



HB 7069 Education
(CH. 2017-116, Laws of Florida)

Bill Sponsor: Representative Diaz (M)

Effective Date: Except as otherwise expressly provided in this act, the act shall take effect July 1, 2017

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Executive Summary:

The bill does the following:

- Revises charter school provisions and expands the authority of high performing charter schools and systems;
- Establishes Schools of Hope, revises traditional public school improvement provisions and creates the Schools of Hope revolving loan program;
- Revises teacher certification provisions, modifies eligibility requirements for the best and brightest teacher scholarship requirements, and creates the best and brightest principal scholarship program;
- Revises eligibility requirements for virtual education;
- Requires recess;
- Authorizes specified sunscreen uses;
- Specifies reading intervention programs;
- Clarifies permissible school absences related to autism spectrum disorder;
- Creates "American Founders' Month;"
- Eliminates certain required assessments; and
- Revises the assessment administration and reporting process.

Section 1.

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

- Make permanent the requirement that the Auditor General conduct an annual financial audit of the Florida School for the Deaf and the Blind.

Section 2.

Amends s. 1002.71 F.S., Funding; financial and attendance reporting, to:

- Require that a student enrollment count for the prior fiscal year may not be amended after September 30, instead of December 31, of the subsequent fiscal year.

Section 3.

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



- Remove the requirement that the Florida School for Boys in Okeechobee be operated by the Florida Department of Education (department) through a grant or contractual agreement.

Section 4.

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

- Provide for the recalculation of the Exceptional Student Education Guaranteed Allocation after each FTE student enrollment survey.
- With regard to the Supplemental Academic Instruction (SAI) categorical fund:
 - Clarifies that the state reading assessment for the prior year is the basis for determining the 300 lowest-performing elementary schools.
 - Clarifies that teachers or reading specialists providing the additional hour of intensive reading instruction must have demonstrated effectiveness in teaching reading.
 - Makes permanent the additional allocation for the 300 lowest-performing schools within the SAI.
 - Provides for the recalculation of SAI funds after each FTE student enrollment survey. If the recalculated amount is greater than the amount provided in the General Appropriations Act, each district's allocation will be prorated.
- With regard to the supplement for small, isolated schools:
 - Expands the category of schools eligible for receiving a supplement to include district elementary schools with a grade configuration of kindergarten through grade 5, which may also include prekindergarten, grade 6, grade 7, or grade 8, that are located at least 35 miles from the closest other elementary school in the district; that have a student population in which 75 percent or more of students are eligible for free or reduced-price school lunch; and that have a membership of 28-100 students.
 - Specifies that eligible schools must be district-operated.
 - Eliminates the requirement that an eligible school must have attained a "C" or better in the previous school year, in accordance with s. 1008.34, F.S.
- Eliminate the requirement that a college or university be located and chartered in the state of Florida to participate in dual enrollment. In addition, the accreditation requirements of such college or university are revised such that the college or university must be accredited by a regional or national accrediting agency recognized by the U.S. Department of Education, instead of by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools.
- With regard to the bonus FTE programs:
 - Eliminates the cap on awards to be given to an individual teacher in any given school year. This applies to the International Baccalaureate (IB), Advanced International Certificate of Education (AICE), Advanced Placement (AP), and College Board Advanced Placement (CAPE) bonus programs.
 - Adds language regarding the AICE program to require that school districts allocate at least 80 percent of funds received from AICE bonus funding back to the program.
- Make permanent the requirement that, for districts with a full-time equivalent (FTE) student membership of at least 20,000 but no more than 24,000, the index shall be computed by dividing the total number of FTE students in all programs by the number of permanent senior high school centers in the district, not to exceed four.
- With regard to the Research-Based Reading Instruction Allocation:



- Clarifies that designation as one of the 300 lowest-performing elementary schools is based on the prior year's state reading assessment.
- Clarifies that professional development may be provided to help school district teachers earn a certification or endorsement in reading.
- Requires a district with one or more of the 300 lowest-performing elementary schools to outline in its comprehensive reading plan, or an addendum thereto, the implementation design and reading intervention strategies it will use to provide the additional hour of reading instruction.
- Revise Florida Digital Classrooms Allocation requirements as follows:
 - Clarifies that the allocation is intended to ensure students have access to high-quality electronic and digital instructional materials and resources, and to empower teachers to help students succeed.
 - States that the amount of the minimum digital classrooms allocation will be provided in the General Appropriations Act. The remainder of the allocation is to be allocated based on each district's share of the state's unweighted FTE students.
 - Specifies that digital classroom funds be used to acquire and maintain items on the eligible services list authorized by the Universal Service Administrative Company for the Schools and Libraries Program (federal E-rate program); and to acquire computer and device hardware and associated software that comply with requirements of s. 1001.20(4)(a)1.b., F.S.
 - Eliminates requirement that each district school board adopt a digital classrooms plan.
- Specify recalculation of the Federally Connected Student Supplement in the fourth Florida Education Finance Program calculation with data from the February student membership survey and tax-exempt valuation from the most recent assessment roll. If the total allocation, upon recalculation, exceeds the amount provided in the General Appropriations Act, each district share of the recalculated amount will be prorated.
- Establish in statute the Safe Schools Allocation to provide funding to help districts comply with ss.1006.07-1006.148, F.S. (Student Discipline and School Safety).
 - Prioritizes the establishment of a school resource officer program pursuant to s. 1006.12, F.S.
 - Each district will receive a minimum Safe Schools Allocation in an amount specified in the General Appropriations Act. Of the remainder of the safe schools appropriation, two-thirds will be allocated to districts based on the most recent official Florida Crime Index and one-third will be allocated based on each district's proportionate share of the state's unweighted FTE students.
- State that an under allocation of state funds resulting from a school district's error may not be the basis for a positive allocation adjustment for the current year.

Section 5.

Amends s. 1013.738, High Growth District Capital Outlay Assistance Grant Program, F.S., to:

- Specify that the High Growth District Capital Outlay Assistance Grant Program funds be used only for the purposes identified in s. 1011.71(2), F.S.
- Revise criteria for a school district to qualify for the grant program as follows:
 - District must have levied the maximum nonvoted discretionary capital outlay millage authorized in s. 1011.71(2), F.S., for the prior five years instead of four years;



- District must receive revenue from a current voted school capital outlay sales surtax or portion of the local government infrastructure surtax, in accordance with s. 212.055, F.S.;
- When the district's revenue from the nonvoted discretionary capital outlay millage is divided by the district's capital outlay FTE students, the result is less than the statewide average maximum potential funds per capital outlay FTE student for the most recent fiscal year;
- The district must have equaled or exceeded the greater of 1 percent average growth or twice the statewide average of growth in capital outlay FTE students over the prior five-year period; and
- District has more than 24,000 total capital outlay FTE students.
- The High Growth District Capital Outlay Assistance Grant Program funds will be allocated as follows:
 - For each eligible district, the sum of the calculated revenue from the maximum potential nonvoted discretionary capital outlay millage and the revenue received from the voted sales surtax, as authorized in s. 212.055, F.S., will be divided by the number of capital outlay FTE students for the same period.
 - The department will determine the amount that must be added to the funds per capital outlay FTE, calculated as described above, to produce the statewide average value per capital outlay FTE for the revenues identified. This value shall be the maximum grant award.
 - If funds are insufficient to fully fund the maximum grants calculated, each eligible district's share will be prorated.

Section 6:

Amends s. 1011.78, F.S., Standard student attire incentive payments, to:

- Remove the requirement for solid-colored clothing and fabrics for pants, skirts, shorts or similar clothing and short- or long-sleeved shirts with collars.

Section 7.

Creates s. 1003.631, F.S., Schools of Excellence, to:

- Establish the Schools of Excellence program to provide administrative flexibility to the state's top schools.
- Require the State Board of Education (SBE) to designate such schools whose percentage of possible points earned in its school grade calculation is at least in the 80th percentile for at least two of the last three years.
- Allow schools to retain this designation for up to three years and provide renewal criteria.
- Allow a School of Excellence: exemption from any law or rule that requires a minimum period of daily or weekly instruction in reading; principal autonomy as provided under s. 1012.28(8), F.S.; to count one year of employment as 20 inservice points, up to 60 points total, for the renewal of a professional certificate; exemption from compliance with school district policies establishing times for the start and end of the school day; and calculation of class size compliance based on the average number of students at the school level.

Section 8.

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

- Require the department to issue a professional certificate to a qualifying applicant within 90 calendar days after receipt of the completed application.
- Issue a temporary certificate and an official statement of status of eligibility to a qualifying applicant within 14 calendar days after receipt of a request from an authorized employer.



- Require the department to electronically notify the applicant's employer that the temporary certificate has been issued.
- Require the department to electronically issue an official statement of status of eligibility within 90 calendar days after receipt of the completed application that must include each method by which an applicant may complete qualifications for a professional certificate.
- Exempt an applicant from passing the professional education competency examination to be issued a professional certificate when s/he:
 - Completes an approved professional development certification and education competency program, including new standards for the teacher mentorship and induction component; and
 - Receives a highly effective rating on his/her performance evaluation.
- Require the department to, at least one year before his/her temporary certificate is set to expire, electronically notify an individual of its expiration date and provide a list of each method by which s/he may complete qualifications for a professional certificate.
- Authorize the department to extend the validity of a temporary certificate for one year if s/he:
 - Received an effective or highly effective rating based solely on a student learning growth formula approved by the Commissioner of Education; and
 - Satisfied the requirement to demonstrate mastery of general knowledge.
- Authorize that in addition to school districts, each charter school and charter management organization may provide and implement an approved professional development certification and education competency program (PDCP) by which instructional staff may satisfy professional preparation and education competency requirements for a professional certificate.
- Require PDCPs to include a teacher mentorship and induction component and require individuals serving as mentors to complete specialized training in clinical supervision and ongoing mentor training provided through the professional development system outlined in s. 1012.98(3)(e), F.S.
- Establish minimum requirements for the teacher mentorship induction component to include weekly opportunities for mentoring with specified activities required to be provided for first-year program applicants, and which may be provided until the professional certificate is attained.
- Authorize a principal who earns a highly effective rating per s. 1012.34, F.S., with flexibility in selecting professional development activities for individuals participating in PDCPs if the activities are approved by the department as part of the PDCP program.
- Require the department, no later than December 31, 2017, to adopt specified standards for approval of PDCPs to include the teacher mentorship and induction component.
- Require each school district or charter school to submit its PDCP for approval to the department to include the teacher mentorship and induction component no later than June 30, 2018.
- Prohibit a teacher, after December 31, 2018, from satisfying requirements for a professional certificate through a professional development certification and education competency program that has not been approved to include new standards for the teacher mentorship and induction component.

Section 9.

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



- Require each state-approved initial teacher preparation program to include in its uniform core curricula scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency and text comprehension and multisensory intervention strategies.

Section 10.

Amends s. 1004.85, F.S., Postsecondary educator preparation institutes, to:

- Require each educator preparation institute to include as condition of initial and continued program approval scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency and text comprehension and multisensory intervention strategies.

Section 11.

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

- Permit an applicant to apply inservice credit earned through participation in mentorship and induction activities, including as a mentor, and training in research-based reading literacy, including implementing multisensory intervention strategies, toward renewal of any specialization area on a professional certificate.
- Prohibit an applicant from applying inservice credit earned through specified training toward renewal of specialization areas that include reading instruction or intervention for students in grades K-6.
- Limit an applicant to applying inservice credit earned by participation in professional growth components approved by the SBE, including through serving as a trainer, serving on an instructional materials committee, serving on a state education board or commission, or serving on an advisory council for the school or school district, to satisfy general renewal credit, but not for a specialization area on a professional certificate.
- Require an applicant to earn a minimum of two college credits, or the equivalent, in specific reading instruction and intervention strategies for renewal of a specialization area that includes reading instruction or intervention for students in grades K-6, on a professional certificate with a beginning validity date of July 1, 2020, or thereafter.

Section 12.

Amends s. 1012.586, F.S., Additions or changes to certificates; duplicate certificates, to:

- Permit the department to recommend consolidations certification endorsement areas and requirements to the SBE.
- Require the department to conduct a review by July 1, 2018, and at least once every five years thereafter, of existing subject coverage or endorsement requirements in the elementary, reading and exceptional student education areas to recommend changes regarding instruction and intervention strategies proven to improve student reading performance.

Section 13.

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

- Require school districts to amend their professional development systems and provide:



- Training for teacher mentors as part of the professional development certification and education competency program (PDCP) to include components of teacher development, peer coaching, time management and other topics determined by the department;
- Inservice activities and support targeted to the individual needs of new teachers participating in the school district's PDCP;
- Specified training for reading coaches, classroom teachers and school administrations in methods of identifying conditions such as dyslexia, instructional techniques that are proven to improve reading performance and using data to make instructional decisions based on individual student needs; and
- Training to all elementary grades instructional personnel to meet s. 1012.585(3)(f), F.S.
- Require the department to disseminate to school districts model professional development that includes effective mentorship activities for new teachers and training for teacher mentors.

Section 14.

Creates s. 683.1455, F.S., American Founders' Month, to:

- Designate the month of September of each year as "American Founders' Month."
- Allow the Governor to issue a proclamation recognizing "American Founders' Month" and urging various groups, including public and private educational institutions, to recognize and observe the month, inviting state, county and local governmental officials to participate.

Section 15.

Amends s. 1003.03, F.S., Function, mission, and goals of the Florida K-20 education system, to:

- Add that a priority of Florida's K-20 education system is to ensure that students are prepared to be civically engaged and knowledgeable adults who make positive contributions to their communities.

Section 16.

Amends s. 1001.215, F.S., Just Read, Florida! Office, requiring this office to:

- Train all reading coaches; the delineation for coaches be highly effective is no longer required.
- Work with the Lanning Center for Learning at the University of Florida to develop training for K-12 teachers, coaches and school principals on content-area-specific reading strategies; integration of content-rich curriculum from other core subject areas into reading instruction; and specified evidence-based reading strategies to improve student reading performance.
- Develop and provide access to sequenced, content-rich curriculum programming, instructional practices and resources that help elementary schools use state-adopted instructional materials to increase students' background knowledge and literacy skills.
- Work with the Florida Center for Reading Research to identify evidence-based reading instructional and intervention programs that incorporate explicit, systematic and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency and text comprehension and incorporate decodable or phonetic text instructional strategies. The bill provides examples of reading intervention.
- Periodically review the Next Generation Sunshine State Standards for English Language Arts to determine their appropriateness at each grade level.
- Periodically review teacher certification requirements and examinations.



- Work with teacher preparation programs to integrate effective, evidence-based intervention strategies including explicit, systematic, sequential and multisensory strategies into their instruction.
- Perform functions as necessary to help students read at their highest potential; formerly at grade level.

Section 17.

Amends s. 1003.44, F.S., Patriotic programs; rules, to:

- Encourage public schools to coordinate instruction at all grade levels related to the nation's founding fathers with "American Founders' Month" pursuant to s. 683.1455, F.S.

Section 18.

Amends s. 1007.25, F.S., General education courses; common prerequisites; other degree requirements, to:

- Require that, beginning with students initially entering a Florida College System institution or state university in 2018-2019 and thereafter, each student must demonstrate competency in civic literacy.
 - Demonstration of competency may be through successful completion of a civic literacy course or by achieving a passing score on an existing assessment adopted in SBE rule or Board of Governors (BOG) regulation
- Require the chairs of the SBE and BOG to jointly appoint a faculty committee to:
 - Develop a new course in civic literacy or revise an existing American History or American Government course, which includes civic literacy.
 - Establish course competencies and identify outcomes that include, at a minimum:
 - An understanding of the basic principles of American democracy and how they are applied in our republican form of government.
 - An understanding of the United States Constitution.
 - Knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-governance.
 - An understanding of landmark Supreme Court cases and their impact on law and society

Section 19.

Amends s. 943.22, F.S., Salary incentive program for full-time officers, to:

- Make conforming cross reference changes.

Section 20.

Amends s. 1001.64, F.S., Florida College System institution boards of trustees; powers and duties, to:

- Make conforming cross reference changes.

Section 21.

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

- Clarify that when a student enrolls in a virtual charter school in a district other than district of residence, the district which authorizes the virtual charter school shall report the student for funding.



- Move the deadline for filing a charter school application with a local school district from August 1 to February 1, beginning in 2018, for charter schools that plan to open 18 months later. The bill also extends the time districts will have to review and approve charter school applications, from 60 days to 90 days.
- Remove the provision from 1002.33(6)(b), F.S., allowing applicants to file a draft application with a local school district in order to receive feedback regarding any material deficiencies.
- Provide that high-performing charter school replication applications denied by a local school district can be appealed and first heard by the state Charter School Appeal Commission; the Commission would then make a recommendation to the SBE and the SBE would issue a final order. Currently, high-performing replication denial appeals go directly to the SBE for a hearing, bypassing the Charter School Appeal Commission.
- Require that an approved charter school applicant and its sponsoring school district use the standard charter contract developed by the department and adopted in rule by the SBE. The bill further clarifies that any term or condition of a proposed charter contract that differs from the standard contract will be presumed a limitation on charter school flexibility. This would not prevent charter schools and districts from negotiating changes to the standard contract; however, it would ensure that proposed changes not mutually agreed to would be presumed to be unallowable limitations.
- Move subparagraph (6)(h) in section 1002.33 from the subsection covering application requirements to the more germane subsection (7), covering requirements in the charter contract.
- Revise the criteria that requires a charter school to select and implement an academic corrective action plan to the district. A charter school that receives three consecutive grades below a "C" must select one of the academic corrective options currently prescribed in law.
- Revise the exemptions to the required "double-F termination" provisions to conform with changes made to s. 1008.33, F.S.
- Exempt a charter school from the controlled open enrollment requirements in s. 1002.31, F.S., if the charter school is open to students covered in inter-district agreements and students within the district.
- Clarify that charter schools and their employees, as well as their governing boards, are subject to section 768.28, F.S., regarding tort liability. However, it provides that for-profit management companies are not covered by the protection.
- Broaden the scope of charter school cooperatives to "further educational, operational, and administrative initiatives in which the participating charter schools share common interests."
- Allow the governing body of the charter school to use unrestricted surplus funds or assets to support other public charter schools it governs within the school district. The funds or assets must be used for K-12 educational purposes or charter school capital outlay purposes as provided for in law.
- Allow library, community service, museum, performing arts, theatre, cinema, church, Florida College System institution, college and university facilities to provide space to a charter school within their facilities under their preexisting zoning and land use designations without obtaining a special exemption, rezoning, a land use charter, or any other form of approval.
- Provide that a district may withhold a 5% administrative fee from virtual charter schools up to 250 students, similar to non-virtual charter schools.



- Require charter schools to complete a survey, developed by the Department of Education, to rate the timeliness and quality of services provided by the district for the administrative fee it withholds.
- Remove the requirement that the Department publish one specific charter school comparative performance report, as provided by section 1002.33(21)(b)3.a., F.S. This requirement was originally intended to provide performance information for charter schools that had more than 10 but less than 30 students with assessment scores. These small schools now receive a school grade, making the report unnecessary. However, the Department is still required to develop and publish the Charter School Student Achievement Report required in s. 1002.33(23), Florida Statutes. This report currently includes more than 175 comparisons of performance of students in charter schools and similar students in traditional public schools.
- Expand the eligibility for certain charter school systems to become their own local educational agencies for the purposes of receiving federal funds. The proposed eligibility criteria include the following:
 - Has all schools located in the same county;
 - Has a total enrollment exceeding the total enrollment of at least one school district in the state; and
 - Has the same governing board.Also provides that a charter school system's governing board may be designated an LEA for the purpose of directly receiving federal funds for all schools within a district that are established as a turnaround option under s. 1008.33, F.S.
- Require the Department to develop a standard application form for high-performing charter school systems to replicate schools within their system.

Section 22.

Amends s. 1002.3305., F.S., College-Preparatory Boarding Academy Pilot Program, to:

- Expand the opportunity, under section 1002.3305, F.S., for the legislatively created College-Preparatory Boarding Academy to enroll students currently in grades 5 to 12 into the program. This will allow the College Preparatory Boarding Academy to back-fill seats if students leave after their initial enrollment.

Section 23.

Amends s. 1002.331, F.S., High-performing charter schools, to:

- Conform the application review timeline consistent with changes in s. 1002.33 to provide districts with 90 days to review applications for high-performing replications, and provide that appeals related to the denial of a high-performing replication application are first heard by the Charter School Appeal Commission.
- Remove the restriction, established in section 1002.331, F.S., on high-performing charter schools to replicate just once a year if these schools replicate in a persistently low-achieving area.

Section 24.

Amends s. 1002.332, F.S., High-performing charter school system, to:

- Amend section 1002.332, F.S., to provide high-performing charter school systems an opportunity to submit a standard application to replicate a school within their system via a replication application form developed by the Department. The application would have to address the following components:
 - Goals and objectives for improving student learning
 - A process for measuring academic improvement



- o Financial plan for each year of the proposed charter
- o Governing board membership as well as disclosures of any contractual relationships with Education Services Providers
- o Academic and financial history of charter school operated by the system

Section 25.

Amends s. 1003.498, F.S., School district virtual course offerings, to:

- Remove the requirement that students participating in blended learning courses must receive instruction in the classroom setting.

Section 26.

Amends s. 1007.35, F.S., to:

- Change the name of the assessment to be administered from ACT Aspire to the preliminary ACT.

Section 27.

Amends s. 1008.34, F.S., Florida Partnership for Minority and Underrepresented Student Achievement, to:

- Require that students who transfer to a private school, with which the district has a contractual relationship, be included in the students' home school's graduation rate.

Section 28.

Amends s. 1008.341, F.S., School Improvement rating for alternative schools, to:

- Require that concordant scores be used in determining an alternative school's school improvement rating.

Section 29.

Amends s. 1011.71(2), F.S., District school tax, to:

- Require school boards to share with charter schools the revenue from the 1.5 mill local capital improvement millage levy to be used by charter schools for the purposes outlined in s. 1013.62(3), F.S.
- Revise authorized school district use of the revenue to include:
 - o Device hardware and operating system software necessary for gaining access to or enhancing the use of electronic and digital instructional content and resources.
 - o Enterprise resource software that is acquired by annual license fees, maintenance fees, or lease agreements, and classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least five years, and are used to support schoolwide administration or state-mandated reporting requirements.
 - o Payout of sick leave and annual leave accrued as of June 30, 2017, by individuals no longer employed by a school district that transfers to a charter school operator all day-to-day classroom instruction responsibility for all full-time equivalent students funded under s. 1011.62, F.S. This allowed use expires on July 1, 2018.

Section 30.



Amends s. 1013.54, F.S., Cooperative development and use of satellite facilities by private industry and district school boards, to:

- Conform statutory reference.

Section 31.

Amends s. 1013.62, F.S., Charter schools capital outlay funding, to:

- Provide that charter school capital outlay consists of revenue resulting from discretionary millage authorized in s. 1011.71(2), F.S., and state funds that are appropriated in the General Appropriations Act.
- Revise the eligibility criterion that a charter school be governed by a governing board established in the state for two or more years, which operates both charter schools and conversion charter schools within the state. Currently, the requirement is that the governing board be established in the state for three or more years.
- Revise the eligibility criterion that a charter school be accredited by a regional accrediting association, as defined by SBE rule, instead of the Commission on Schools of the Southern Association of Colleges and Schools.
- Clarify the free and reduced-price lunch eligibility to include the equivalent percentage of students who are eligible under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010 when the National School Lunch Act multiplier is applied to the number of students for direct certification.
- Provide the calculation of the amount of revenue resulting from discretionary millage authorized in s. 1011.71(2), F.S., which must be distributed to eligible charter schools.
- Specify a date by which the district must distribute the local capital outlay funds.
- Clarify the use of capital outlay funds to include purchase, lease purchase, or lease of computer and device hardware and operating system software necessary for gaining access to or enhancing the use of electronic and digital instructional content and resources.
- Expand the use of capital outlay funds to include enterprise resource software applications that are acquired by annual license fees, maintenance fees, or lease agreement, and classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least five years, and are used to support schoolwide administration or state-mandated reporting requirements.
- Expand the use of capital outlay funds to include the cost of opening day collection for the library media center of a new school.

Section 32.

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

- Remove a provision included in the implementing bill for the 2016-17 General Appropriations Act that required a comparison of current surveys of student membership to the prior year's survey, clarify that the capital outlay full-time equivalent membership includes students in grades prekindergarten through 12 whose instruction is funded by the Florida Education Finance Program and for whom the school district provides the educational facility, and provide that for the second and third surveys of student membership, each survey is limited to 0.5 full-time equivalent student membership per student.



- Clarify that the provision added in 2016 to apply the student station construction cost maximums to all sources of fixed capital outlay funding does not apply to a construction project for which a school board executed a contract for architectural and design services or for construction management services prior to July 1, 2017. In those cases, a district school board may use funds from any source of fixed capital outlay, and such funds are exempt from the student station cost maximums.

Section 33.

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

- Delete the requirement that a student selecting Algebra II:
 - Must take the Algebra II End-of-Course (EOC) assessment; and
 - Must have the results constitute as 30 percent of the student's final course grade.
- Delete the provision for a student to pass a personal fitness competency test with a score of "C" or better if they satisfy the one-credit physical education requirement through participation of two full seasons of an interscholastic sport (junior varsity or varsity level).
- Remove the requirement that the personal fitness competency test developed by the department of must be used.
- Authorize that a district school board or charter school governing board may allow a student to satisfy the online course requirement by completing a blended learning course.
- Delete the provision that a student may satisfy the online course requirement by passage of an online content assessment, without enrollment of completion of the corresponding course or courses, by which the student demonstrates skills and competency in locating information and applying technology for instructional purposes.
- Add that a school district may not require a student to take a blended learning course outside of the school day or in addition to a student's courses for a given semester.
- Add a blended learning course to the provision that the online course requirement does not apply:
 - To a student who has an individual education plan which indicates that an online or blended learning course would be inappropriate; or
 - To an out-of-state transfer student who is enrolled in a Florida high school and has one academic year or less remaining in high school.

Section 34.

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

- Delete the requirement that a student must pass the Algebra II EOC statewide, standardized assessment in order to earn a scholar diploma designation.

Section 35.

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

- Remove the provision for an Algebra 2 end-of-course (EOC) assessment.
- Remove the requirement that the grade 3 English Language Arts (ELA) assessment be computer-based in 2017-18.



- Require that the statewide, standardized ELA and mathematics assessments in grades 3 to 6 be delivered only in a paper-based format beginning with the 2017-18 school year and no later than the 2018-19 school year.
- Require that assessment results be made available no later than June 30, except for the results for the grade 3 ELA assessment which must be available by May 31.
- Move the publication requirement for the uniform assessment calendar from August to January each year, beginning in 2018.
- Specify testing windows and administration timeframes for the statewide assessments (excluding retake assessments), beginning in the 2018-19 school year, as follows:
 - The Grade 3 ELA assessment and the Writing component of the ELA assessment for Grades 4 through 10 cannot start earlier than April 1 and its window can be no more than 2 weeks.
 - All other paper-based assessments cannot start earlier than May 1 and their window cannot exceed 2 weeks.
 - All assessments not specified in the above bullets (i.e., any computer-based assessments other than ELA Writing) must be administered within a 4-week assessment window that opens no earlier than May 1.
 - For each school district, assessments other than the Grade 3 ELA assessment and the Writing component of the ELA assessment can only be administered no earlier than 4 weeks before the last day of school for the district, which may or may not align with the opening of the statewide 4 week assessment window. Depending on the last day of school for the district, districts may have fewer than 4 weeks to administer the assessments.
- Require districts to report district-required assessment results to teachers within 1 week of their test administration and to the student's parents within 30 days.
- Require districts to provide student results on district-required local assessments to teachers within 1 week and to parents no later than 30 days after administering those assessments.
- Require a new, more comprehensive student score report for the statewide assessments. The reports must contain an explanation of the student's results; information identifying the student's strengths and weaknesses; specific actions that can be taken and resources that can be utilized for improving areas of weaknesses; and longitudinal, comparative, and predictive data for the student.
- Require the department to solicit cost proposals for releasing the grades 3-10 ELA and grades 3-8 Mathematics assessments in any procurement for such assessments, beginning with the next scheduled procurement. Assessments must be published on a triennial basis, based on a schedule determined by the Commissioner. Each published assessment must have been administered during the most recent school year. The deadline for the initial publication of released statewide assessments is June 30, 2021, subject to appropriation, and must at a minimum include grade 3 ELA and mathematics, grade 10 ELA, and the Algebra 1 EOC assessment.
- Require the department to publish materials on its website for understanding the statewide assessments published on its website.
- Clarify in adult education reporting requirements that secondary education subsequent to grade 8 refers to grades 9-12, not adult education.



Section 36.

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

- Remove State Board rulemaking authority for adopting the Commissioner-approved performance evaluation formula as well as the comparative analysis of district evaluation results and the results of the department's performance calculations based on this formula from the annual report of district instructional personnel and administrator evaluation systems. Data reported under s. 1012.341, F.S., is also stricken from the annual report's requirements.
- Require a third party, independent of the assessment developer, to analyze student learning growth data calculated using the Commissioner-approved formula and provide access to a data visualization tool that enables teachers to understand and evaluate the data and administrators to improve instruction, evaluation programs, allocate resources, plan professional development, and communicate with stakeholders.
- Clarify that the performance of students component of the annual evaluation is determined by the district.
- Allow, but not require, districts to use the measure of student learning growth produced by the Commissioner-approved performance evaluation formula in teacher evaluations.
- Delete obsolete language regarding the transition to new assessments in 2015-16.

Section 37.

Creates a new section of law to:

- Require the Commissioner to contract for an independent study to determine whether the SAT and/or ACT may be administered in lieu of the grade 10 ELA and Algebra 1 EOC assessments while continuing to meet federal requirements. The findings of the study are due to the Governor, President of the Senate, Speaker of the House, and the State Board by January 1, 2018.

Section 38.

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

- Require only schools receiving a grade of "D" or "F" to complete a school improvement plan.
- Remove the requirement for schools serving grades 6, 7 or 8 to include early warning system information in the school improvement plan.
- Require schools that serve any students from kindergarten through grade 8 to:
 - Implement an early warning system to identify students who need additional support to improve academic performance and stay engaged in school that includes
 - The following indicators:
 1. Attendance below 90 percent, regardless of whether absence is excused or a result of out-of-school suspension;
 2. One or more suspensions, whether in school or out of school;
 3. Course failure in English language arts or mathematics during any grading period; and
 4. A Level 1 score on the statewide, standardized assessments in English language arts or mathematics, or for students in kindergarten through grade 3, a substantial reading deficiency.



- Data on the number of students identified by the system as exhibiting two or more early warning indicators, the number of students by grade level who exhibit each early warning indicator.
- A description of all intervention strategies employed by the school to improve the academic performance of students identified by the early warning system.
- Establish or use an existing school-based team to oversee and monitor the early warning system.
- Determine, in consultation with the parent, appropriate intervention strategies based on data from the early warning system for each student who exhibits two or more early warning indicators, unless the student is already being served by an intervention.
- Require school districts with a school that receives a grade of "D" or "F" to negotiate a memorandum of understanding that addresses the selection, placement and expectations of instructional personnel and provides principals with the autonomy described in s. 1012.28(8), F.S.
- Restrict a district school board from awarding an annual contract on the basis of any contingency or condition not expressly authorized in law or alter or limit its authority to award or not award an annual contract as provided in s. 1012.335, F.S. This paragraph applies only to a collective bargaining agreement entered into or renewed by a district school board on or after the effective date of this act.

Section 39.

Creates new s.1001.4205, Visitation of schools by an individual school board or charter school governing board member, to:

- Provide that any individual school board member may visit any district school on any day and at any time.
- Provide that any charter school governing board member may visit the charter school on any day and at any time.
- The board member must sign in and out at the school's main office, and must wear a board identification badge during the visit. The board member cannot be required to provide advance notice of the visit. The board member may be offered, but is not required to accept, an escort during the visit. The board member cannot be required to limit the duration or scope of the visit, or be directed to leave the premises.
- The authority of a board member to visit may not be limited by a board, district or school administrative policy.

Section 40.

- Directs the Division of Law Revision and Information to replace the phrase "the effective date of this act" wherever it occurs in this act with the date the act becomes law.

Section 41.

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

- Require the SBE to apply the most intensive intervention and support strategies (i.e., turnaround) to schools earning two consecutive grades of "D" or a grade of "F."
- Require school districts with a school receiving a grade of "D" or "F" to implement the intervention and support strategies prescribed in Rule 6A-1.099811, F.A.C., in the first full school year after receiving a grade of "D" or "F," which must address student performance and may include the following:



- Improvement planning;
- Leadership and educator quality improvement;
- Professional development;
- Curriculum review, pacing and alignment across grade levels to improve background knowledge in social studies, science and the arts; and
- The use of continuous improvement and monitoring plans and processes.
- Require school districts with a school receiving two consecutive grades of "D" or a grade of "F" to:
 - Provide the department with the MOU required by s. 1001.42(21), F.S., by September 1;
 - Submit a district-managed turnaround plan for approval by the SBE by October 1; and
 - Implement the plan, upon approval by the SBE, for the remainder of the school year and the following school year.
 - Implementation is no longer required if the school improves its grade to a "C" or higher.
 - The SBE may grant a school district an additional year of district-managed turnaround implementation before the school must implement one of the turnaround options listed below, if it determines that the school is likely to improve to a grade of "C" or higher after the first full school year of implementation.
- Require school districts with a school receiving three consecutive grades below "C" to:
 - Select one of the following options:
 - Reassign students to another school and monitor the progress of each reassigned student;
 - Close and reopen the school as one or more charter schools, each with a governing board that has a demonstrated record of effectiveness; or
 - Contract with an outside entity that has a demonstrated record of effectiveness to operate the school, which may include a district-managed charter school in which all instructional personnel are not employees of the school district, but are employees of an independent governing board composed of members who did not participate in the review or approval of the charter.
 - Implement the selected option for two full school years.
 - Implementation is no longer required if the school improves its grade to a "C" or higher.
 - The SBE may grant a school district an additional year of implementation before the school must implement a different turnaround option, if it determines that the school is likely to improve to a grade of "C" or higher if additional time is provided to implement.
- Require school districts with a school that earned two consecutive grades of "D" or a grade of "F" that does not improve to a grade of "C" or higher after two full school years of implementing the turnaround option selected by the school district to immediately implement another turnaround option.

Section 42.

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

- Require the commissioner to report to the SBE and Legislature annually, and add to the report requirements school district annual report information and effective intervention and support strategies according to school district reading plans.



- Require school districts or governing boards with a school receiving a grade of “D” or “F” to establish a community assessment team to review the school performance data and determine causes for the low performance.
- Require each community assessment team to make recommendations to the district school board or governing board and to the SBE based on the interventions and support strategies identified pursuant to s. 1008.345(5), F.S., to address the causes of the school's low performance and to incorporate the strategies into the school improvement plan.

Section 43.

Creates s. 1002.333, F.S., Persistently low-performing schools, to:

- Define the following terms:
 - Hope Operator: an entity identified by the department pursuant to 1002.333(2), F.S.
 - Persistently low-performing school (PLP): a school that has earned three consecutive grades lower than “C”, and a school that was closed pursuant to Section 1008.33(4) within 2 years after a Hope Operator submits a notice of intent.
 - School of Hope:
 - A charter school operated by a Hope Operator which serves students from one or more PLP schools; is located in the attendance zone or within a 5-mile radius (whichever is greater) of a PLP school, and is a Title I eligible school; or
 - A school operated by a Hope Operator as part of a district’s turnaround plan pursuant to s. 1008.33(4)(b)3., F.S.
 - A district-managed charter school established as a turn-around option pursuant to s. 1008.33(4)(b)3., F.S. could be considered a School of Hope if the District is identified as a Hope Operator, which would require the district to operate at least 3 district-managed charter schools and meet the remaining criteria for Hope Operator
- Establish the criteria by which an entity may be designated by the SBE as a Hope Operator, which include the following:
 - Be a nonprofit organization with tax exempt status under s. 501(c)(3) of the IRS code
 - Operates three or more charter schools that serve students in grades K-12 in Florida or other states with a record of serving students from low-income families
 - Can demonstrate past performance that meets or exceeds the following:
 - Achievement of students exceeds the district and state averages of the states in which the schools operate
 - College attendance rates at all schools currently operated by the operator exceeds 80% (if such data is available)
 - Serves a student population that is at least 70% eligible for Free or Reduced Lunch
 - Is in good standing with the charter school authorizer in each state in which it operates
 - Has audited financial statements free of material misstatements and going concern issues
 - Other outcome measures as determined by the SBE



- o Additionally, an operator may be designated as a Hope Operator if it meets one of the following criteria prior to the SBE adopting its eligibility criteria:
 - The operator was awarded a US Department of Education Charter School Program replication grant for the replication and expansion of high quality charter schools (within the preceding 3 years)
 - The operator receives funding through the National Fund of the Charter School Growth Fund
 - The operator is selected by a district school board in accordance with s. 1008.33
- The initial designation as a Hope Operator is valid for 5 years from the opening of the operator's first Hope School. If the Hope Operator seeks renewal, the SBE may renew based upon the academic and financial performance of all schools established by the operator in the state since its initial designation.

ESTABLISHMENT OF SCHOOLS OF HOPE

- To establish a School of Hope, a Hope Operator must submit a notice of intent to the school district in which a PLP school has been identified by the SBE. The notice of intent must include:
 - o Academic focus and plan;
 - o Financial plan;
 - o Goals and objectives for increasing student achievement;
 - o Completed or planned community outreach plan;
 - o Organizational history of success in working with similar students;
 - o Grade levels to be served and enrollment projections;
 - o Proposed location or geographic area and proximity to PLP school; and
 - o Staffing plan.
- Upon receipt of a notice of intent from a Hope Operator, the school district must enter into a performance based agreement with the Hope Operator to open schools to serve students from one or more PLP schools. The performance based agreement must include only the following:
 - o The notice of intent filed by the Hope Operator;
 - o The location or geographic area proposed for the school and its proximity to the PLP school;
 - o Grades to be served;
 - o Whether school will serve students in the school readiness or prekindergarten programs;
 - o Plan of action and milestones for student recruitment and enrollment of student from PLP schools, including:
 - Any enrollment preferences
 - Procedures for transparent admissions lottery
 - Students from PLP schools shall be exempt from lottery to extent permitted by federal grant requirements
 - o Incoming baseline standard of student academic achievement, outcomes to be achieved, and method of measurement that will be used;
 - o Description of methods of involving parents and expected levels of such involvement;
 - o Grounds for termination of performance based-agreement, including failure to meet:
 - the requirements for student performance (established in agreement);



- Generally accepted standards of fiscal management; or
- Material violations of the terms of the agreement
- A provision allowing Hope Operator to open additional schools to serve students in PLP schools, so long as Hope Operator maintains its status;
- Provision establishing the initial term as five years;
 - Agreement shall be renewed at request of Hope Operator unless grounds for termination exist (as described above)
- A requirement to provide transportation consistent with requirements in s. 1006.21-27 and 1012.45. The governing body of the School of Hope may provide transportation through an agreement or contract with district school board, private provider, or parents. Transportation may not be a barrier to equal access;
- A requirement that any arrangement to borrow or secure funds shall indemnify the state and school district from any and all liability;
- A provision that any loans, bonds or other financial agreements are not obligations of the state or district and are payable solely from sources of funds pledged by such agreement; and
- A prohibition on the pledge of credit or taxing power of the state.

STATUTORY AUTHORITY

- A School of Hope may be designated as a Local Education Agency for the purpose of receiving federal funds directly
- For purposes of tort liability, the Hope Operator and school, employees and agents are governed by s. 768.28
- A School of Hope may be public or private employer and may participate (as a public employer) in the Florida Retirement System
- A Hope Operator may employ teachers and administrators who do not meet the certification requirements of s. 1012.56 so long as the teachers and administrators are not disqualified from employment under s. 1012.315.
- For purposes of calculating class-size compliance, calculations will be at the school-wide average
- Schools of Hope are exempt from chapters 1000-1013 and all school board policies. However, they must comply with laws in chapters 1000-1013 relating to:
 - Student assessment and school grading;
 - Student progression and graduation;
 - Provision of services to students with disabilities;
 - Civil rights, including s. 1005 relating to discrimination;
 - Student health, safety and welfare;
 - Public meetings and records, public inspection and criminal and civil penalties pursuant to s. 286.011
 - Governing board must hold at least two public meetings per school year in the district in which school is located. Other meetings may be held in accordance with s. 120.54(5)(b)2.
 - Public records pursuant to chapter 119;
 - Code of ethics for public officers (ss. 112.313(2),(3),(7) and (12) and 112.3143(3))



- o Each School of Hope shall report its students to the district as required in s. 1011.62 in accordance with definitions in 1011.61;
 - The district shall include the students in enrollment reports to the state
- o School of Hope must submit quarterly financial statements to the district; and
- o Each School of Hope must have an annual audit as required in s. 218.39

FACILITIES

- School of Hope must use facilities that comply with Florida Building Code, with exception of SREF standards
- If a School of Hope uses district facilities, the facility must comply with SREF if the district and school have entered into a mutual management plan for the reasonable maintenance of such facilities. District must maintain facility in the same manner as it maintains its other facilities
- Local governing authority may not impose facility requirements more stringent than those found in SREF and must treat Schools of Hope equitably in comparison to other public schools
- The local municipality or local county governing authority (if in unincorporated area) shall have jurisdiction for inspections and issuance of certificates of occupancy or use
 - o If official from local governing authority refuses to comply with provisions in this law, the school has immediate right to bring action in circuit court and may be awarded attorney fees and court costs
- Facilities used by School of Hope are exempt from ad valorem taxes
- Libraries, community services, museums, theatres, churches, colleges and universities may provide space to a School of Hope under their preexisting zoning and land use designations without further action necessary
- School of Hope facilities are exempt from assessments of fees for building permits, except as provided for in s. 553.80; fees for building and occupational licenses; impact fees or exactions; service availability fees; and assessments for special benefits
- No later than October 1 of each year, each school district shall provide to the department a list of all underused, vacant or surplus facilities owned or operated by district.
 - o A Hope Operator may use such a facility at no cost or at a mutually agreed cost not to exceed \$600 per student.
 - o The term "underused, vacant or surplus facility" is defined as an entire facility or portion thereof which is not fully used or is used irregularly or intermittently by the school district for instructional or program use.

NONCOMPLIANCE

- If a school district does not enter into a performance-based agreement within 60 days of receiving a notice of intent from a Hope Operator, the district must reduce the administrative fee it withholds to 1 percent for all charter schools in the district. Once the district enters into the performance-based agreement with the Hope Operator it may resume withholding the full amount it is authorized to withhold; however, it may not recover any of the fees that it would have withheld during the period of noncompliance.
- A charter school that had an administrative fee withheld in violation of this provision may recover attorney fees and costs to enforce the requirements.



- A district subject to these noncompliance penalties is required to file a monthly report detailing the reduction in funding to the department.

FUNDING

- Schools of Hope are funded in accordance with s. 1002.33(17)
- Schools of Hope shall receive priority in the department's CSP grant competition
- Schools of Hope may receive charter school capital outlay, however, they may not use capital outlay funds to purchase real property or build a facility

SCHOOLS OF HOPE PROGRAM

- The Schools of Hope Program (SHP) is created within the department
- A School of Hope is eligible to receive SHP funding for the following purposes:
 - Preparing teachers, school leaders and specialized instructional support personnel, including costs associated with:
 - Professional development
 - Hiring teachers, leaders and support personnel for services beyond school day and school year
 - Acquiring supplies, training, equipment and educational materials;
 - One-time start-up costs associated with transportation;
 - Community engagement activities; and
 - Funds to cover the non-voted ad valorem and required local effort (when the Hope Operator enters into a contract with the SBE)
- A traditional public school that is required to submit a school turnaround plan pursuant to s. 1008.33(4), may apply for funding under this program. The department may issue an award to the school of up to \$2,000 per student. In order to apply for and receive funding, the district must submit a plan.
 - At a minimum, plans must:
 - Establish wrap-around services that develop family and community partnerships;
 - Establish clearly defined and measurable high academic and character standards;
 - Increase parental involvement and engagement;
 - Describe how the district will identify, recruit, retain and reward instructional personnel.
 - The SBE may waive the requirements of s. 1012.22(1)(c)5., and suspend the requirements of s. 1012.34
 - Identify a knowledge rich curriculum that will focus on developing background knowledge; and
 - Provide professional development that focuses on academic rigor, direct instruction and creating high academic and character standards
 - The department must consider the strength of the plan and the plan's focus on evidence-based interventions that include
 - Wrap-around services, which include:
 - Tutoring;
 - After school programs;



- Student counseling;
- Nutrition education;
- Parental counseling; or
- Adult education.
- School and community collaboration
- Development of family and community partnerships
- o Plans may also include models that:
 - Develop a culture of attending college;
 - High expectations;
 - Character development;
 - Dress codes; and
 - Extended school day and school year.
- o The SBE may award up to 25 schools and must prioritize schools whose plans are based on whole school transformation and are developed in consultation with the school principal.
- o The SBE must annually report on the implementation and provide achievement data for each traditional public school participating in the program.

STATE BOARD OF EDUCATION AND AUTHORITY

- The SBE must annually publish a list of persistently low-performing public schools
- The SBE must adopt, by rule, a standard notice of intent and performance-based agreement that must be used by Hope Operators and district school boards.
- The SBE must resolve disputes between a district and Hope Operator or charter operator selected pursuant to s. 1008.33, F.S.
 - o Commissioner shall appoint a special magistrate with certain qualifications;
 - o The magistrate shall hold hearings and render a recommended decision for resolution within 15 days after the close of the final hearing; and
 - o The SBE must approve or reject the recommended decision.
- The SBE shall provide students in persistently low-performing schools with a public school that meets accountability standards.
 - o The SBE may enter into a performance-based agreement with a Hope Operator when a district has not improved the performance of a public school after 3 years of the interventions and supports provided for in s. 1008.33 F.S., or if the district fails to enter into a performance-based agreement with a Hope Operator who has submitted a notice of intent
 - If the SBE enters into a performance-based agreement with a Hope Operator, the district shall transfer to the School of Hope the proportionate share of state funds allocated from the FEFP (the remaining funds are provided through the Schools of Hope Program administered by the department)
- The SBE shall adopt rules to administer the program.

Section 44.

Creates s. 1001.292, F.S., Schools of Hope Revolving Loan Program, to:



- Establish the Schools of Hope Revolving Loan Program to assist hope operators, defined in s. 1002.333, F.S., to address school building construction needs and pay for expenses related to the startup of a new charter school. Program funds will be provided by legislative appropriation, repayment of program loans, and program interest earned.
 - Loans may not exceed 25 percent of a project's total cost, as determined by the product of 80 percent of the cost per student station established by s. 1013.64(6)(b), F.S., and the capacity of the facility.
 - The department may contract with a third party to administer the program, to report to the department annually.
 - Loans shall be provided for projects in or within five miles of the attendance area of a persistently low-performing school.
 - Hope operators are not eligible for funding if they operate in facilities provided by the school district for a nominal fee or free of charge, or if they are directly or indirectly operated by the school district.
 - The department shall post on its website projects that have received Hope loans, indicating their status, costs, and outcomes for students.
 - All funds provided as repayment of Hope loans must return to the loan fund.
 - Interest on Hope loans shall be the rate paid on moneys held in the fund or a rate equal to 50 percent of the rate authorized under s. 215.84, F.S.
 - Allocated Hope funds that are not disbursed in the fiscal year allocated may be carried forward up to five years after the date of the original appropriation.

Section 45.

Amends s. 1011.69, F.S., Equity in School-Level Funding Act, to add subsection (5) to:

- Define eligible schools as those schools eligible to receive Title I funds, including charter schools.
- Provide that the threshold for allocating funds to eligible Title I schools may not exceed the threshold established by a school district for the 2016-17 school year or the statewide percentage of economically disadvantaged students, as determined annually.
- Require that, after Title I, Part A, funds are allocated to schools with a poverty level at or above the 75 percent threshold required by federal law, school districts must allocate remaining funds directly to all eligible schools with the exception of funds that districts may withhold for specified purposes.
- Provide that, prior to the allocation of Title I funds to eligible schools in accordance with the established threshold, school districts may withhold funds only as follows:
 - One percent for parent involvement, in addition to the 1 percent the district must reserve under federal law for allocations to eligible schools for parent involvement;
 - A necessary and reasonable amount for administration, including the district's indirect cost rate, not to exceed a total of 8 percent;
 - A reasonable and necessary amount to provide for homeless programs, delinquent and neglected programs, prekindergarten programs and activities, private school equitable services, and transportation for foster care children to their school of origin or choice programs.
- Provide that all remaining Title I funds shall be distributed to all eligible schools in accordance with federal law and regulation, and an eligible school may use funds under this subsection to participate in discretionary educational services provided by the school district.



Section 46.

Amends s. 1012.731, F.S., The Best and Brightest Teacher Scholarship Program, to:

- Authorize a \$6,000 scholarship award for each eligible classroom teacher.
- Continue current eligibility requirements for classroom teachers through 2020.
- Establish eligibility requirements beginning in 2020-2021 to include:
 - Official record received by school district no later than November 1 that classroom teacher has achieved a composite score at or above 77th percentile; or
 - If the classroom teacher graduated cum laude or higher with baccalaureate degree, achieved a composite score at or above the 71st percentile on either the SAT, ACT, GRE, LSAT, GMAT or MCAT based on national percentile ranks. An official transcript is required if graduated cum laude or higher; and
 - Earn a highly effective summative rating on performance evaluation in the preceding year; or earn a highly effective based on a commissioner-approved student learning growth formula per s. 1012.34(8), F.S., in the preceding year; or no summative performance evaluation rating because classroom teacher was newly hired by the school district and has not been evaluated.
- Provide for 2017-2018, 2018-2019 and 2019-2020:
 - Authorize \$1,200 for any classroom teacher who was rated as highly effective in previous year, including classroom teachers who met eligibility requirements noted previously.
 - Authorize up to \$800 for any teacher who was rated as effective in previously year. If the number of eligible classroom teachers exceeds the total allocation, the amount per teacher will be pro-rated.
 - Section 1012.731(3)(c), F.S., expires July 1, 2020.
- Require each school district to submit to the department by December 1:
 - Number of eligible classroom teachers;
 - Name and master school identification member (MSID) of each district school to which eligible classroom teachers are assigned; and
 - Name of school principal of each eligible teacher's school if principal has served as the school's principal for at least two consecutive school years including current school year.

Section 47.

Creates s. 1012.732, F.S., The Florida Best and Brightest Principal Scholarship Program, to:

- Authorize \$5,000 scholarship award for eligible school principals at Title I schools and \$4,000 scholarship award for eligible school principals at non-Title I schools.
- Eligibility requirements include:
 - Serve as school principal at the current school for at least two consecutive years including the current school year; and
 - School has a ratio of classroom teachers deemed eligible for the best and brightest teacher scholarship program pursuant to s. 1012.731, F.S., to other classroom teachers that is at the 80th percentile or higher for schools within the same grade group (elementary, middle, high and combination), statewide.
- Authorize department by February 1 to identify eligible school principals and disburse funds to school districts.



- Each school district must award scholarship to eligible school principals by April 1.
- Authorize school districts to provide eligible principals with the additional authority and responsibilities pursuant to s. 1012.28(8), F.S. (Principal Autonomy Pilot Program Initiative), for at least two years.

Section 48.

Amends s. 1002.385, F.S., The Gardiner Scholarship, to:

- Expand the list of exceptionalities for which a student may qualify for a scholarship to include Dual sensory impaired, as defined by rules of the SBE and evidenced by reports from local school districts.
- Define an inactive account for the purposes of the program as one having had no eligible expenditures made.
- Provide that specialized services from a Florida hospital be an authorized use of program funds for the Gardiner Scholarship.
- Expand the list of authorized uses of program funds to include fees for services provided by a center that is a member of the Professional Association of Therapeutic Horsemanship International.
- Expand the list of authorized uses of program funds to include fees for services provided by a therapist certified by the Certification Board for Music Therapists, or from the Art Therapy Credentials Board.
- Provide that a parent, student, or provider of any services may not bill an insurance company, Medicaid, or any other agency for the same services that are paid for using Gardiner Scholarship funds.
- Establish that an account shall be closed and funds be reverted to the state after three consecutive fiscal years in which it has been inactive.
- Provide that schools required to submit a report of the agreed-upon procedures developed under s. 1002.395(6)(o), F.S. must submit the report annually by September 15.
- Provide that schools found to have material exceptions listed in their agreed-upon procedures report in consecutive years may be deemed ineligible to participate in the program by the commissioner.
- Provide that for student accounts that have been inactive for 2 consecutive fiscal years, additional scholarship funds will not be paid until the scholarship funding organization verifies expenditures from the account have occurred.
- Provide that for student accounts deemed inactive due to 2 consecutive fiscal years of no expenditures, eligibility will be restored once an eligible expenditure is made, based on the availability of funds.
- Provide that for new students entering the program the calculation shall be based on the matrix level of services, unless the student does not have a matrix. Students without a matrix of services shall be based on the matrix that assigns the student to support level III of services.

Section 49.

Amends s. 1003.455, F.S., Physical education; assessment, to:

- Require at least 100 minutes of unstructured free-play recess each week for students in grades K-5, so that there are at least 20 consecutive minutes each day.
- Exempt charter schools from the recess requirement.

Section 50.



Amends s. 1002.37, F.S., Florida Virtual School, to:

- Allow Florida Virtual School to provide full-time or part-time instruction to all students who seek to enroll.

Section 51.

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

- Allow all students (public, private, or home education) to participate in all virtual options authorized in law.

Section 52.

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

- Remove the restriction that a student be permitted to participate in a virtual instruction program or virtual charter school only in the district in which the student resides.
- Clarify that students are to take statewide assessments within the school district in which they reside or as specified in the contract between the approved provider or virtual charter school and the district. If requested by the approved provider or virtual charter school, the district of residence must provide the student with access to the district's testing facilities.

Section 53.

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

- Authorize parents to request and be granted permission for a student's absence from school for treatment of autism spectrum disorder by a licensed health care practitioner or behavior analyst certified pursuant to s. 393.17, F.S.
- Allow a student to possess and use an over-the-counter topical sunscreen product while at school or at a school-sponsored event without a physician's note or prescription.
- Revise language regarding parent notification of a student's reading deficiency.

Section 54.

Amends s. 1002.69, F.S., Statewide kindergarten screening; kindergarten readiness rates; state-approved prekindergarten enrollment screening; good cause exemption, to:

- Require data from the Florida Kindergarten Readiness Screener, along with other data, to be used to identify students in need of intervention and support.

Section 55.

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

- Require district school boards to prioritize allocation of instruction resources to K-3 students with a substantial deficiency in reading.
- Require the SBE to identify, by rule, guidelines for determining whether certain students have a substantial deficiency in reading.
- Provide that students with a substantial reading deficiency must be covered by a federally required student plan, an individualized progress monitoring plan or both.
- Provide that a school may not wait for a student to receive a failing grade to identify a student as having a substantial reading deficiency.



- Provide that any K-3 student who exhibits a substantial deficiency in reading based on screening, diagnostic, progress monitoring, assessment data or teacher observations be provided intensive, explicit, systematic and multisensory reading interventions.
- Revise the parental notification requirements for students with a substantial deficiency in reading to include a description and explanation, in terms understandable to the parents, of the exact nature of the student's difficulty and lack of learning in reading and the intensive interventions which will be provided. A read-at-home plan that includes multisensory strategies must also be provided.
- Revise grounds for good cause exemption by deleting s. 1008.25(6)(b)(7), F.S., which allowed a good cause exemption for students who had been previously retained for a total of two years. Section 1008.25(6)(b)(6), F.S., remains in effect stating a similar provision.
- Require schools to provide certain instruction to students who received a good cause exemption from retention. These students must be provided explicit, systematic and multisensory reading instruction and intervention strategies.
- Revise intervention requirements for certain retained students. These students must be provided evidence-based, explicit, systematic and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, comprehension and other strategies.
- Requires that by July 1, 2020, retained students and students attending summer reading camp be provided with a teacher who is certified or endorsed in reading.
- Revise provisions relating to the intensive acceleration class. School districts must establish at each school an intensive acceleration class for students retained in grade 3 who had previously been retained in earlier grades as well. These students must be provided uninterrupted reading instruction for the majority of student contact time; small group instruction; reduced teacher-student ratios; the use of explicit, systematic and multisensory reading interventions; and the use of a speech-language therapist if necessary.
- Revise annual student progress evaluation requirements provided to parents to include the response to intervention results.
- Require that beginning July 1, 2021, core instructional materials meet the requirements of s. 1001.215(7), F.S., which is the list of instructional and intervention programs jointly identified by the Just Read, Florida! office and the Florida Center for Reading Research that incorporate explicit, systematic and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency and text comprehension and incorporate decodable or phonetic text instructional strategies.

Section 56.

Amends s. 1011.67, F.S., Funds for instructional materials, to:

- Require the superintendent to verify that core reading materials and reading intervention materials used in grades K-5 meet requirements per s. 1001.215(7), F.S., by July 1, 2021.
- Provide school districts the flexibility to use instructional materials funds to purchase other materials to supplement reading instruction and provide additional practice.

Section 57.

Amends s. 1002.51, F.S., Definitions, to:



- Define a public school prekindergarten provider as a traditional public school or a charter school that is eligible to deliver the school-year prekindergarten program under 1002.63, F.S., or the summer prekindergarten program under s. 1002.61, F.S.

Section 58.

Amends s. 1003.21, F.S., School attendance, to:

- Require each district school board to adopt attendance policies authorizing a student's absence from school for treatment of autism spectrum disorder.

Section 59.

Amends s. 1003.24, F.S., Parents responsible for attendance of children; attendance policy, to:

- Revise an exemption related to parental responsibility for nonattendance of a student to include treatment for autism spectrum disorder.
- Include the provision of a written statement by a licensed health care practitioner or behavior analyst certified pursuant to s. 393.17, F.S., for the treatment of autism spectrum disorder to receive an excuse from school attendance.

Section 60.

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

- Eliminate the requirement that one course in career and education planning be completed in 6th, 7th or 8th grade.

Section 61.

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

- Prohibit school districts from declining to provide or contract for educational instruction for students with disabilities.
- Allow the receiving school district to report the students for funding.

Section 62.

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

- Remove the need for compliance with subsection (3) from school districts implementing their own instructional materials program under s. 1006.283, F.S.
- Remove the requirement that at least 50 percent of the instructional materials allocation be used for the purchase of digital or electronic materials that are included on the state-adopted list.
- Require that, except as authorized in (b) and (c), district school boards shall use the annual allocation only for purchase of materials that meet standards and are included in the state-adopted list.

Section 63.

Amends s.1009.60, F.S., Minority teacher education scholars program, to:



- Revise eligibility requirements for the minority teacher education scholarship program to include a student who is enrolled in one of Florida's public or private colleges or universities.
- Remove requirement that a student enroll in a qualifying program in his/her junior year and instead specify that a qualifying student cannot already have earned more than 18 credit hours of upper-division-level courses in education.
- Allow a student to use the scholarship to pursue a graduate degree with a major in education, leading to initial certification.

Section 64.

Amends s. 1009.605, F.S., Florida Fund for Minority Teachers, Inc., to:

- Require that the annual budget projection submitted to the Department by the Florida Fund for Minority Teachers, Inc., conform to the new scholarship eligibility requirements established in s. 1009.60, F.S.
- Remove the requirement that new scholarships must be granted to students who are in their junior year and that renewal scholarships be granted to rising seniors.

Section 65.

Creates a new section of statute titled Committee on Early Grade Success to:

- Establish this committee within the department to develop a proposal for establishing and implementing a coordinated child assessment system for the School Readiness Program, the Voluntary Prekindergarten Education Program and the Kindergarten Readiness Assessment.
- Require the committee's proposal must include legislative recommendations for the design and implementation of a coordinated child assessment system, including, but not limited to:
 - The purpose of a child assessment, with a focus on developmentally appropriate learning gains.
 - Attributes for tool selection that provide guidance on procurement policies.
 - An implementation schedule and protocols, including the frequency of data collection and a timeline for training to ensure reliability of the system.
 - The methodology for collecting and analyzing data that define reporting requirements.
 - A budget for the system, including cost analyses for purchasing materials and the necessary technology, training to ensure reliability and data system management.
 - Considerations for student privacy and tracking child development over time.
- Require that the committee be composed of 17 members who are residents of the state and appointed as follows:
 - Three members appointed by the Governor:
 - One representative from the Office of Early Learning;
 - One representative from the department; and
 - One parent of a child who is three to six years of age.
 - Fourteen members jointly appointed by the President of the Senate and the Speaker of the House of Representatives:
 - One representative of an urban school district;
 - One representative of a rural school district;
 - One representative of an urban early learning coalition;



- One representative of a rural early learning coalition;
 - One representative of an early learning provider;
 - One representative of a faith-based early learning provider;
 - One representative who is a kindergarten teacher with at least five years of teaching experience;
 - One representative who is an elementary school principal;
 - Four representatives with subject matter expertise in early learning, early grade success or child assessments. The four representatives may not be direct stakeholders within the early learning or public school systems or potential recipients of a contract resulting from the committee's proposal;
 - One member of the Senate; and
 - One member of the House of Representatives.
- Require the chair and vice chair to be elected by the committee and the chair must be one of the four members with subject matter expertise in early learning, early grade success or child assessments. The vice chair must be a member appointed by the President of the Senate and the Speaker of the House of Representatives, who is not one of the four members who are subject matter experts in early learning, early grade success or child assessments.
 - Require members of the committee to serve without compensation but allows reimbursement for per diem and travel expenses pursuant to s. 112.061, F.S. To reduce costs, the committee must meet at least three times by teleconference or other electronic means, if possible. A majority of the members constitutes a quorum.
 - Require The University of Florida Lastinger Center for Learning to provide the staff necessary to assist the committee in the performance of its duties. The committee is required to submit a report of its findings and recommendations to the Governor, the President of the Senate and the Speaker of the House of Representatives by December 1, 2017. Once the report is submitted, the committee expires.
 - Allow the SBE to adopt rules.

Section 66.

Creates s. 1013.101, F.S., Shared use agreements, to:

- Promote greater public access to public school indoor and outdoor recreation facilities by encouraging public school boards to open their school facilities to community use outside of school hours;
- Define terms, including the following:
 - "High-need communities" means communities in which at least 50 percent of children are eligible to receive free or reduced-price meals at the school where the shared use is proposed;
 - "Shared use" means allowing community access to school playground facilities for recreation or another purpose of importance to the community through a shared use policy or agreement that opens school facilities, including those of charter schools and Florida College System institutions, for use by governmental or nongovernmental entities or the public; and
 - "Shared use agreement" means a written agreement between a school district, a charter school or a Florida College System institution and a government or nongovernmental entity that defines the roles,



- responsibilities, terms and conditions for community use of a school-owned facility for recreation or other purposes; and
- Require the FDOE to provide technical assistance, including a toolkit and an online database for existing shared-use policies and agreements.

Section 67.

Creates an unnumbered section of law to:

- Establish a Shared Use Task Force within the FDOE to identify barriers to creating shared use agreements, develop recommendations to facilitate shared use of school facilities and report its findings and recommendations to the legislature by June 30, 2018;
- Authorize the FDOE to appoint the seven members of the task force, as follows, with the task force members selecting the chair and vice chair from different member categories:
 - Two representatives from school districts, including one from districts 1 through 33 and one from districts 34 through 67;
 - One representative from a public health department;
 - Two representatives from community-based programs in high-need communities; and
 - Two representatives from recreational organizations.
- Require the task force to report its findings and recommendations to the President of the Senate and the Speaker of the House by June 30, 2018, at which time the task force expires.

Section 68.

Amends s. 125.901, F.S., Children's services; independent special district; council; powers, duties, and functions; public records exemption, to:

- Include a technical change made by the act.

Section 69.

Creates s. 1003.481, F.S., Early Childhood Music Education Incentive Pilot Program, to:

- Implement a three-year music pilot program and award involvement to selected school districts based on comprehensive music education programs for students in grades K-2.
- Annually award selected school districts \$150 per full-time equivalent student enrolled in the program, and require school districts to annually certify that each school within the school district meets the requirements of the program.
- Requires the University of Florida to evaluate the effectiveness of the program through both quantitative analysis and qualitative evaluation.
- Allow the SBE to adopt rules.

Section 71.

- The Act appropriates \$413,950,000 in recurring funds and \$5,000,000 in nonrecurring funds to implement the act.

General Implementation Timeline:



Section 8:

December 31, 2017

Adopt specified standards for approval of PDCPs to include the teacher mentorship and induction component. This will be done through revision of Rule 6A-5.066, F.A.C., Approval of Teacher Preparation Programs.

June 30, 2018

Require each school district, charter school or charter management organization to submit for approval by the department its proposed/revised PDCP to include the teacher mentorship and induction component.

After December 31, 2018

Prohibit a teacher from satisfying requirements for a professional certificate through a professional development certification and education competency program that has not been approved to include the new standards for the teacher mentorship and induction component.

Section 12:

By July 1, 2018

Conduct a review of existing subject coverage or endorsement requirements in the elementary, reading and exceptional student education areas to recommend changes regarding instruction and intervention strategies proven to improve student reading performance.

Section 35:

Annually by May 31

Deadline for reporting grade 3 ELA statewide assessment results.

Annually by June 30

Deadline for reporting all remaining ELA, mathematics, and EOC statewide assessment results.

June 30, 2021

Deadline for publishing released statewide assessments.

Section 37:

January 1, 2018

SAT/ACT independent study deadline

Section 41:

Annually by September 1

School districts required to submit MOU required by s. 1001.42(21), F.S.

Annually by October 1

School districts required to submit turnaround plans for SBE approval.

Annually

Commissioner required to report to the SBE and Legislature as required by s. 1008.345, F.S.

Section 46:

Annually by November 1

Teachers must submit official record of qualification to their school district.

Annually by December 1

School districts must submit to the department specified information regarding eligible classroom teachers, school principals and school(s).

Annually by February 1

The department must disburse funds to school districts for eligible classroom teachers.

Annually by April 1

School districts must award funds to eligible classroom teachers.

Annually by February 1,

the department must identify eligible school principals and disburse funds.

Annually by April 1,

school districts must award funds to eligible school principals.

Section 55:



By July 1, 2020,

Retained students and students attending summer reading camp must be provided with a teacher who is certified or endorsed in reading.

Beginning July 1, 2021,

Core instructional materials must meet the requirements of s. 1001.215(7), F.S., which is the list of instructional and intervention programs jointly identified by the Just Read, Florida! office and the Florida Center for Reading Research that incorporate explicit, systematic and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency and text comprehension and incorporate decodable or phonetic text instructional strategies.

Section 56:

July 1, 2021.

Additional requirements for superintendent's instructional materials certification due

Section 63:

July 1, 2017

Post new fact sheet for the Minority Teacher Education Scholarship Program on the Office of Student Financial Assistance website.
Update system logic for student financial assistance database to allow for graduate programs.

Section 65:

December 1, 2017

The Committee on Early Grades Success must submit a report of its findings and recommendations to the Governor, the President of the Senate and the Speaker of the House of Representatives

Section 69:

By June 30, 2018

The University of Florida is required to evaluate the Early Childhood Music Education Incentive Pilot Program per SB 2500. The pilot program expires on June 30, 2020.