established by the school district.

(5) Official Recognition.

(a) Performance-Based Exit Option Model students must receive official recognition. Students enrolled in the Performance-Based Exit Option Model are eligible to participate in all standard high school activities, including extracurricular activities, as well as graduation and other recognition ceremonies.

(b) A student completing the Performance-Based Exit Option Model who passes the GED Tests and the required sections of the FCAT, or receives a concordant score in accordance with Section 1008.22, F.S., must be awarded a State of Florida High School Performance-Based Diploma.

(c) A student completing the Performance-Based Exit Option Model who does not meet the graduation requirements established in Section 1003.428 or 1003.43, F.S., as applicable, does not qualify to receive a standard high school diploma.

(d) If a student passes the GED Tests but does not pass the FCAT, the student must only be awarded the State of Florida High School Diploma (GED).

(e) Rule 6A-1.0995, F.A.C., provides the allowable format for State of Florida High School Performance-Based Diploma.

Rulemaking Authority 1001.02, 1003.435, 1003.53 FS. Law Implemented 1003.435, 1003.53 FS. History—New 7-19-10.

Appendix K

1003.435—High school equivalency diploma program (2014 Florida Statutes)

- (1) The State Board of Education shall adopt rules that prescribe performance standards and provide for comprehensive examinations to be administered to candidates for high school equivalency diplomas. Such rules shall include, but are not limited to, provisions for fees, frequency of examinations, and procedures for retaking an examination upon unsatisfactory performance.
- (2) The department may award high school equivalency diplomas to candidates who meet the performance standards prescribed by the State Board of Education.
- (3) Each district school board shall offer and administer the high school equivalency diploma examinations and the subject area examinations to all candidates pursuant to rules of the State Board of Education.
- (4) A candidate for a high school equivalency diploma shall be at least 18 years of age on the date of the examination, except that in extraordinary circumstances, as provided for in rules of the district school board of the district in which the candidate resides or attends school, a candidate may take the examination after reaching the age of 16.
- (5) Each district school board shall develop, in cooperation with the area Florida College System institution board of trustees, a plan for the provision of advanced instruction for those students who attain satisfactory performance on the high school equivalency examination or the subject area examinations or who demonstrate through other means a readiness to engage in postsecondary-level academic work. The plan shall include provisions for the equitable distribution of generated funds to cover personnel, maintenance, and other costs of offering the advanced instruction. Priority shall be given to programs of advanced instruction offered in high school facilities.
- (6) All high school equivalency diplomas issued under the provisions of this section shall have equal status with other high school diplomas for all state purposes, including admission to any state university or Florida College System institution.

History.—s. 133, ch. 2002-387; s. 35, ch. 2011-5; s. 24, ch. 2013-27.

Appendix L

1003.436—Definition of “credit” (2013 Florida Statutes)

(1)(a) For the purposes of requirements for high school graduation, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards, except as otherwise provided through the Credit Acceleration Program (CAP) under s. 1003.4295(3). One full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards for purposes of meeting high school graduation requirements in a district school that has been authorized to implement block scheduling by the district school board. The State Board of Education shall determine the number of postsecondary credit hours earned through dual enrollment pursuant to s. 1007.271 that satisfy the requirements of a dual enrollment articulation agreement according to s. 1007.271(21) and that equal one full credit of the equivalent high school course identified pursuant to s. 1007.271(9).

(b) The hourly requirements for one-half credit are one-half the requirements specified in paragraph (a).

(2) In awarding credit for high school graduation, each district school board shall maintain a one-half credit earned system that shall include courses provided on a full-year basis. A student enrolled in a full-year course shall receive one-half credit if the student successfully completes either the first half or the second half of a full-year course but fails to successfully complete the other half of the course and the averaging of the grades obtained in each half would not result in a passing grade. A student enrolled in a full-year course shall receive a full credit if the student successfully completes either the first half or the second half of a full-year course but fails to successfully complete the other half of the course and the averaging of the grades obtained in each half would result in a passing grade, provided that such additional requirements specified in district school board policies, such as class attendance, homework, participation, and other indicators of performance, shall be successfully completed by the student.

History.—s. 134, ch. 2002-387; s. 14, ch. 2003-391; s. 11, ch. 2012-191; s. 25, ch. 2013-27.

Appendix M

1008.22—Student assessment program for public schools (2014 Florida Statutes)

(1) **PURPOSE.**—The primary purpose of the student assessment program is to provide student academic achievement and learning gains data to students, parents, teachers, school administrators, and school district staff. This data is to be used by districts to improve instruction; by students, parents, and teachers to guide learning objectives; by education researchers to assess national and international education comparison data; and by the public to assess the cost benefit of the expenditure of taxpayer dollars. The program must be designed to:

- (a) Assess the achievement level and annual learning gains of each student in English Language Arts and mathematics and the achievement level in all other subjects assessed.
- (b) Provide data for making decisions regarding school accountability, recognition, and improvement of operations and management, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs.
- (c) Identify the educational strengths and needs of students and the readiness of students to be promoted to the next grade level or to graduate from high school.
- (d) Assess how well educational goals and curricular standards are met at the school, district, state, national, and international levels.
- (e) Provide information to aid in the evaluation and development of educational programs and policies.

(2) **NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.**—Florida school districts shall participate in the administration of the National Assessment of Educational Progress, or similar national or international assessments, both for the national sample and for any state-by-state comparison programs that may be initiated, as directed by the commissioner. The assessments must be conducted using the data collection procedures, student surveys, educator surveys, and other instruments included in the National Assessment of Educational Progress or similar national or international assessments being administered in Florida. The administration of such assessments shall be in addition to and separate from the administration of the statewide, standardized assessments.

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

- (a) **Statewide, standardized comprehensive assessments.**—The statewide, standardized Reading assessment shall be administered annually in grades 3 through 10. The statewide, standardized Writing assessment shall be administered annually at least once at the elementary, middle, and high school levels. When the Reading and Writing assessments are replaced by English Language Arts (ELA) assessments, ELA assessments shall be administered to students in grades 3 through 11. Retake opportunities for the grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment must be provided. Students taking the ELA assessments shall not take the statewide, standardized assessments in Reading or Writing. ELA assessments shall be administered

online. The statewide, standardized Mathematics assessments shall be administered annually in grades 3 through 8. Students taking a revised Mathematics assessment shall not take the discontinued assessment. The statewide, standardized Science assessment shall be administered annually at least once at the elementary and middle grades levels. In order to earn a standard high school diploma, a student who has not earned a passing score on the grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment must earn a passing score on the assessment retake or earn a concordant score as authorized under subsection (7).

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

1. Statewide, standardized EOC assessments in mathematics shall be administered according to this subparagraph. Beginning with the 2010-2011 school year, all students enrolled in Algebra I must take the Algebra I EOC assessment. Except as otherwise provided in paragraph (c), beginning with students entering grade 9 in the 2011-2012 school year, a student who is enrolled in Algebra I must earn a passing score on the Algebra I EOC assessment or attain a comparative score as authorized under subsection (8) in order to earn a standard high school diploma. In order to earn a standard high school diploma, a student who has not earned a passing score on the Algebra I EOC assessment must earn a passing score on the assessment retake or a comparative score as authorized under subsection (8). Beginning with the 2011-2012 school year, all students enrolled in Geometry must take the Geometry EOC assessment. Middle grades students enrolled in Algebra I, Geometry, or Biology I 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 assessment in Algebra II is administered, all students enrolled in Algebra II must take the EOC assessment. Pursuant to the commissioner's implementation schedule, student performance on the Algebra II EOC assessment constitutes 30 percent of a student's final course grade.
2. Statewide, standardized EOC assessments in science shall be administered according to this subparagraph. Beginning with the 2011-2012 school year, all students enrolled in Biology I must take the Biology I EOC assessment. Beginning with students entering grade 9 in the 2013-2014 school year, performance on the Biology I EOC assessment constitutes 30 percent of the student's final course grade.
3. Beginning with the 2013-2014 school year, each student's performance on the statewide, standardized middle grades Civics EOC assessment constitutes 30 percent of the student's final course grade in civics education.
4. The commissioner may select one or more nationally developed comprehensive examinations, which may include examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course, or industry-approved examinations to earn national industry certifications identified in the Industry Certification Funding List, for use as EOC assessments under this paragraph if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade-level expectations for the core curricular content established for the course in the Next Generation Sunshine State Standards. Use of any such examination as an EOC assessment must be approved by the state board in rule.
5. Contingent upon funding provided in the General Appropriations Act, including the appropriation of funds received through federal grants, the commissioner may establish an implementation schedule for the development and administration of additional statewide, standardized EOC assessments that must be approved by the state board in rule. If approved by the state board, student performance on such assessments constitutes 30 percent of a student's final course grade.
6. All statewide, standardized EOC assessments must be administered online except as otherwise provided in paragraph (c).

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

1. Each district school board must provide instruction to prepare students with disabilities in the core content knowledge and skills necessary for successful grade-to-grade progression and high school graduation.
2. A student with a disability, as defined in s. [1007.02](#), for whom the individual education plan (IEP) team determines that the statewide, standardized assessments under this section cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have assessment results waived for the purpose of receiving a course grade and a standard high school diploma. Such waiver shall be designated on the student's transcript. The statement of waiver shall be limited to a statement that performance on an assessment was waived for the purpose of receiving a course grade or a standard high school diploma, as applicable.
3. The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of assessment accommodations for students with disabilities and for students who have limited English proficiency.

- a. Accommodations that negate the validity of a statewide, standardized assessment are not allowed during the administration of the assessment. However, instructional accommodations are allowed in the classroom if identified in a student's IEP. Students using instructional accommodations in the classroom that are not allowed on a statewide, standardized assessment may have assessment results waived if the IEP team determines that the assessment cannot accurately measure the student's abilities.
 - b. If a student is provided with instructional accommodations in the classroom that are not allowed as accommodations for statewide, standardized assessments, the district must inform the parent in writing and provide the parent with information regarding the impact on the student's ability to meet expected performance levels. A parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on a statewide, standardized assessment and acknowledge in writing that he or she understands the implications of such instructional accommodations.
 - c. If a student's IEP states that online administration of a statewide, standardized assessment will significantly impair the student's ability to perform, the assessment shall be administered in hard copy.
 4. For students with significant cognitive disabilities, the Department of Education shall provide for implementation of the Florida Alternate Assessment to accurately measure the core curricular content established in the Next Generation Sunshine State Standards.
- (d) Implementation schedule.—
1. The Commissioner of Education shall establish and publish on the department's website an implementation schedule to transition from the statewide, standardized Reading and Writing assessments to the ELA assessments and to the revised Mathematics assessments, including the Algebra I and Geometry EOC assessments. The schedule must take into consideration funding, sufficient field and baseline data, access to assessments, instructional alignment, and school district readiness to administer the assessments online.
 2. The Department of Education shall publish minimum and recommended technology requirements that include specifications for hardware, software, networking, security, and broadband capacity to facilitate school district compliance with the requirement that assessments be administered online.
- (e) Assessment scores and achievement levels.—
1. All statewide, standardized EOC assessments and Reading, Writing, and Science assessments shall use scaled scores and achievement levels. Achievement levels shall range from 1 through 5, with level 1 being the lowest achievement level, level 5 being the highest achievement level, and level 3 indicating satisfactory performance on an assessment. For purposes of the statewide, standardized Writing assessment, student achievement shall be scored using a scale of 1 through 6.
 2. The state board shall designate by rule a passing score for each statewide, standardized assessment.
 3. If the commissioner seeks to revise a statewide, standardized assessment and the revisions require the state board to modify performance level scores, including the passing score, the commissioner shall provide a copy of the proposed scores and implementation plan to the President of the Senate and the Speaker of the House of Representatives at least 90 days before submission to the state board for review. Until the state board adopts the modifications by rule, the commissioner shall use calculations for scoring the assessment that adjust student scores on the revised assessment for statistical equivalence to student scores on the former assessment. The state board shall adopt by rule the passing score for the revised assessment that is statistically equivalent to the passing score on the discontinued assessment for a student who is required to attain a passing score on the discontinued assessment. The commissioner may, with approval of the state board, discontinue administration of the former assessment upon the graduation, based on normal student progression, of students participating in the final regular administration of the former assessment. If the commissioner revises a statewide, standardized assessment and the revisions require the state board to modify the passing score, only students taking the assessment for the first time after the rule is adopted are affected.
- (f) Assessment schedules and reporting of results.—The Commissioner of Education shall establish schedules for the administration of assessments and the reporting of student assessment results. The commissioner shall consider the observance of religious and school holidays when developing the schedule. By August 1 of each year, the commissioner shall notify each school district in writing and publish on the department's website the assessment and reporting schedules for, at a minimum, the school year following the upcoming school year. The assessment and reporting schedules must provide the earliest possible reporting of student assessment results to the school districts. Assessment results for the statewide, standardized Reading assessments, or upon implementation the ELA assessments, and Mathematics assessments, including the EOC assessments in Algebra I and Geometry, must be made available no later than the week of June 8. The administration of the statewide, standardized Writing assessment and the Florida Alternate Assessment may be no earlier than the week of March 1. School districts shall administer assessments in accordance with the schedule established by the commissioner.

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

1. Distributing to students sample assessment books and answer keys published by the Department of Education.
2. Providing individualized instruction in assessment-taking strategies, without suspending the school's regular program of curricula, for a student who scores Level 1 or Level 2 on a prior administration of an assessment.
3. Providing individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curricula, for a student who scores Level 1 or Level 2 on a prior administration of an assessment or a student who, through a diagnostic assessment administered by the school district, is identified as having a deficiency in the content knowledge and skills assessed.
4. Administering a practice assessment or engaging in other assessment-preparation activities that are determined necessary to familiarize students with the organization of the assessment, the format of assessment items, and the assessment directions or that are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education with specific reference to this paragraph.

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

(4) SCHOOL ASSESSMENT PROGRAMS.—Each public school shall participate in the statewide, standardized assessment program in accordance with the assessment and reporting schedules and the minimum and recommended technology requirements published by the Commissioner of Education. District school boards shall not establish school calendars that conflict with or jeopardize implementation of the assessment program. All district school boards shall report assessment results as required by the state management information system. Performance data shall be analyzed and reported to parents, the community, and the state. Student performance data shall be used by districts in developing objectives for the school improvement plan, evaluating instructional personnel and administrative personnel, assigning staff, allocating resources, acquiring instructional materials and technology, implementing performance-based budgeting, and promoting and assigning students to educational programs. The analysis of student performance data must also identify strengths and needs in the educational program and trends over time. The analysis must be used in conjunction with the budgetary planning processes developed pursuant to s. [1008.385](#) and the development of remediation programs.

(5) REQUIRED ANALYSES.—The commissioner shall provide, at a minimum, statewide, standardized assessment data analysis showing student achievement levels and learning gains by teacher, school, and school district.

(6) LOCAL ASSESSMENTS.—

(a) Measurement of student performance in all subjects and grade levels, except those subjects and grade levels measured under the statewide, standardized assessment program described in this section, is the responsibility of the school districts.

(b) Except for those subjects and grade levels measured under the statewide, standardized assessment program, beginning with the 2014-2015 school year, each school district shall administer for each course offered in the district a local assessment that measures student mastery of course content at the necessary level of rigor for the course. As adopted pursuant to State Board of Education rule, course content is set forth in the state standards required by s. [1003.41](#) and in the course description. Local assessments may include:

1. Statewide assessments.
2. Other standardized assessments, including nationally recognized standardized assessments.
3. Industry certification assessments.
4. District-developed or district-selected end-of-course assessments.
5. Teacher-selected or principal-selected assessments.

(c) Each district school board must adopt policies for selection, development, administration, and scoring of local assessments and for collection of assessment results. Local assessments implemented under subparagraphs (b)4. and 5. may include a variety of assessment formats, including, but not limited to, project-based assessments, adjudicated performances, and practical application assignments. For all English Language Arts, mathematics, science, and social studies courses offered in the district that are used to meet graduation requirements under s.

[1002.3105](#), s. [1003.4281](#), or s. [1003.4282](#) and that are not otherwise assessed by statewide, standardized assessments, the district school board must select the assessments described in subparagraphs (b)1.-4.

(d) The Commissioner of Education shall identify methods to assist and support districts in the development and acquisition of assessments required under this subsection. Methods may include developing item banks, facilitating the sharing of developed tests among school districts, acquiring assessments from state and national curriculum-area organizations, and providing technical assistance in best professional practices of test development based upon state-adopted curriculum standards, administration, and security.

(e) Each school district shall establish schedules for the administration of any district-mandated assessment and approve the schedules as an agenda item at a district school board meeting. The school district shall publish the testing schedules on its website, clearly specifying the district-mandated assessments, and report the schedules to the Department of Education by October 1 of each year.

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

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

(9) **CHILD WITH MEDICAL COMPLEXITY.**—In addition to the exemption option provided for under s. [1008.212](#), 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), pursuant to the provisions of this subsection.

(a) **Definition of child with medical complexity.**—A child with a medical complexity means a child who, based upon medical documentation from a physician licensed under chapter 458 or chapter 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; or is technology dependent for activities of daily living; and lacks the capacity to take or perform on an assessment.

(b) **Exemption options.**—If the parent consents in writing, and the IEP team determines that the child should not be assessed based upon medical documentation that the child meets the definition of a child with medical complexity, then the parent may choose one of the following three assessment exemption options.

1. One-year exemption approved by the district school superintendent. If the superintendent is provided written documentation of parental consent and appropriate medical documentation to support the IEP team's determination that the child is a child with medical complexity, then the superintendent may approve a one-year exemption from all statewide, standardized assessments, including the FAA. The superintendent shall report annually to the district school board and the Commissioner of Education the number of students who are identified as a child with medical complexity who are not participating in the assessment program.

2. One- to three-year exemption approved by the Commissioner of Education. If the commissioner is provided written documentation of parental consent; district school superintendent approval; the IEP team's determination that the child is a child with medical complexity based upon appropriate medical documentation; and all medical documentation, then the commissioner may exempt the child from all statewide, standardized assessments, including the FAA, for up to 3 years. The State Board of Education shall adopt rules to administer this subparagraph which must expedite the process by which exemptions are reviewed and approved and which demonstrate the utmost compassion and consideration for meeting the parent's and child's needs.

3. Permanent exemption approved by the Commissioner of Education. If the commissioner is provided written documentation of parental consent; district school superintendent approval of a permanent exemption; the IEP team's determination that the child is a child with medical complexity based upon appropriate medical documentation and that a permanent exemption is appropriate; and all medical documentation, then the commissioner may approve a permanent exemption from all statewide, standardized assessments, including the FAA. The State Board of Education shall adopt rules to administer this subparagraph which must expedite the process by which exemptions are reviewed and approved and which demonstrate the utmost compassion and consideration for meeting the parent's and child's needs.

- (c) Reporting requirements.—The Commissioner of Education shall annually report to the Legislature data, by district, related to the implementation of this subsection at the same time as results are reported regarding student performance on statewide, standardized assessments.
- (10) REPORTS.—The Department of Education shall annually provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which shall include the following:
- (a) Longitudinal performance of students in reading and mathematics.
 - (b) Longitudinal performance of students by grade level in reading and mathematics.
 - (c) Longitudinal performance regarding efforts to close the achievement gap.
 - (d) Other student performance data based on national norm-referenced and criterion-referenced tests, if available; national assessments, such as the National Assessment of Educational Progress; and international assessments.
 - (e) The number of students who after 8th grade enroll in adult education rather than other secondary education.
 - (f) Any plan or intent to establish or implement new statewide, standardized assessments.

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

History.—s. 368, ch. 2002-387; s. 7, ch. 2003-8; s. 2, ch. 2003-413; s. 49, ch. 2004-41; s. 3, ch. 2004-42; s. 5, ch. 2004-271; s. 40, ch. 2006-74; s. 174, ch. 2007-5; s. 7, ch. 2008-142; s. 18, ch. 2008-235; s. 99, ch. 2009-21; s. 8, ch. 2010-22; s. 4, ch. 2010-48; s. 3, ch. 2011-1; s. 20, ch. 2011-37; s. 8, ch. 2011-137; s. 25, ch. 2011-175; s. 22, ch. 2012-191; s. 5, ch. 2012-194; s. 33, ch. 2013-27; s. 55, ch. 2013-35; s. 4, ch. 2013-185; ss. 9, 12, ch. 2014-23; s. 71, ch. 2014-39.

¹Note.—Section 7, ch. 2013-250, provides that “[t]he technology infrastructure, connectivity, and capacity of all public schools and school districts that administer statewide standardized assessments pursuant to s. 1008.22, Florida Statutes, including online assessments, shall be load tested and independently verified as appropriate, adequate, efficient, and sustainable.”

Appendix N

402.3025—Public and nonpublic schools (2014 Florida Statutes)

For the purposes of ss. [402.301-402.319](#), the following shall apply:

(1) PUBLIC SCHOOLS.—

(a) The following programs for children shall not be deemed to be child care and shall not be subject to the provisions of ss. [402.301-402.319](#):

1. Programs for children in 5-year-old kindergarten and grades one or above.
2. Programs for children who are at least 3 years of age, but who are under 5 years of age, provided the programs are operated and staffed directly by the schools and provided the programs meet age-appropriate standards as adopted by the State Board of Education.
3. Programs for children under 3 years of age who are eligible for participation in the programs under the existing or successor provisions of Pub. L. No. 94-142 or Pub. L. No. 99-457, provided the programs are operated and staffed directly by the schools and provided the programs meet age-appropriate standards as adopted by the State Board of Education.

(b) The following programs for children shall be deemed to be child care and shall be subject to the provisions of ss. [402.301-402.319](#):

1. Programs for children who are under 5 years of age when the programs are not operated and staffed directly by the schools.
2. Programs for children under 3 years of age who are not eligible for participation in the programs under existing or successor provisions of Pub. L. No. 94-142 or Pub. L. No. 99-457.

(c) The monitoring and enforcement of compliance with age-appropriate standards established by rule of the State Board of Education shall be the responsibility of the Department of Education.

(2) NONPUBLIC SCHOOLS.—

(a) Programs for children under 3 years of age shall be deemed to be child care and subject to the provisions of ss. [402.301-402.319](#).

(b) Programs for children in 5-year-old kindergarten and grades one or above shall not be deemed to be child care and shall not be subject to the provisions of ss. [402.301-402.319](#).

(c) Programs for children who are at least 3 years of age, but under 5 years of age, shall not be deemed to be child care and shall not be subject to the provisions of ss. [402.301-402.319](#) relating to child care facilities, provided the programs in the schools are operated and staffed directly by the schools, provided a majority of the children enrolled in the schools are 5 years of age or older, and provided there is compliance with the screening requirements for personnel pursuant to s. [402.305](#) or s. [402.3057](#). A nonpublic school may designate certain programs as child care, in which case these programs shall be subject to the provisions of ss. [402.301-402.319](#).

(d)1. Programs for children who are at least 3 years of age, but under 5 years of age, which are not licensed under ss. [402.301-402.319](#) shall substantially comply with the minimum child care standards promulgated pursuant to ss. [402.305-402.3057](#).

2. The department or local licensing agency shall enforce compliance with such standards, where possible, to eliminate or minimize duplicative inspections or visits by staff enforcing the minimum child care standards and staff enforcing other standards under the jurisdiction of the department.

3. The department or local licensing agency may commence and maintain all proper and necessary actions and proceedings for any or all of the following purposes:

- a. To protect the health, sanitation, safety, and well-being of all children under care.
- b. To enforce its rules and regulations.
- c. To use corrective action plans, whenever possible, to attain compliance prior to the use of more restrictive enforcement measures.
- d. To make application for injunction to the proper circuit court, and the judge of that court shall have jurisdiction upon hearing and for cause shown to grant a temporary or permanent injunction, or both, restraining any person from violating or continuing to violate any of the provisions of ss. [402.301-402.319](#). Any violation of this section or of the standards applied under ss. [402.305-402.3057](#) which threatens harm to any child in the school's programs for children who are at least 3 years of age, but are under 5 years of age, or repeated violations

of this section or the standards under ss. [402.305-402.3057](#), shall be grounds to seek an injunction to close a program in a school.

e. To impose an administrative fine, not to exceed \$100, for each violation of the minimum child care standards promulgated pursuant to ss. [402.305-402.3057](#).

4. It is a misdemeanor of the first degree, punishable as provided in s. [775.082](#) or s. [775.083](#), for any person willfully, knowingly, or intentionally to:

a. Fail, by false statement, misrepresentation, impersonation, or other fraudulent means, to disclose in any required written documentation for exclusion from licensure pursuant to this section a material fact used in making a determination as to such exclusion; or

b. Use information from the criminal records obtained under s. [402.305](#) or s. [402.3055](#) for any purpose other than screening that person for employment as specified in those sections or release such information to any other person for any purpose other than screening for employment as specified in those sections.

5. It is a felony of the third degree, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#), for any person willfully, knowingly, or intentionally to use information from the juvenile records of any person obtained under s. [402.305](#) or s. [402.3055](#) for any purpose other than screening for employment as specified in those sections or to release information from such records to any other person for any purpose other than screening for employment as specified in those sections.

(e) The department and the nonpublic school accrediting agencies are encouraged to develop agreements to facilitate the enforcement of the minimum child care standards as they relate to the schools which the agencies accredit.

(3) **INSPECTION FEE.**—The department shall establish a fee for inspection activities performed pursuant to this section, in an amount sufficient to cover costs. However, the amount of such fee for the inspection of a school shall not exceed the fee imposed for child care licensure pursuant to s. [402.315](#).

History.—s. 3, ch. 88-391; s. 1, ch. 89-296; s. 35, ch. 90-347; ss. 1, 2, ch. 93-115; s. 94, ch. 2000-349; s. 50, ch. 2013-18.

Appendix O

402.305—Licensing standards; child care facilities (2014 Florida Statutes)

(1) LICENSING STANDARDS.—The department shall establish licensing standards that each licensed child care facility must meet regardless of the origin or source of the fees used to operate the facility or the type of children served by the facility.

(a) The standards shall be designed to address the following areas:

1. The health, sanitation, safety, and adequate physical surroundings for all children in child care.
2. The health and nutrition of all children in child care.
3. The child development needs of all children in child care.

(b) All standards established under ss. [402.301-402.319](#) must be consistent with the rules adopted by the State Fire Marshal for child care facilities. However, if the facility is operated in a public school, the department shall use the public school fire code, as provided in the rules of the State Board of Education, as the minimum standard for firesafety.

(c) The minimum standards for child care facilities shall be adopted in the rules of the department and shall address the areas delineated in this section. The department, in adopting rules to establish minimum standards for child care facilities, shall recognize that different age groups of children may require different standards. The department may adopt different minimum standards for facilities that serve children in different age groups, including school-age children. The department shall also adopt by rule a definition for child care which distinguishes between child care programs that require child care licensure and after-school programs that do not require licensure. Notwithstanding any other provision of law to the contrary, minimum child care licensing standards shall be developed to provide for reasonable, affordable, and safe before-school and after-school care. After-school programs that otherwise meet the criteria for exclusion from licensure may provide snacks and meals through the federal Afterschool Meal Program (AMP) administered by the Department of Health in accordance with federal regulations and standards. The Department of Health shall consider meals to be provided through the AMP only if the program is actively participating in the AMP, is in good standing with the department, and the meals meet AMP requirements. Standards, at a minimum, shall allow for a credentialed director to supervise multiple before-school and after-school sites.

(2) PERSONNEL.—Minimum standards for child care personnel shall include minimum requirements as to:

(a) Good moral character based upon screening. This screening shall be conducted as provided in chapter 435, using the level 2 standards for screening set forth in that chapter.

(b) The department may grant exemptions from disqualification from working with children or the developmentally disabled as provided in s. [435.07](#).

(c) Minimum age requirements. Such minimum standards shall prohibit a person under the age of 21 from being the operator of a child care facility and a person under the age of 16 from being employed at such facility unless such person is under direct supervision and is not counted for the purposes of computing the personnel-to-child ratio.

(d) Minimum training requirements for child care personnel.

1. Such minimum standards for training shall ensure that all child care personnel take an approved 40-clock-hour introductory course in child care, which course covers at least the following topic areas:

- a. State and local rules and regulations which govern child care.
- b. Health, safety, and nutrition.
- c. Identifying and reporting child abuse and neglect.
- d. Child development, including typical and atypical language, cognitive, motor, social, and self-help skills development.
- e. Observation of developmental behaviors, including using a checklist or other similar observation tools and techniques to determine the child's developmental age level.
- f. Specialized areas, including computer technology for professional and classroom use and early literacy and language development of children from birth to 5 years of age, as determined by the department, for owner-operators and child care personnel of a child care facility.

g. Developmental disabilities, including autism spectrum disorder and Down syndrome, and early identification, use of available state and local resources, classroom integration, and positive behavioral supports for children with developmental disabilities.

Within 90 days after employment, child care personnel shall begin training to meet the training requirements. Child care personnel shall successfully complete such training within 1 year after the date on which the training began, as evidenced by passage of a competency examination. Successful completion of the 40-clock-hour introductory course shall articulate into community college credit in early childhood education, pursuant to ss. [1007.24](#) and [1007.25](#). Exemption from all or a portion of the required training shall be granted to child care personnel based upon educational credentials or passage of competency examinations. Child care personnel possessing a 2-year degree or higher that includes 6 college credit hours in early childhood development or child growth and development, or a child development associate credential or an equivalent state-approved child development associate credential, or a child development associate waiver certificate shall be automatically exempted from the training requirements in sub-subparagraphs b., d., and e.

2. The introductory course in child care shall stress, to the extent possible, an interdisciplinary approach to the study of children.

3. The introductory course shall cover recognition and prevention of shaken baby syndrome; prevention of sudden infant death syndrome; recognition and care of infants and toddlers with developmental disabilities, including autism spectrum disorder and Down syndrome; and early childhood brain development within the topic areas identified in this paragraph.

4. On an annual basis in order to further their child care skills and, if appropriate, administrative skills, child care personnel who have fulfilled the requirements for the child care training shall be required to take an additional 1 continuing education unit of approved inservice training, or 10 clock hours of equivalent training, as determined by the department.

5. Child care personnel shall be required to complete 0.5 continuing education unit of approved training or 5 clock hours of equivalent training, as determined by the department, in early literacy and language development of children from birth to 5 years of age one time. The year that this training is completed, it shall fulfill the 0.5 continuing education unit or 5 clock hours of the annual training required in subparagraph 4.

6. Procedures for ensuring the training of qualified child care professionals to provide training of child care personnel, including onsite training, shall be included in the minimum standards. It is recommended that the state community child care coordination agencies (central agencies) be contracted by the department to coordinate such training when possible. Other district educational resources, such as community colleges and career programs, can be designated in such areas where central agencies may not exist or are determined not to have the capability to meet the coordination requirements set forth by the department.

7. Training requirements shall not apply to certain occasional or part-time support staff, including, but not limited to, swimming instructors, piano teachers, dance instructors, and gymnastics instructors.

8. The department shall evaluate or contract for an evaluation for the general purpose of determining the status of and means to improve staff training requirements and testing procedures. The evaluation shall be conducted every 2 years. The evaluation shall include, but not be limited to, determining the availability, quality, scope, and sources of current staff training; determining the need for specialty training; and determining ways to increase inservice training and ways to increase the accessibility, quality, and cost-effectiveness of current and proposed staff training. The evaluation methodology shall include a reliable and valid survey of child care personnel.

9. The child care operator shall be required to take basic training in serving children with disabilities within 5 years after employment, either as a part of the introductory training or the annual 8 hours of inservice training.

(e) Periodic health examinations.

(f) By January 1, 2000, a credential for child care facility directors. By January 1, 2004, the credential shall be a required minimum standard for licensing.

(3) MINIMUM STAFF CREDENTIALS.—By July 1, 1996, for every 20 children in a licensed child care facility, if the facility operates 8 hours or more per week, one of the child care personnel in the facility must have:

(a) A child development associate credential;

(b) A child care professional credential, unless the department determines that such child care professional credential is not equivalent to or greater than a child development associate credential; or

(c) A credential that is equivalent to or greater than the credential required in paragraph (a) or paragraph (b).

The department shall establish by rule those hours of operation, such as during rest periods and transitional periods, when this subsection does not apply.

(4) STAFF-TO-CHILDREN RATIO.—

(a) Minimum standards for the care of children in a licensed child care facility as established by rule of the department must include:

1. For children from birth through 1 year of age, there must be one child care personnel for every four children.
2. For children 1 year of age or older, but under 2 years of age, there must be one child care personnel for every six children.
3. For children 2 years of age or older, but under 3 years of age, there must be one child care personnel for every 11 children.
4. For children 3 years of age or older, but under 4 years of age, there must be one child care personnel for every 15 children.
5. For children 4 years of age or older, but under 5 years of age, there must be one child care personnel for every 20 children.
6. For children 5 years of age or older, there must be one child care personnel for every 25 children.
7. When children 2 years of age and older are in care, the staff-to-children ratio shall be based on the age group with the largest number of children within the group.

(b) This subsection does not apply to nonpublic schools and their integral programs as defined in s.

[402.3025\(2\)\(d\)1](#). In addition, an individual participating in a community service program activity under s.

[445.024\(1\)\(e\)](#), or a work experience activity under s. [445.024\(1\)\(f\)](#), at a child care facility may not be considered in calculating the staff-to-children ratio.

(5) PHYSICAL FACILITIES.—Minimum standards shall include requirements for building conditions, indoor play space, outdoor play space, napping space, bathroom facilities, food preparation facilities, outdoor equipment, and indoor equipment. Because of the nature and duration of drop-in child care, outdoor play space and outdoor equipment shall not be required for licensure; however, if such play space and equipment are provided, then the minimum standards shall apply to drop-in child care. With respect to minimum standards for physical facilities of a child care program for school-age children which is operated in a public school facility, the department shall adopt the State Uniform Building Code for Public Educational Facilities Construction as the minimum standards, regardless of the operator of the program. The Legislature intends that if a child care program for school-age children is operated in a public school, the program need not conform to standards for physical facilities other than the standards adopted by the Commissioner of Education.

(6) SQUARE FOOTAGE PER CHILD.—Minimum standards shall be established by the department by rule.

(a) A child care facility that holds a valid license on October 1, 1992, must have a minimum of 20 square feet of usable indoor floor space for each child and a minimum of 45 square feet of usable outdoor play area for each child. Outdoor play area shall be calculated at the rate of 45 feet per child in any group using the play area at one time. A minimum play area shall be provided for one half of the licensed capacity. This standard applies as long as the child care facility remains licensed at the site occupied on October 1, 1992, and shall not be affected by any change in the ownership of the site.

(b) A child care facility that does not hold a valid license on October 1, 1992, and seeks regulatory approval to operate as a child care facility must have a minimum of 35 square feet of usable floor space for each child and a minimum of 45 square feet of usable outdoor play area for each child.

The minimum standard for outdoor play area does not apply in calculating square footage for children under 1 year of age. However, appropriate outdoor infant equipment shall be substituted for outdoor play space. The centers shall provide facilities and equipment conducive to the physical activities appropriate for the age and physical development of the child.

(7) SANITATION AND SAFETY.—

(a) Minimum standards shall include requirements for sanitary and safety conditions, first aid treatment, emergency procedures, and pediatric cardiopulmonary resuscitation. The minimum standards shall require that at least one staff person trained in cardiopulmonary resuscitation, as evidenced by current documentation of course completion, must be present at all times that children are present.

(b) In the case of a child care program for school-age children attending before and after school programs on the public school site, the department shall use the public school fire code, as adopted in the rules of the State Board of Education, as the minimum standard for firesafety. In the case of a child care program for school-age children

attending before-school and after-school programs on a site operated by a municipality, the department shall adopt rules for such site and intended use.

(c) Some type of communications system, such as a pocket pager or beeper, shall be provided to a parent whose child is in drop-in child care to ensure the immediate return of the parent to the child, if necessary.

(8) **NUTRITIONAL PRACTICES.**—Minimum standards shall include requirements for the provision of meals or snacks of a quality and quantity to assure that the nutritional needs of the child are met.

(9) **ADMISSIONS AND RECORDKEEPING.**—

(a) Minimum standards shall include requirements for preadmission and periodic health examinations, requirements for immunizations, and requirements for maintaining emergency information and health records on all children.

(b) During the months of August and September of each year, each child care facility shall provide parents of children enrolled in the facility detailed information regarding the causes, symptoms, and transmission of the influenza virus in an effort to educate those parents regarding the importance of immunizing their children against influenza as recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

(c) Because of the nature and duration of drop-in child care, requirements for preadmission and periodic health examinations and requirements for medically signed records of immunization required for child care facilities shall not apply. A parent of a child in drop-in child care shall, however, be required to attest to the child's health condition and the type and current status of the child's immunizations.

(d) Any child shall be exempt from medical or physical examination or medical or surgical treatment upon written request of the parent or guardian of such child who objects to the examination and treatment. However, the laws, rules, and regulations relating to contagious or communicable diseases and sanitary matters shall not be violated because of any exemption from or variation of the health and immunization minimum standards.

(10) **TRANSPORTATION SAFETY.**—Minimum standards shall include requirements for child restraints or seat belts in vehicles used by child care facilities and large family child care homes to transport children, requirements for annual inspections of the vehicles, limitations on the number of children in the vehicles, and accountability for children being transported.

(11) **ACCESS.**—Minimum standards shall provide for reasonable access to the child care facility by the custodial parent or guardian during the time the child is in care.

(12) **CHILD DISCIPLINE.**—

(a) Minimum standards for child discipline practices shall ensure that age-appropriate, constructive disciplinary practices are used for children in care. Such standards shall include at least the following requirements:

1. Children shall not be subjected to discipline which is severe, humiliating, or frightening.
2. Discipline shall not be associated with food, rest, or toileting.
3. Spanking or any other form of physical punishment is prohibited.

(b) Prior to admission of a child to a child care facility, the facility shall notify the parents in writing of the disciplinary practices used by the facility.

(13) **PLAN OF ACTIVITIES.**—Minimum standards shall ensure that each child care facility has and implements a written plan for the daily provision of varied activities and active and quiet play opportunities appropriate to the age of the child. The written plan must include a program, to be implemented periodically for children of an appropriate age, which will assist the children in preventing and avoiding physical and mental abuse.

(14) **URBAN CHILD CARE FACILITIES.**—Minimum standards shall include requirements for child care facilities located in urban areas. The standards must allow urban child care facilities to substitute indoor play space for outdoor play space, if outdoor play space is not available in the area, and must set forth additional requirements that apply to a facility which makes that substitution, including, but not limited to, additional square footage requirements for indoor space; air ventilation provisions; and a requirement to provide facilities and equipment conducive to physical activities appropriate for the age of the children.

(15) **TRANSITION PERIODS.**—During the periods of time in which children are arriving and departing from the child care facility, notwithstanding local fire ordinances, the provisions of subsection (6) are suspended for a period of time not to exceed 30 minutes.

(16) **EVENING AND WEEKEND CHILD CARE.**—Minimum standards shall be developed by the department to provide for reasonable, affordable, and safe evening and weekend child care. Each facility offering evening or weekend child care must meet these minimum standards, regardless of the origin or source of the fees used to operate the facility or the type of children served by the facility. The department may modify by rule the licensing standards contained in this section to accommodate evening child care.

(17) SPECIALIZED CHILD CARE FACILITIES FOR THE CARE OF MILDLY ILL CHILDREN.—Minimum standards shall be developed by the department, in conjunction with the Department of Health, for specialized child care facilities for the care of mildly ill children. The minimum standards shall address the following areas: personnel requirements; staff-to-child ratios; staff training and credentials; health and safety; physical facility requirements, including square footage; client eligibility, including a definition of “mildly ill children”; sanitation and safety; admission and recordkeeping; dispensing of medication; and a schedule of activities.

(18) TRANSFER OF OWNERSHIP.—

(a) One week prior to the transfer of ownership of a child care facility or family day care home, the transferor shall notify the parent or caretaker of each child of the impending transfer.

(b) The department shall, by rule, establish methods by which notice will be achieved and minimum standards by which to implement this subsection.

History.—s. 5, ch. 74-113; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 1, 6, 7, ch. 83-248; s. 3, ch. 84-551; s. 24, ch. 85-54; s. 41, ch. 87-225; s. 23, ch. 87-238; s. 25, ch. 89-379; s. 2, ch. 90-35; s. 2, ch. 90-225; s. 35, ch. 90-306; s. 10, ch. 91-33; s. 28, ch. 91-57; s. 92, ch. 91-221; s. 2, ch. 91-300; s. 56, ch. 92-58; ss. 1, 2, ch. 93-115; s. 14, ch. 93-156; s. 22, ch. 94-134; s. 22, ch. 94-135; s. 1060, ch. 95-148; s. 18, ch. 95-152; s. 15, ch. 95-158; s. 22, ch. 95-195; s. 41, ch. 95-228; s. 131, ch. 95-418; ss. 76, 77, ch. 96-175; s. 12, ch. 96-268; s. 2, ch. 97-63; s. 2, ch. 98-165; s. 1, ch. 99-241; s. 10, ch. 99-304; s. 164, ch. 2000-165; s. 19, ch. 2000-253; s. 18, ch. 2000-337; ss. 21, 26, ch. 2001-170; s. 2, ch. 2002-300; s. 40, ch. 2003-1; s. 1, ch. 2003-131; s. 3, ch. 2003-146; s. 10, ch. 2004-41; s. 1, ch. 2004-49; s. 58, ch. 2004-267; s. 15, ch. 2004-269; s. 32, ch. 2004-357; s. 7, ch. 2005-71; s. 12, ch. 2007-6; s. 3, ch. 2007-197; s. 1, ch. 2009-147; s. 3, ch. 2010-224; s. 24, ch. 2013-252.

Appendix P

1006.21—Duties of district school superintendent and district school board regarding transportation (2014 Florida Statutes)

(1) The district school superintendent shall ascertain which students should be transported to school or to school activities, determine the most effective arrangement of transportation routes to accommodate these students; recommend such routing to the district school board; recommend plans and procedures for providing facilities for the economical and safe transportation of students; recommend such rules as may be necessary and see that all rules relating to the transportation of students approved by the district school board, as well as rules of the State Board of Education, are properly carried into effect, as prescribed in this chapter.

(2) After considering recommendations of the district school superintendent, the district school board shall make provision for the transportation of students to the public schools or school activities they are required or expected to attend; authorize transportation routes arranged efficiently and economically; provide the necessary transportation facilities, and, when authorized under rules of the State Board of Education and if more economical to do so, provide limited subsistence in lieu thereof; and adopt the necessary rules to ensure safety, economy, and efficiency in the operation of all buses, as prescribed in this chapter.

(3) District school boards, after considering recommendations of the district school superintendent:

(a) Shall provide transportation for each student in prekindergarten disability programs and in kindergarten through grade 12 membership in a public school when, and only when, transportation is necessary to provide adequate educational facilities and opportunities which otherwise would not be available and to transport students whose homes are more than a reasonable walking distance, as defined by rules of the State Board of Education, from the nearest appropriate school.

(b) Shall provide transportation for public elementary school students in membership whose grade level does not exceed grade 6, and may provide transportation for public school students in membership in grades 7 through 12, if such students are subjected to hazardous walking conditions as provided in s. [1006.23](#) while en route to or from school.

(c) May provide transportation for public school migrant, exceptional, nursery, and other public school students in membership below kindergarten; kindergarten through grade 12 students in membership in a public school; and adult students in membership in adult career, basic, and high school graduation programs in a public school when, and only when, transportation is necessary to provide adequate educational facilities and opportunities which otherwise would not be available.

(d) May provide transportation for the transportation disadvantaged as defined in s. [427.011](#) and for other school-age children as provided for in s. [1006.261](#).

(e) Shall provide necessary transportation to pregnant students or student parents, and the children of those students, when the district school board operates a teenage parent program pursuant to s. [1003.54](#).

(f) May provide transportation for other persons to events or activities in which the district school board or school has agreed to participate or cosponsor. The district school board shall adopt a policy to address liability for trips pursuant to this paragraph.

(g) May provide transportation for welfare transition program participants as defined in s. [414.0252](#).

(4) In each case in which transportation of students is impracticable in the opinion of the district school board, the district school board may take steps for making available educational facilities as are authorized by law or rule of the State Board of Education and as, in the opinion of the district school board, are practical.

(5) Contiguous school districts shall make provisions for reciprocal policies and agreements for contracts for school bus transportation services, inspections, and screening requirements for public schools and public charter schools.

History.—s. 295, ch. 2002-387; s. 47, ch. 2004-41; s. 102, ch. 2004-357; s. 17, ch. 2009-59.

Appendix Q

1011.68—Funds for student transportation (2014 Florida Statutes)

The annual allocation to each district for transportation to public school programs, including charter schools as provided in s. [1002.33](#)(17)(b), of students in membership in kindergarten through grade 12 and in migrant and exceptional student programs below kindergarten shall be determined as follows:

(1) Subject to the rules of the State Board of Education, each district shall determine the membership of students who are transported:

(a) By reason of living 2 miles or more from school.

(b) By reason of being students with disabilities or enrolled in a teenage parent program, regardless of distance to school.

(c) By reason of being in a state prekindergarten program, regardless of distance from school.

(d) By reason of being career, dual enrollment, or students with disabilities transported from one school center to another to participate in an instructional program or service; or students with disabilities, transported from one designation to another in the state, provided one designation is a school center and provided the student's individual educational plan (IEP) identifies the need for the instructional program or service and transportation to be provided by the school district. A "school center" is defined as a public school center, Florida College System institution, state university, or other facility rented, leased, or owned and operated by the school district or another public agency. A "dual enrollment student" is defined as a public school student in membership in both a public secondary school program and a Florida College System institution or a state university program under a written agreement to partially fulfill ss. [1003.435](#) and [1007.23](#) and earning full-time equivalent membership under s. [1011.62](#)(1)(i).

(e) With respect to elementary school students whose grade level does not exceed grade 6, by reason of being subjected to hazardous walking conditions en route to or from school as provided in s. [1006.23](#). Such rules shall, when appropriate, provide for the determination of membership under this paragraph for less than 1 year to accommodate the needs of students who require transportation only until such hazardous conditions are corrected.

(f) By reason of being a pregnant student or student parent, and the child of a student parent as provided in s. [1003.54](#), regardless of distance from school.

(2) The allocation for each district shall be calculated annually in accordance with the following formula:

$T = B + EX$. The elements of this formula are defined as follows: T is the total dollar allocation for transportation. B is the base transportation dollar allocation prorated by an adjusted student membership count. The adjusted membership count shall be derived from a multiplicative index function in which the base student membership is adjusted by multiplying it by index numbers that individually account for the impact of the price level index, average bus occupancy, and the extent of rural population in the district. EX is the base transportation dollar allocation for disabled students prorated by an adjusted disabled student membership count. The base transportation dollar allocation for disabled students is the total state base disabled student membership count weighted for increased costs associated with transporting disabled students and multiplying it by an average per student cost for transportation as determined by the Legislature. The adjusted disabled student membership count shall be derived from a multiplicative index function in which the weighted base disabled student membership is adjusted by multiplying it by index numbers that individually account for the impact of the price level index, average bus occupancy, and the extent of rural population in the district. Each adjustment factor shall be designed to affect the base allocation by no more or less than 10 percent.

(3) The total allocation to each district for transportation of students shall be the sum of the amounts determined in subsection (2). If the funds appropriated for the purpose of implementing this section are not sufficient to pay the base transportation allocation and the base transportation allocation for disabled students, the Department of Education shall prorate the available funds on a percentage basis. If the funds appropriated for

the purpose of implementing this section exceed the sum of the base transportation allocation and the base transportation allocation for disabled students, the base transportation allocation for disabled students shall be limited to the amount calculated in subsection (2), and the remaining balance shall be added to the base transportation allocation.

(4) No district shall use funds to purchase transportation equipment and supplies at prices which exceed those determined by the department to be the lowest which can be obtained, as prescribed in s. [1006.27](#)(1).

(5) Funds allocated or apportioned for the payment of student transportation services may be used to pay for transportation of students to and from school on local general purpose transportation systems. Student transportation funds may also be used to pay for transportation of students to and from school in private passenger cars and boats when the transportation is for isolated students, or students with disabilities as defined by rule. Subject to the rules of the State Board of Education, each school district shall determine and report the number of assigned students using general purpose transportation private passenger cars and boats. The allocation per student must be equal to the allocation per student riding a school bus.

(6) Notwithstanding other provisions of this section, in no case shall any student or students be counted for transportation funding more than once per day. This provision includes counting students for funding pursuant to trips in school buses, passenger cars, or boats or general purpose transportation.

History.—s. 660, ch. 2002-387; s. 3, ch. 2003-393; s. 130, ch. 2004-357; s. 30, ch. 2009-59; s. 29, ch. 2010-154; s. 172, ch. 2011-5.

Appendix R

6A-6.03020—Specially Designed Instruction for Students Who Are Homebound or Hospitalized (Florida Administrative Code Chapter 6A)

(1) Homebound or hospitalized. A homebound or hospitalized student is a student who has a medically diagnosed physical or psychiatric condition which is acute or catastrophic in nature, or a chronic illness, or a repeated intermittent illness due to a persisting medical problem and which confines the student to home or hospital, and restricts activities for an extended period of time. The medical diagnosis shall be made by a licensed physician.

(2) The term licensed physician, as used in this rule, is defined in Chapters 458 and 459, F.S., and is one who is qualified to assess the student's physical or psychiatric condition.

(3) Criteria for eligibility. A student, who is homebound or hospitalized, is eligible for specially designed instruction if the following criteria are met:

(a) A licensed physician must certify that the student:

1. Is expected to be absent from school due to a physical or psychiatric condition for at least fifteen (15) consecutive school days, or the equivalent on the block schedule, or due to a chronic condition, for at least fifteen (15) school days, or the equivalent on a block schedule, which need not run consecutively;
2. Is confined to home or hospital;
3. Will be able to participate in and benefit from an instructional program;
4. Is under medical care for illness or injury which is acute, catastrophic, or chronic in nature; and
5. Can receive instructional services without endangering the health and safety of the instructor or other students with whom the instructor may come in contact.

(b) The student is enrolled in a public school in kindergarten through twelfth grade prior to the referral for homebound or hospitalized services, unless the student meets criteria for eligibility under Rules 6A-6.03011, 6A-6.03012, 6A-6.03013, 6A-6.03014, 6A-6.030151, 6A-6.030152, 6A-6.030153, 6A-6.03016, 6A-6.03018, 6A-6.03022, 6A-6.03023, and 6A-6.03027, F.A.C.; and

(c) A parent, guardian or primary caregiver signs parental agreement concerning homebound or hospitalized policies and parental cooperation.

(4) Procedures for student evaluation.

(a) The minimum evaluation for a student to determine eligibility shall be an annual medical statement from a licensed physician(s) including a description of the disabling condition or diagnosis with any medical implications for instruction. This report shall state that the student is unable to attend school, describe the plan of treatment, provide recommendations regarding school re-entry, and give an estimated duration of condition or prognosis. The team determining eligibility may require additional evaluation data. This additional evaluation data must be provided at no cost to the parent.

(b) A physical reexamination and a medical report by a licensed physician(s) may be requested by the administrator of exceptional student education or the administrator's designee on a more frequent basis than required in paragraph (4)(a) of this rule and may be required if the student is scheduled to attend school part of a day during a recuperative period of readjustment to a full school schedule. This physical reexamination and medical report shall be provided at no cost to the parent.

(5) Procedures for determining eligibility. Procedures for determining eligibility shall be in accordance with Rule 6A-6.0331, F.A.C.

(6) Procedures for providing an individual educational plan. The individual educational plan shall be developed or revised prior to assignment to the homebound or hospitalized program placement as required in Rule 6A-6.03028, F.A.C. A student may be alternatively assigned to the homebound or hospitalized program and to a school-based program due to an acute, chronic, or intermittent condition as certified by a licensed physician, as specified in subparagraph (3)(a)1. of this rule. This decision shall be made by the individual educational plan (IEP) team in accordance with the requirements of Rule 6A-6.03028, F.A.C.

(7) Instructional services. The following settings and instructional modes, or a combination thereof, are appropriate methods for providing instruction to students determined eligible for these services:

(a) Instruction in a home. The parent, guardian or primary caregiver shall provide a quiet, clean, well-ventilated setting where the teacher and student will work; ensure that a responsible adult is present; and establish a schedule for student study between teacher visits which takes into account the student's medical condition and the requirements of the student's coursework.

(b) Instruction in a hospital. The hospital administrator or designee shall provide appropriate space for the teacher and student to work and allow for the establishment of a schedule for student study between teacher visits.

(c) Instruction through telecommunications or computer devices. When the individual education plan (IEP) team determines that instruction is by telecommunications or computer devices, an open, uninterrupted telecommunication link shall be provided at no additional cost to the parent, during the instructional period. The parent shall ensure that the student is prepared to actively participate in learning.

Specific Authority 1001.02(1), (2)(n), 1003.01(3)(a), 1003.57(5) FS. Law Implemented 1001.03(8), 1001.42(4)(l), 1003.01(3)(a), (b), 1003.57(5), 1011.62(l)(c) FS. History—New 7-1-77, Amended 7-2-79, 4-27-82, Formerly 6A-6.3020, Amended 5-18-86, 9-20-04, 9-20-04, 1-16-08.

Cf. PL 105-17 (20 USC 1401, 1412, 1414, 1415).

Appendix S

381.0056–School health services program (2014 Florida Statutes)

- (1) This section may be cited as the “School Health Services Act.”
- (2) As used in this section:
 - (a) “Emergency health needs” means onsite management and aid for illness or injury pending the student’s return to the classroom or release to a parent, guardian, designated friend, or designated health care provider.
 - (b) “Entity” or “health care entity” means a unit of local government or a political subdivision of the state; a hospital licensed under chapter 395; a health maintenance organization certified under chapter 641; a health insurer authorized under the Florida Insurance Code; a community health center; a migrant health center; a federally qualified health center; an organization that meets the requirements for nonprofit status under s. 501(c)(3) of the Internal Revenue Code; a private industry or business; or a philanthropic foundation that agrees to participate in a public-private partnership with a county health department, local school district, or school in the delivery of school health services, and agrees to the terms and conditions for the delivery of such services as required by this section and as documented in the local school health services plan.
 - (c) “Invasive screening” means any screening procedure in which the skin or any body orifice is penetrated.
 - (d) “Physical examination” means a thorough evaluation of the health status of an individual.
 - (e) “School health services plan” means the document that describes the services to be provided, the responsibility for provision of the services, the anticipated expenditures to provide the services, and evidence of cooperative planning by local school districts and county health departments.
 - (f) “Screening” means presumptive identification of unknown or unrecognized diseases or defects by the application of tests that can be given with ease and rapidity to apparently healthy persons.
- (3) The Department of Health shall have the responsibility, in cooperation with the Department of Education, to supervise the administration of the school health services program and perform periodic program reviews. However, the principal of each school shall have immediate supervisory authority over the health personnel working in the school.
- (4)(a) Each county health department shall develop, jointly with the district school board and the local school health advisory committee, a school health services plan; and the plan must include, at a minimum, provisions for:
 1. Health appraisal;
 2. Records review;
 3. Nurse assessment;
 4. Nutrition assessment;
 5. A preventive dental program;
 6. Vision screening;
 7. Hearing screening;
 8. Scoliosis screening;
 9. Growth and development screening;
 10. Health counseling;
 11. Referral and followup of suspected or confirmed health problems by the local county health department;
 12. Meeting emergency health needs in each school;
 13. County health department personnel to assist school personnel in health education curriculum development;
 14. Referral of students to appropriate health treatment, in cooperation with the private health community whenever possible;
 15. Consultation with a student’s parent or guardian regarding the need for health attention by the family physician, dentist, or other specialist when definitive diagnosis or treatment is indicated;
 16. Maintenance of records on incidents of health problems, corrective measures taken, and such other information as may be needed to plan and evaluate health programs; except, however, that provisions in the plan for maintenance of health records of individual students must be in accordance with s. [1002.22](#);
 17. Health information which will be provided by the school health nurses, when necessary, regarding the placement of students in exceptional student programs and the reevaluation at periodic intervals of students placed in such programs; and

18. Notification to the local nonpublic schools of the school health services program and the opportunity for representatives of the local nonpublic schools to participate in the development of the cooperative health services plan.
- (b) Each school health advisory committee must, at a minimum, include members who represent the eight component areas of the Coordinated School Health model as defined by the Centers for Disease Control and Prevention. School health advisory committees are encouraged to address the eight components of the Coordinated School Health model in the school district's school wellness policy pursuant to s. [1003.453](#).
- (5) A nonpublic school may request to participate in the school health services program. A nonpublic school voluntarily participating in the school health services program shall:
- (a) Cooperate with the county health department and district school board in the development of the cooperative health services plan;
- (b) Make available adequate physical facilities for health services;
- (c) Provide inservice health training to school personnel;
- (d) Cooperate with public health personnel in the implementation of the school health services plan;
- (e) Be subject to health service program reviews by the Department of Health and the Department of Education;
- (f) At the beginning of each school year, provide parents and guardians with information concerning ways that they can help their children to be physically active and to eat healthful foods; and
- (g) At the beginning of each school year, inform parents or guardians in writing that their children who are students in the school will receive specified health services as provided for in the district health services plan. A student will be exempt from any of these services if his or her parent or guardian requests such exemption in writing. This paragraph shall not be construed to authorize invasive screening; if there is a need for such procedure, the consent of the student's parent or guardian shall be obtained in writing prior to performing the screening. However, the laws and rules relating to contagious or communicable diseases and sanitary matters shall not be violated.
- (6) The district school board shall:
- (a) Include health services and health education as part of the comprehensive plan for the school district;
- (b) Provide inservice health training for school personnel;
- (c) Make available adequate physical facilities for health services;
- (d) At the beginning of each school year, provide parents and guardians with information concerning ways that they can help their children to be physically active and to eat healthful foods; and
- (e) At the beginning of each school year, inform parents or guardians in writing that their children who are students in the district schools will receive specified health services as provided for in the district health services plan. A student will be exempt from any of these services if his or her parent or guardian requests such exemption in writing. This paragraph shall not be construed to authorize invasive screening; if there is a need for such procedure, the consent of the student's parent or guardian shall be obtained in writing prior to performing the screening. However, the laws and rules relating to contagious or communicable diseases and sanitary matters shall not be violated.
- (7) The Department of Health, in cooperation with the Department of Education, may adopt rules necessary to implement this section. The rules may include standards and requirements for developing school health services plans, conducting school health screening, meeting emergency health needs, maintaining school health records, and coordinating with education programs for exceptional students.
- (8) In the absence of negligence, no person shall be liable for any injury caused by an act or omission in the administration of school health services.
- (9) Any health care entity that provides school health services under contract with the department pursuant to a school health services plan developed under this section, and as part of a school nurse services public-private partnership, is deemed to be a corporation acting primarily as an instrumentality of the state solely for the purpose of limiting liability pursuant to s. [768.28\(5\)](#). The limitations on tort actions contained in s. [768.28\(5\)](#) shall apply to any action against the entity with respect to the provision of school health services, if the entity is acting within the scope of and pursuant to guidelines established in the contract or by rule of the department. The contract must require the entity, or the partnership on behalf of the entity, to obtain general liability insurance coverage, with any additional endorsement necessary to insure the entity for liability assumed by its contract with the department. The Legislature intends that insurance be purchased by entities, or by partnerships on behalf of the entity, to cover all liability claims, and under no circumstances shall the state or the department be responsible for payment of any claims or defense costs for claims brought against the entity or its subcontractor for services performed under the contract with the department. This subsection does not preclude consideration by the

Legislature for payment by the state of any claims bill involving an entity contracting with the department pursuant to this section.

History.—ss. 1, 2, 3, 4, 5, 6, 7, 9, ch. 74-356; s. 1, ch. 77-174; s. 2, ch. 78-245; s. 15, ch. 79-288; s. 1, ch. 81-18; s. 21, ch. 84-317; s. 50, ch. 85-81; s. 1, ch. 90-344; s. 812, ch. 95-148; s. 101, ch. 97-101; s. 48, ch. 97-237; s. 28, ch. 99-5; s. 1, ch. 99-214; s. 6, ch. 2000-242; s. 5, ch. 2001-53; s. 976, ch. 2002-387; s. 20, ch. 2006-301; s. 27, ch. 2012-184.
Note.—Former s. 402.32.

Appendix T

381.0057—Funding for school health services (2014 Florida Statutes)

(1) The State Surgeon General, or his or her designee, in cooperation with the Commissioner of Education, or his or her designee, shall publicize the availability of funds, targeting those school districts or schools which have a high incidence of medically underserved high-risk children, low birth weight babies, infant mortality, or teenage pregnancy.

(2) The State Surgeon General, or his or her designees, in cooperation with the Commissioner of Education, or his or her designees, in equal representation, shall form a joint committee to evaluate and select the school districts or schools to be funded.

(3) Any school district, school, or laboratory school which desires to receive state funding under the provisions of this section shall submit a proposal to the joint committee established in subsection (2). The proposal shall state the goals of the program, provide specific plans for reducing teenage pregnancy, and describe all of the health services to be available to students with funds provided pursuant to this section, including a combination of initiatives such as health education, counseling, extracurricular, and self-esteem components. School health services shall not promote elective termination of pregnancy as a part of counseling services. Only those program proposals which have been developed jointly by county health departments and local school districts or schools, and which have community and parental support, shall be eligible for funding. Funding shall be available specifically for implementation of one of the following programs:

(a) School health improvement pilot project.—The program shall include basic health care to an elementary school, middle school, and high school feeder system. Program services shall include, but not be limited to:

1. Planning, implementing, and evaluating school health services. Staffing shall include a full-time, trained school health aide in each elementary, middle, and high school; one full-time nurse to supervise the aides in the elementary and middle schools; and one full-time nurse in each high school.
2. Providing student health appraisals and identification of actual or potential health problems by screenings, nursing assessments, and record reviews.
3. Expanding screening activities.
4. Improving the student utilization of school health services.
5. Coordinating health services for students with parents or guardians and other agencies in the community.

(b) Student support services team program.—The program shall include a multidisciplinary team composed of a psychologist, social worker, and nurse whose responsibilities are to provide basic support services and to assist, in the school setting, children who exhibit mild to severely complex health, behavioral, or learning problems affecting their school performance. Support services shall include, but not be limited to: evaluation and treatment for minor illnesses and injuries, referral and followup for serious illnesses and emergencies, onsite care and consultation, referral to a physician, and followup care for pregnancy or chronic diseases and disorders as well as emotional or mental problems. Services also shall include referral care for drug and alcohol abuse and sexually transmitted diseases, sports and employment physicals, immunizations, and in addition, effective preventive services aimed at delaying early sexual involvement and aimed at pregnancy, acquired immune deficiency syndrome, sexually transmitted diseases, and destructive lifestyle conditions, such as alcohol and drug abuse. Moneys for this program shall be used to fund three teams, each consisting of one half-time psychologist, one full-time nurse, and one full-time social worker. Each team shall provide student support services to an elementary school, middle school, and high school that are a part of one feeder school system and shall coordinate all activities with the school administrator and certified school counselor at each school. A program that places all three teams in middle schools or high schools may also be proposed.

(c) Full service schools.—The full-service schools shall integrate the services of the Department of Health that are critical to the continuity-of-care process. The department shall provide services to students on the school grounds. Department personnel shall provide their specialized services as an extension of the educational environment. Such services may include nutritional services, medical services, aid to dependent children, parenting skills, counseling for abused children, and education for the students' parents or guardians.

Funding may also be available for any other program that is comparable to a program described in this subsection but is designed to meet the particular needs of the community.

(4) In addition to the merits of a proposal, selection shall be based on those school districts or schools that most closely meet the following criteria:

(a) Have evidence of a comprehensive in-service staff development plan to ensure delivery of appropriate curriculum.

(b) Have evidence of a cooperative working relationship between the county health department and the school district or school and have community as well as parental support.

(c) Have a high percentage of subsidized school lunches.

(d) Have a high incidence of medically underserved high-risk children, low birth weight babies, infant mortality, or teenage pregnancy.

(5) Each school district or school program that is funded through the provisions of this section shall provide a mechanism through which a parent may, by written request, exempt a child from all or certain services provided by a school health services program described in subsection (3).

(6) The services provided by a comprehensive school health program must focus attention on promoting the health of students, reducing risk-taking behavior, and reducing teen pregnancy. Services provided under this section are in addition to the services provided under s. [381.0056](#) and are intended to supplement, rather than supplant, those services.

History.—s. 6, ch. 90-358; s. 21, ch. 95-146; s. 813, ch. 95-148; s. 102, ch. 97-101; s. 49, ch. 97-237; s. 7, ch. 2000-242; s. 17, ch. 2008-6; s. 28, ch. 2012-184; s. 2, ch. 2013-89.

Note.—Former s. 402.321.