



1 A bill to be entitled
2 An act relating to school administration; amending s.
3 984.151, F.S.; conforming a cross-reference; amending
4 s. 1001.41, F.S.; requiring district school boards to
5 adopt a strategic plan; amending s. 1001.42, F.S.;
6 providing for certain standards for administrative
7 personnel and school officers; authorizing additional
8 internal audits as directed by the district school
9 board; revising the early warning system for certain
10 students; amending s. 1002.205, F.S.; requiring the
11 Department of Education to annually provide notice of
12 certain requirements and statutes; amending s.
13 1003.01, F.S.; revising and adding definitions;
14 amending s. 1003.02, F.S.; conforming a cross-
15 reference; amending s. 1003.23, F.S.; requiring
16 certain public school personnel and private schools to
17 maintain certain attendance records; amending s.
18 1003.24, F.S.; deleting a provision providing that the
19 absence of a student from school is prima facie
20 evidence for certain violations; amending s. 1003.26,
21 F.S.; revising provisions relating district
22 responsibilities to the enforcement of school
23 attendance and nonattendance policies; amending s.
24 1003.27, F.S.; revising provisions for court
25 procedures and penalties relating to compulsory school
26 attendance; amending s. 1003.435, F.S.; revising the



27 | allowable age for candidates for a high school
28 | equivalency diploma; deleting an exception; amending
29 | s. 1003.57, F.S.; revising definitions; revising the
30 | requirements for certain notices to parents of
31 | exceptional students; amending s. 1003.5715, F.S.;
32 | making technical changes; amending s. 1006.09, F.S.;
33 | requiring the department to periodically review the
34 | collection and classification of school incidents with
35 | stakeholders; amending s. 1006.283, F.S.; requiring
36 | school districts to notify parents of their ability to
37 | access homework assignments through a certain system;
38 | amending s. 1008.212; authorizing rather than
39 | requiring extraordinary exemptions be given to
40 | students; amending s. 1002.20, F.S.; providing parents
41 | and students the right to access student education
42 | records; amending s. 1006.147, F.S.; requiring school
43 | districts to revise bullying and harassment policies
44 | within a specified timeframe; deleting provisions
45 | relating to safe schools funds and reporting
46 | requirements; amending s. 1011.62, F.S.; creating a
47 | safe schools allocation to provide funding to school
48 | districts for certain safe schools activities;
49 | amending s. 1012.23, F.S.; revising school district
50 | personnel policies relating to principals and
51 | employees of the district school board; amending s.
52 | 1012.42, F.S.; providing that a parent of a student in



53 | certain classes may request his or her student be
54 | transferred to a classroom with an in-field teacher;
55 | requiring the school to respond to a parent's request
56 | within a specified timeframe and provide the parent
57 | with certain notifications; creating s. 1012.562;
58 | requiring the State Board of Education to maintain a
59 | system for development and approval of school leader
60 | preparation programs; authorizing the department to
61 | establish a process and criteria for initial and
62 | continued approval of Level I and Level II programs;
63 | providing criteria for initial and continued approval;
64 | providing responsibilities of programs; providing for
65 | rulemaking; amending s. 1012.795, F.S.; revising
66 | causes for suspension of educator certificates;
67 | amending s. 1012.98, F.S.; requiring a school
68 | district's professional development system to provide
69 | access to suicide prevention educational resources;
70 | amending s. 1012.986, F.S.; providing that the William
71 | Cecil Golden Professional Development Program for
72 | School Leaders shall consist of a network of state-
73 | approved school leader preparation programs;
74 | establishing an additional goal for the William Cecil
75 | Golden Professional Development Program for School
76 | Leaders; requiring training to be provided through
77 | school leader preparation programs; amending s.
78 | 112.3144, F.S.; revising provisions for the



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79 notification of unpaid automatic fines for certain
80 disclosure failures; providing an effective date.

81

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

83

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

86 984.151 Truancy petition; prosecution; disposition.—

87 (1) If the school determines that a student subject to
88 compulsory school attendance has had at least five unexcused
89 absences, or absences for which the reasons are unknown, within
90 a calendar month or 10 unexcused absences, or absences for which
91 the reasons are unknown, within a 90-calendar-day period
92 pursuant to s. 1003.26(2)(a)2. ~~1003.26(1)(b)~~, or has had more
93 than 15 unexcused absences in a 90-calendar-day period, the
94 superintendent of schools or his or her designee may file a
95 truancy petition.

96 Section 2. Subsection (8) is added to section 1001.41,
97 Florida Statutes, to read:

98 1001.41 General powers of district school board.—The
99 district school board, after considering recommendations
100 submitted by the district school superintendent, shall exercise
101 the following general powers:

102 (8) Adopt a strategic plan that aligns financial resources
103 and academic performance with the school board's mission and
104 long-term goals.



105 Section 3. Subsection (6), paragraph (1) of subsection
106 (12), and paragraphs (a) and (b) of subsection (18) of section
107 1001.42, Florida Statutes, are amended to read:

108 1001.42 Powers and duties of district school board.—The
109 district school board, acting as a board, shall exercise all
110 powers and perform all duties listed below:

111 (6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL
112 PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS
113 ADMINISTRATORS.—Adopt policies establishing standards of ethical
114 conduct for instructional personnel, administrative personnel,
115 and school officers administrators. The policies must require
116 all instructional personnel, administrative personnel, and
117 school officers administrators, as defined in s. 1012.01, to
118 complete training on the standards; establish the duty of
119 instructional personnel, administrative personnel, and school
120 officers administrators to report, and procedures for reporting,
121 alleged misconduct by other instructional or administrative
122 personnel and school officers school administrators which
123 affects the health, safety, or welfare of a student; and include
124 an explanation of the liability protections provided under ss.
125 39.203 and 768.095. A district school board, or any of its
126 employees, may not enter into a confidentiality agreement
127 regarding terminated or dismissed instructional or
128 administrative personnel or school officers administrators, ~~or~~
129 ~~personnel or administrators~~ who resign in lieu of termination,
130 based in whole or in part on misconduct that affects the health,



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131 safety, or welfare of a student, and may not provide
132 instructional personnel, administrative personnel, or school
133 officers ~~administrators~~ with employment references or discuss
134 the personnel's or officers' ~~administrators'~~ performance with
135 prospective employers in another educational setting, without
136 disclosing the personnel's or officers' ~~administrators'~~
137 misconduct. Any part of an agreement or contract that has the
138 purpose or effect of concealing misconduct by instructional
139 personnel, administrative personnel, or school officers
140 ~~administrators~~ which affects the health, safety, or welfare of a
141 student is void, is contrary to public policy, and may not be
142 enforced.

143 (12) FINANCE.—Take steps to assure students adequate
144 educational facilities through the financial procedure
145 authorized in chapters 1010 and 1011 and as prescribed below:

146 (1) Internal auditor.—May employ an internal auditor to
147 perform ongoing financial verification of the financial records
148 of the school district and such other audits and reviews as the
149 district school board directs for the purpose of determining the
150 adequacy of internal controls designed to prevent and detect
151 fraud, waste, and abuse; compliance with applicable laws, rules,
152 contracts, grant agreements, school board-approved policies, and
153 best practices; the efficiency of operations; the reliability of
154 financial records and reports; and the safeguarding of assets.
155 The internal auditor shall report directly to the district
156 school board or its designee.



157 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
158 Maintain a system of school improvement and education
159 accountability as provided by statute and State Board of
160 Education rule. This system of school improvement and education
161 accountability shall be consistent with, and implemented
162 through, the district's continuing system of planning and
163 budgeting required by this section and ss. 1008.385, 1010.01,
164 and 1011.01. This system of school improvement and education
165 accountability shall comply with the provisions of ss. 1008.33,
166 1008.34, 1008.345, and 1008.385 and include the following:

167 (a) School improvement plans.—

168 1. The district school board shall annually approve and require
169 implementation of a new, amended, or continuation school
170 improvement plan for each school in the district. If a school
171 has a significant gap in achievement on statewide, standardized
172 assessments administered pursuant to s. 1008.22 by one or more
173 student subgroups, as defined in the federal Elementary and
174 Secondary Education Act (ESEA), 20 U.S.C. s.
175 6311(b)(2)(C)(v)(II); has not significantly increased the
176 percentage of students passing statewide, standardized
177 assessments; has not significantly increased the percentage of
178 students demonstrating Learning Gains, as defined in s. 1008.34
179 and as calculated under s. 1008.34(3)(b), who passed statewide,
180 standardized assessments; or has significantly lower graduation
181 rates for a subgroup when compared to the state's graduation
182 rate, that school's improvement plan shall include strategies



183 for improving these results. The state board shall adopt rules
184 establishing thresholds and for determining compliance with this
185 subparagraph.

186 2. A school that includes any of grades 6, 7, or 8 shall
187 include annually in its school improvement plan information and
188 data on the school's early warning system required under
189 paragraph (b), including a list of the early warning indicators
190 used in the system, the number of students identified by the
191 system as exhibiting two or more early warning indicators, the
192 number of students by grade level that exhibit each early
193 warning indicator, and a description of all intervention
194 strategies employed by the school to improve the academic
195 performance of students identified by the early warning system.
196 In addition, a school that includes any of grades 6, 7, or 8
197 shall describe in its school improvement plan the strategies
198 used by the school to implement and evaluate the instructional
199 practices for middle grades emphasized by the district's
200 professional development system pursuant to s. 1012.98(4)(b)9.

201 (b) Early warning system.—

202 1. A school that includes any of grades 6, 7, or 8 shall
203 implement an early warning system to identify students in grades
204 6, 7, and 8 who need additional support to improve academic
205 performance and stay engaged in school. The early warning system
206 must include the following early warning indicators:

207 a. Attendance below 90 percent, regardless of whether
208 absence is excused or a result of out-of-school suspension.



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209 b. One or more suspensions, whether in school or out of
210 school.

211 c. Course failure in English Language Arts or mathematics.

212 d. A Level 1 score on the statewide, standardized
213 assessments in English Language Arts or mathematics.

214

215 A school district may identify additional early warning
216 indicators for use in a school's early warning system.

217 2. A school-based team responsible for implementing the
218 requirements of this paragraph shall monitor the data from the
219 early warning system in subparagraph (a)2. When a student
220 exhibits two or more early warning indicators, the team must ~~the~~
221 ~~school's child study team under s. 1003.02 or a school-based~~
222 ~~team formed for the purpose of implementing the requirements of~~
223 ~~this paragraph shall~~ convene to determine appropriate
224 intervention strategies for the student unless the student is
225 already being served by an intervention program. The school
226 shall provide at least 10 days' written notice of the meeting to
227 the student's parent, indicating the meeting's purpose, time,
228 and location, and provide the parent the opportunity to
229 participate. Data and information relating to the indicators
230 must be used to inform any intervention strategies provided to a
231 student identified under this paragraph.

232 Section 4. Section 1002.205, Florida Statutes, is amended
233 to read:

234 1002.205 Guidelines on religious expression;



235 | distribution.—The Department of Education shall each year
 236 | distribute for informational purposes to all district school
 237 | board members, district school superintendents, school
 238 | principals, and teachers the entire guidelines on "Religious
 239 | Expression in Public Schools" published by the United States
 240 | Department of Education, as updated from time to time, and
 241 | provide notice of the requirements of the Religious Freedom
 242 | Restoration Act of 1998 and s. 1003.4505, relating to protection
 243 | of school speech.

244 | Section 5. Subsection (13) of section 1003.01, Florida
 245 | Statutes, is amended, and subsection (17) is added to that
 246 | section, to read:

247 | 1003.01 Definitions.—As used in this chapter, the term:

248 | (13) "Regular school attendance" means the actual
 249 | attendance of a student during the school day as defined by law
 250 | and rules of the State Board of Education. Regular attendance
 251 | within the intent of s. 1003.21 may be achieved by attendance
 252 | in:

253 | (a) A public school supported by public funds;

254 | ~~(b) A parochial, religious, or denominational school;~~

255 | (b)-(e) A private school, including a parochial, religious,
 256 | or denominational school supported in whole or in part by
 257 | tuition charges or by endowments or gifts;

258 | (c)-(d) A home education program that meets the
 259 | requirements of chapter 1002; or

260 | (d)-(e) A private tutoring program that meets the



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261 requirements of chapter 1002.

262 (17) "Chronic absenteeism" means a student who has been
263 absent from school for ten percent or more of a school year for
264 any reason.

265 Section 6. Paragraph (b) of subsection (1) of section
266 1003.02, Florida Statutes, is amended to read:

267 1003.02 District school board operation and control of
268 public K-12 education within the school district.—As provided in
269 part II of chapter 1001, district school boards are
270 constitutionally and statutorily charged with the operation and
271 control of public K-12 education within their school district.
272 The district school boards must establish, organize, and operate
273 their public K-12 schools and educational programs, employees,
274 and facilities. Their responsibilities include staff
275 development, public K-12 school student education including
276 education for exceptional students and students in juvenile
277 justice programs, special programs, adult education programs,
278 and career education programs. Additionally, district school
279 boards must:

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

285 (b) Enforcement of attendance laws.—Provide for the
286 enforcement of all laws and rules relating to the attendance of



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287 students at school. District school boards are authorized to
288 establish policies that allow accumulated unexcused tardies,
289 regardless of when they occur during the school day, and early
290 departures from school to be recorded as unexcused absences.
291 District school boards are also authorized to establish policies
292 that require referral to a school's child study team for
293 students who have fewer absences than the number required by s.
294 1003.26(2)(a)2. ~~1003.26(1)(b).~~

295 Section 7. Section 1003.23, Florida Statutes, is amended
296 to read:

297 1003.23 Attendance records and reports.—

298 (1) PUBLIC SCHOOLS.—

299 (a) The attendance of all public K-12 school students
300 shall be checked each school day in the manner prescribed by
301 rules of the State Board of Education and recorded in the
302 teacher's register or by some approved system of recording
303 attendance. Students may be counted in attendance only if they
304 are ~~actually~~ present at school or are away from school on a
305 school day and are engaged in an educational activity which
306 constitutes a part of the school-approved instructional program
307 for the student.

308 (b) Instructional personnel and administrative personnel
309 in a public school shall keep all records and shall prepare and
310 submit promptly all reports that may be required by law and by
311 rules of the State Board of Education and district school
312 boards. Such records shall include a register of enrollment and



313 attendance that shows each student's enrollment and records his
 314 or her absence or attendance for each school day of the school
 315 year. The register shall be open for inspection by a designated
 316 school representative or the district school superintendent.

317 (2) PRIVATE SCHOOLS.~~Each All officials, teachers, and~~
 318 ~~other employees in public, parochial, religious, denominational,~~
 319 ~~and private school as defined in s. 1002.01 K-12 schools,~~
 320 including private tutors, shall record each student's attendance
 321 or absence for each school day of the school year in ~~keep all~~
 322 ~~records and shall prepare and submit promptly all reports that~~
 323 ~~may be required by law and by rules of the State Board of~~
 324 ~~Education and district school boards. Such records shall include~~
 325 ~~a register of enrollment and attendance~~ that documents the
 326 student's attendance in the school and compliance with its
 327 attendance policy and all persons described above shall make
 328 ~~these reports therefrom as may be required by the State Board of~~
 329 ~~Education. The enrollment register shall show the absence or~~
 330 ~~attendance of each student enrolled for each school day of the~~
 331 ~~year in a manner prescribed by the State Board of Education.~~
 332 Students may be counted in attendance only if they are engaged
 333 in an educational activity that constitutes a part of the
 334 instructional services provided by the school. The register
 335 shall be open for ~~the~~ inspection by a ~~the~~ designated private
 336 school representative or the district school superintendent of
 337 the district in which the private school is located, or his or
 338 her designee, for the purpose of confirming that a student is in



339 attendance at the school and in compliance with the private
340 school's attendance policy.

341 (3) Violation of the provisions of this section shall be a
342 misdemeanor of the second degree, punishable as provided by law.

343 (4) This section shall not apply to home education
344 programs provided in s. 1002.41.

345 Section 8. Section 1003.24, Florida Statutes, is amended
346 to read:

347 1003.24 Parents responsible for attendance of children;
348 attendance policy.—Each parent of a child within the compulsory
349 attendance age is responsible for the child's school attendance
350 as required by law. ~~The absence of a student from school is~~
351 ~~prima facie evidence of a violation of this section; however,~~
352 Criminal prosecution under this chapter may not be brought
353 against a parent until the provisions of s. 1003.26 have been
354 complied with. A parent of a student is not responsible for the
355 student's nonattendance at school under any of the following
356 conditions:

357 (1) WITH PERMISSION.—The absence was with permission of
358 the head of the school;

359 (2) WITHOUT KNOWLEDGE.—The absence was without the
360 parent's knowledge, consent, or connivance, in which case the
361 student shall be dealt with as a dependent child;

362 (3) FINANCIAL INABILITY.—The parent was unable financially
363 to provide necessary clothes for the student, which inability
364 was reported in writing to the superintendent prior to the



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365 opening of school or immediately after the beginning of such
366 inability, provided that the validity of any claim for exemption
367 under this subsection shall be determined by the district school
368 superintendent subject to appeal to the district school board;
369 or

370 (4) SICKNESS, INJURY, OR OTHER INSURMOUNTABLE CONDITION.—
371 Attendance was impracticable or inadvisable on account of
372 sickness or injury, attested to by a written statement of a
373 licensed practicing physician, or was impracticable because of
374 some other stated insurmountable condition as defined by rules
375 of the State Board of Education. If a student is continually
376 sick and repeatedly absent from school, he or she must be under
377 the supervision of a physician in order to receive an excuse
378 from attendance. Such excuse provides that a student's condition
379 justifies absence for more than the number of days permitted by
380 the district school board.

381
382 Each district school board shall establish an attendance policy
383 that includes, but is not limited to, the required number of
384 days each school year that a student must be in attendance and
385 the number of absences and tardinesses after which a statement
386 explaining such absences and tardinesses must be on file at the
387 school. Each school in the district must determine if an absence
388 or tardiness is excused or unexcused according to criteria
389 established by the district school board.

390 Section 9. Section 1003.26, Florida Statutes, is amended



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391 to read:

392 1003.26 Enforcement of school attendance.—The Legislature
393 finds that poor academic performance is associated with
394 nonattendance and that school districts must take an active role
395 in promoting and enforcing attendance as a means of improving
396 student performance. Early intervention in school attendance is
397 the most effective way of producing good attendance habits that
398 will lead to improved student learning and achievement.

399 (1) DISTRICT RESPONSIBILITIES.—Each ~~It is the policy of~~
400 ~~the state that each~~ district school superintendent is ~~be~~
401 responsible for enforcing school attendance of all students
402 subject to the compulsory school age in the school district and
403 supporting enforcement of school attendance by local law
404 enforcement agencies. The responsibility includes recommending
405 policies and procedures to the district school board that
406 require public schools to respond in a timely manner to every
407 unexcused absence, ~~and every absence for which the reason is~~
408 ~~unknown,~~ of students enrolled in the schools and when the
409 student is at risk of chronic absenteeism. District school board
410 policies shall require:

411 (a) The parent of a student to justify each absence of the
412 student, and that justification will be evaluated based on
413 adopted district school board policies that define excused and
414 unexcused absences. ~~The policies must~~

415 (b) Early intervention for students at risk of becoming
416 chronically absent based upon prior attendance data.



417 (c) ~~provide that~~ Public schools to track excused and
418 unexcused absences and contact the parent ~~home~~ in the case of an
419 unexcused absence from school, ~~or an absence from school for~~
420 ~~which the reason is unknown,~~ to prevent the development of
421 patterns of nonattendance. ~~The Legislature finds that early~~
422 ~~intervention in school attendance is the most effective way of~~
423 ~~producing good attendance habits that will lead to improved~~
424 ~~student learning and achievement.~~

425 (2) NONATTENDANCE AND NONENROLLMENT.—Each public school
426 shall implement the following steps to promote and enforce
427 regular school attendance:

428 (a)(1) CONTACT, REFER, AND ENFORCE.—

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

437 2.(b) If a student has had at least five unexcused
438 absences, ~~or absences for which the reasons are unknown,~~ within
439 a calendar month or 10 ~~unexcused~~ absences, for any reason ~~or~~
440 ~~absences for which the reasons are unknown,~~ within a 90-
441 calendar-day period, the student's primary teacher shall report
442 to the school principal or his or her designee that the student



443 may be exhibiting a pattern of nonattendance. The principal
444 shall, unless there is clear evidence that the absences are not
445 a pattern of nonattendance, refer the case to the school's
446 attendance child study team to determine if early patterns of
447 chronic absenteeism truancy are developing and impacting the
448 student's academic performance. If the attendance child study
449 team finds that a pattern of nonattendance is developing,
450 ~~whether the absences are excused or not,~~ a meeting with the
451 parent must be scheduled to identify and address the causes of
452 nonattendance. ~~potential remedies,~~ and The principal shall
453 notify the district school superintendent and the school
454 district contact for home education programs that the referred
455 student is exhibiting a pattern of nonattendance.

456 3.(e) If an initial meeting does not resolve the problem,
457 the attendance child study team shall ~~implement the following:~~

458 a.1. Make frequent attempts to ~~at~~ communicate with
459 ~~communication between the teacher and the family.~~

460 b.2. Evaluate the need ~~Evaluation~~ for alternative
461 education programs.

462 c.3. Attempt to enter into an attendance contract
463 ~~contracts.~~

464 d. Notify parents of the services available for parents
465 and children pursuant to s. 1002.23(2) (b).

466 e. Evaluate whether referral to other agencies for family
467 services is warranted.

468



469 The attendance ~~child study~~ team may, but is not required to,
470 implement other interventions, including a ~~referral to other~~
471 ~~agencies for family services or~~ recommendation for filing a
472 truancy petition pursuant to s. 984.151.

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

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

488 6.a.(f)1. If the parent of a child who has been identified
489 as exhibiting a pattern of nonattendance enrolls the child in a
490 home education program pursuant to chapter 1002, the district
491 school superintendent shall provide the parent a copy of s.
492 1002.41 and the accountability requirements of this paragraph.
493 The district school superintendent shall also refer the parent
494 to a home education review committee composed of the district



495 contact for home education programs and at least two home
496 educators selected by the parent from a district list of all
497 home educators who have conducted a home education program for
498 at least 3 years and who have indicated a willingness to serve
499 on the committee. The home education review committee shall
500 review the portfolio of the student, as defined by s. 1002.41,
501 every 30 days during the district's regular school terms until
502 the committee is satisfied that the home education program is in
503 compliance with s. 1002.41(1)(b). The first portfolio review
504 must occur within the first 30 calendar days of the
505 establishment of the program. The provisions of sub-subparagraph
506 b. ~~subparagraph 2.~~ do not apply once the committee determines
507 the home education program is in compliance with s.
508 1002.41(1)(b).

509 b.2. If the parent fails to provide a portfolio to the
510 committee, the committee shall notify the district school
511 superintendent. The district school superintendent shall then
512 terminate the home education program and require the parent to
513 enroll the child in an attendance option that meets the
514 definition of "regular school attendance" under s.
515 1003.01(13)(a), (b), ~~(c)~~, or (d) ~~(e)~~, within 3 days. Upon
516 termination of a home education program pursuant to this
517 subparagraph, the parent shall not be eligible to reenroll the
518 child in a home education program for 180 calendar days. Failure
519 of a parent to enroll the child in an attendance option as
520 required by this subparagraph after termination of the home



521 education program pursuant to this subparagraph shall constitute
522 noncompliance with the compulsory attendance requirements of s.
523 1003.21 and may result in criminal prosecution under s.
524 1003.27(2). Nothing contained herein shall restrict the ability
525 of the district school superintendent, or the ability of his or
526 her designee, to review the portfolio pursuant to s.
527 1002.41(1)(b).

528 ~~7.(g)~~ If a student subject to compulsory school attendance
529 will not comply with attempts to enforce school attendance, the
530 parent or the district school superintendent or his or her
531 designee shall refer the case to the case staffing committee
532 pursuant to s. 984.12, and the district school superintendent or
533 his or her designee may file a truancy petition pursuant to the
534 procedures in s. 984.151.

535 8. If the activities required under this subsection do not
536 remedy the student's nonattendance, the district school
537 superintendent or his or her designee shall give written notice
538 in person or by return-receipt mail to the parent that criminal
539 prosecution is being sought for nonattendance. The district
540 school superintendent may file a truancy petition as defined in
541 s. 984.03 following the procedures outlined in s. 984.151.

542 ~~(b)(2) GIVE WRITTEN NOTICE.—~~

543 ~~(a)~~ When a student subject to compulsory school attendance
544 is not enrolled in any educational option that meets the
545 definition of regular school attendance under s. 1003.01(13),
546 Under the direction of the district school superintendent, or



547 | his or her designee, a designated school representative shall
548 | give written notice in person or by return-receipt mail to the
549 | student's parent that requires the student's enrollment in an
550 | attendance option defined under s. 1003.01(13) ~~or attendance~~
551 | within 3 days after the receipt date of notice, ~~in person or by~~
552 | ~~return-receipt mail, to the parent when no valid reason is found~~
553 | ~~for a student's nonenrollment in school.~~ If the notice and
554 | requirement are ignored, ~~the designated school representative~~
555 | ~~shall report the case to the district school superintendent, or~~
556 | his or her designee shall ~~and may~~ refer the case to the case
557 | staffing committee under, ~~established pursuant to s. 984.12.~~ The
558 | ~~district school superintendent~~ and may shall take such steps as
559 | are necessary to bring criminal prosecution against the parent.

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

567 | (3) RETURN STUDENT TO PARENT.—A designated school
568 | representative may visit the home or place of residence of a
569 | student and any other place in which he or she is likely to find
570 | any student who is required to attend school when the student is
571 | not enrolled or is absent from school during school hours
572 | without an excuse, and, when the student is found, shall return



573 | the student to his or her parent or to the principal or teacher
574 | in charge of the school, or to the private tutor from whom
575 | absent, or to the juvenile assessment center or other location
576 | established by the district school board to receive students who
577 | are absent from school. Upon receipt of the student, the parent
578 | shall be immediately notified.

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

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

592 | Section 10. Subsections (2) and (5) and paragraph (a) of
593 | subsection (7) of section 1003.27, Florida Statutes, are
594 | amended, subsections (4) through (7) are renumbered as
595 | subsections (5) through (8), respectively, and a new subsection
596 | (4) is added to that section, to read:

597 | 1003.27 Court procedure and penalties.—The court procedure
598 | and penalties for the enforcement of the provisions of this



599 part, relating to compulsory school attendance, shall be as
600 follows:

601 (2) ~~NONENROLLMENT AND NONATTENDANCE CASES.—~~

602 (a) Once all reasonable efforts to resolve a student's
603 nonattendance under s. 1003.26(2)(a) are exhausted ~~In each case~~
604 ~~of nonenrollment or of nonattendance upon the part of a student~~
605 ~~who is required to attend some school, when no valid reason for~~
606 ~~such nonenrollment or nonattendance is found, the district~~
607 school superintendent shall institute a criminal prosecution
608 against the student's parent.

609 (b) Each public school principal or the principal's
610 designee shall notify the district school board of each minor
611 student under its jurisdiction who is habitually truant as
612 defined in s. 1003.01(8) ~~accumulates 15 unexcused absences in a~~
613 ~~period of 90 calendar days.~~ Each designee of the governing body
614 of each private school, and each parent whose child is enrolled
615 in a home education program, may provide the Department of
616 Highway Safety and Motor Vehicles with the legal name, sex, date
617 of birth, and social security number of each minor student under
618 his or her jurisdiction who fails to satisfy relevant attendance
619 requirements and who fails to otherwise satisfy the requirements
620 of s. 322.091. The district school superintendent must provide
621 the Department of Highway Safety and Motor Vehicles the legal
622 name, sex, date of birth, and social security number of each
623 minor student who has been reported under this paragraph and who
624 fails to otherwise satisfy the requirements of s. 322.091. The



625 Department of Highway Safety and Motor Vehicles may not issue a
626 driver license or learner's driver license to, and shall suspend
627 any previously issued driver license or learner's driver license
628 of, any such minor student, pursuant to the provisions of s.
629 322.091.

630 (4) NONENROLLMENT CASES.—Once all reasonable efforts to
631 resolve a student's nonenrollment under s. 1003.26(2)(b) are
632 exhausted, including parental notice and referral to the case
633 staffing committee, the district school superintendent shall
634 institute a criminal prosecution against the student's parent.

635 (6)(5) ATTENDANCE REGISTER AS EVIDENCE.—The register of
636 enrollment and attendance of students at a public, ~~parochial,~~
637 ~~religious, denominational,~~ or private school, or of students
638 taught by a private tutor, kept in compliance with s. 1003.23
639 rules of the State Board of Education is prima facie evidence
640 that a student is enrolled in and attending the public school,
641 private school, or private tutoring program of the facts which
642 it is required to show. A certified copy of any rule and a
643 statement of the date of its adoption by the State Board of
644 Education is admissible as prima facie evidence of the
645 provisions of the rule and of the date of its adoption.

646 (8)(7) PENALTIES.—The penalties for refusing or failing to
647 comply with this chapter shall be as follows:

648 (a) The parent.—

649 1. A parent who refuses or fails to have a minor student
650 who is under his or her control enroll in or attend school



651 regularly, or who refuses or fails to comply with the
652 requirements in subsection (3), commits a misdemeanor of the
653 second degree, punishable as provided in s. 775.082 or s.
654 775.083.

655 2. The continued or habitual absence of a minor student
656 without the consent of the principal or teacher in charge of the
657 school he or she attends or should attend, or of the tutor who
658 instructs or should instruct him or her, is prima facie evidence
659 of a violation of this chapter; however, a showing that the
660 parent has made a bona fide and diligent effort to control and
661 keep the student in school shall be an affirmative defense to
662 any criminal or other liability under this subsection and the
663 court shall refer the parent and child for counseling, guidance,
664 or other needed services.

665 3. In addition to any other punishment, the court shall
666 order a parent who has violated this section to send the minor
667 student to school, and may also order the parent to participate
668 in an approved parent training class, attend school with the
669 student unless this would cause undue hardship, perform
670 community service hours at the school, or participate in
671 counseling or other services, as appropriate. If a parent is
672 ordered to attend school with a student, the school shall
673 provide for programming to educate the parent and student on the
674 importance of school attendance. It shall be unlawful to
675 terminate any employee solely because he or she is attending
676 school with his or her child pursuant to a court order.



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677 Section 11. Subsection (4) of section 1003.435, Florida
678 Statutes, is amended to read:

679 1003.435 High school equivalency diploma program.—

680 (4) A candidate for a high school equivalency diploma
681 shall be at least 16 ~~18~~ years of age on the date of the
682 examination, ~~except that in extraordinary circumstances, as~~
683 ~~provided for in rules of the district school board of the~~
684 ~~district in which the candidate resides or attends school, a~~
685 ~~candidate may take the examination after reaching the age of 16.~~

686 Section 12. Paragraphs (a), (c), and (j) of subsection (1)
687 of section 1003.57, Florida Statutes, are amended to read:

688 1003.57 Exceptional students instruction.—

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

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

696 a. "Exceptional student education center" or "special day
697 school" means a separate public school to which nondisabled
698 peers do not have access.

699 b. "Other separate environment" means a separate private
700 school, residential facility, or hospital or homebound program.

701 c. "Regular class placement" means ~~a class in which a~~
702 student spends 80 percent or more of the school week with



703 nondisabled peers.

704 d. "Resource placement room " means ~~a classroom in which~~ a
705 student spends between 40 percent to 80 percent of the school
706 week with nondisabled peers.

707 e. "Separate class placement" means ~~a class in which~~ a
708 student spends less than 40 percent of the school week with
709 nondisabled peers.

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

722 (c) A student may not be given special instruction or
723 services as an exceptional student until after he or she has
724 been properly evaluated and found eligible as an exceptional
725 student in the manner prescribed by rules of the State Board of
726 Education. The parent of an exceptional student evaluated and
727 found eligible or ineligible shall be notified of each such
728 evaluation and determination. Such notice shall contain a



729 statement informing the parent that he or she is entitled to a
730 due process hearing on the identification, evaluation, ~~and~~
731 eligibility determination, education placement, or the provision
732 of a free appropriate public education ~~lack thereof~~. Such
733 hearings are exempt from ss. 120.569, 120.57, and 286.011,
734 except to the extent that the State Board of Education adopts
735 rules establishing other procedures. Any records created as a
736 result of such hearings are confidential and exempt from s.
737 119.07(1). The hearing must be conducted by an administrative
738 law judge from the Division of Administrative Hearings pursuant
739 to a contract between the Department of Education and the
740 Division of Administrative Hearings. The decision of the
741 administrative law judge is final, except that any party
742 aggrieved by the finding and decision rendered by the
743 administrative law judge has the right to bring a civil action
744 in the state circuit court. In such an action, the court shall
745 receive the records of the administrative hearing and shall hear
746 additional evidence at the request of either party. In the
747 alternative, in hearings conducted on behalf of a student who is
748 identified as gifted, any party aggrieved by the finding and
749 decision rendered by the administrative law judge has the right
750 to request a review of the administrative law judge's order by
751 the district court of appeal as provided in s. 120.68.

752 (j) The district school board shall provide each parent
753 with information regarding the amount that the school district
754 receives from the state appropriation for each of the five



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755 | exceptional student education support levels for a full-time
756 | student. The school district shall provide this information at
757 | the initial meeting of a student's individual education plan
758 | team each school year.

759 | Section 13. Subsection (4) of section 1003.5715, Florida
760 | Statutes, is amended to read:

761 | 1003.5715 Parental consent; individual education plan.—

762 | (4) Except for a change in placement described in s.
763 | 1003.57(1)(h), if a school district determines that there is a
764 | need to change an exceptional student's IEP as it relates to
765 | actions described in subsection (1), the school must hold an IEP
766 | Team meeting that includes the parent to discuss the reason for
767 | the change. The school shall provide written notice of the
768 | meeting to the parent at least 10 days before the meeting,
769 | indicating the purpose, time, and location of the meeting and
770 | who, by title or position, will attend the meeting. The 10-day
771 | notice of the IEP Team meeting requirement may be waived by
772 | informed consent of the parent after the parent receives the
773 | written notice.

774 | Section 14. Subsection (7) of section 1006.09, Florida
775 | Statutes, is amended to read:

776 | 1006.09 Duties of school principal relating to student
777 | discipline and school safety.—

778 | (7) The State Board of Education shall adopt by rule a
779 | standardized form to be used by each school principal to report
780 | data concerning school safety and discipline. The department



781 shall periodically review the collection and classification of
782 school incidents with stakeholders to increase the accuracy and
783 transparency of school environment and safety incident
784 reporting.

785 Section 15. Paragraph (b) of subsection (2) of section
786 1006.283, Florida Statutes, is amended to read:

787 1006.283 District school board instructional materials
788 review process.—

789 (2)

790 (b) District school board rules must also:

791 1. Identify, by subject area, a review cycle for
792 instructional materials.

793 2. Specify the qualifications for an instructional
794 materials reviewer and the process for selecting reviewers; list
795 a reviewer's duties and responsibilities, including compliance
796 with the requirements of s. 1006.31; and provide that all
797 instructional materials recommended by a reviewer be accompanied
798 by the reviewer's statement that the materials align with the
799 state standards pursuant to s. 1003.41 and the requirements of
800 s. 1006.31.

801 3. State the requirements for an affidavit to be made by
802 each district instructional materials reviewer which
803 substantially meet the requirements of s. 1006.30.

804 4. Comply with s. 1006.32, relating to prohibited acts.

805 5. Establish a process that certifies the accuracy of
806 instructional materials.



807 6. Incorporate applicable requirements of s. 1006.31,
808 which relates to the duties of instructional materials
809 reviewers.

810 7. Incorporate applicable requirements of s. 1006.38,
811 relating to the duties, responsibilities, and requirements of
812 publishers of instructional materials.

813 8. Establish the process by which instructional materials
814 are adopted by the district school board, which must include:

815 a. A process to allow student editions of recommended
816 instructional materials to be accessed and viewed online by the
817 public at least 20 calendar days before the school board hearing
818 and public meeting as specified in this subparagraph. This
819 process must include reasonable safeguards against the
820 unauthorized use, reproduction, and distribution of
821 instructional materials considered for adoption.

822 b. An open, noticed school board hearing to receive public
823 comment on the recommended instructional materials.

824 c. An open, noticed public meeting to approve an annual
825 instructional materials plan to identify any instructional
826 materials that will be purchased through the district school
827 board instructional materials review process pursuant to this
828 section. This public meeting must be held on a different date
829 than the school board hearing.

830 d. Notice requirements for the school board hearing and
831 the public meeting that must specifically state which
832 instructional materials are being reviewed and the manner in



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833 | which the instructional materials can be accessed for public
834 | review.

835 | 9. Establish the process by which the district school
836 | board shall receive public comment on, and review, the
837 | recommended instructional materials.

838 | 10. Establish the process by which instructional materials
839 | will be purchased, including advertising, bidding, and
840 | purchasing requirements.

841 | 11. Establish the process by which the school district
842 | will notify parents of their ability to access their children's
843 | instructional materials and homework assignments through the
844 | district's local instructional improvement system and by which
845 | the school district will encourage parents to access the system.
846 | This notification must be displayed prominently on the school
847 | district's website and provided annually in written format to
848 | all parents of enrolled students.

849 | Section 16. Subsection (2) of section 1008.212, Florida
850 | Statutes, is amended to read:

851 | 1008.212 Students with disabilities; extraordinary
852 | exemption.—

853 | (2) A student with a disability for whom the individual
854 | education plan (IEP) team determines is prevented by a
855 | circumstance or condition from physically demonstrating the
856 | mastery of skills that have been acquired and are measured by
857 | the statewide standardized assessment, a statewide standardized
858 | end-of-course assessment, or an alternate assessment pursuant to



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859 s. 1008.22(3)(c) may ~~shall~~ be granted an extraordinary exemption
860 from the administration of the assessment. A learning,
861 emotional, behavioral, or significant cognitive disability, or
862 the receipt of services through the homebound or hospitalized
863 program in accordance with rule 6A-6.03020, Florida
864 Administrative Code, is not, in and of itself, an adequate
865 criterion for the granting of an extraordinary exemption.

866 Section 17. Subsection (25) is added to section 1002.20,
867 Florida Statutes, to read:

868 1002.20 K-12 student and parent rights.—Parents of public
869 school students must receive accurate and timely information
870 regarding their child's academic progress and must be informed
871 of ways they can help their child to succeed in school. K-12
872 students and their parents are afforded numerous statutory
873 rights including, but not limited to, the following:

874 (25) ACCESS TO EDUCATION RECORDS.—Students and their
875 parents have the right to inspect the student's education
876 records, in accordance with s. 1002.22(2), within a reasonable
877 time but no more than 14 days after the student or parent
878 requests access to the records. Students and their parents also
879 have the right to request and receive copies of the student's
880 education records within a reasonable time under reasonable
881 conditions, subject to a fee in accordance with s. 119.07(4).

882 Section 18. Subsections (4), (7), and (8) of section
883 1006.147, Florida Statutes, are amended to read:

884 1006.147 Bullying and harassment prohibited.—



885 (4) Each school district shall adopt and review at least
886 every 3 years a policy prohibiting bullying and harassment of a
887 student or employee of a public K-12 educational institution.
888 Each school district's policy shall be in substantial conformity
889 with the Department of Education's model policy. The school
890 district bullying and harassment policy shall afford all
891 students the same protection regardless of their status under
892 the law. The school district may establish separate
893 discrimination policies that include categories of students. The
894 school district shall involve students, parents, teachers,
895 administrators, school staff, school volunteers, community
896 representatives, and local law enforcement agencies in the
897 process of adopting and reviewing the policy. The school
898 district policy must be implemented by each school principal in
899 a manner that is ongoing throughout the school year and
900 integrated with the a school's curriculum, bullying prevention
901 and intervention program, ~~a school's~~ discipline policies, and
902 other violence prevention efforts. The school district policy
903 must contain, at a minimum, the following components:
904 (a) A statement prohibiting bullying and harassment.
905 (b) A definition of bullying and a definition of
906 harassment that include the definitions listed in this section.
907 (c) A description of the type of behavior expected from
908 each student and employee of a public K-12 educational
909 institution.
910 (d) The consequences for a student or employee of a public



911 K-12 educational institution who commits an act of bullying or
912 harassment.

913 (e) The consequences for a student or employee of a public
914 K-12 educational institution who is found to have wrongfully and
915 intentionally accused another of an act of bullying or
916 harassment.

917 (f) A procedure for receiving reports of ~~reporting~~ an
918 alleged act of bullying or harassment, including provisions that
919 permit a person to anonymously report such an act. However, this
920 paragraph does not permit formal disciplinary action to be based
921 solely on an anonymous report.

922 (g) A procedure for the prompt investigation of a report
923 of bullying or harassment and the persons responsible for the
924 investigation. The investigation of a reported act of bullying
925 or harassment is deemed to be a school-related activity and
926 begins with a report of such an act. Incidents that require a
927 reasonable investigation when reported to appropriate school
928 authorities shall include alleged incidents of bullying or
929 harassment allegedly committed against a child while the child
930 is en route to school aboard a school bus or at a school bus
931 stop.

932 (h) A process to investigate whether a reported act of
933 bullying or harassment is within the scope of the district
934 school system and, if not, a process for referral of such an act
935 to the appropriate jurisdiction. Computers without web-filtering
936 software or computers with web-filtering software that is



937 disabled shall be used when complaints of cyberbullying are
938 investigated.

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

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

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

956 (l) A list of programs authorized by the school district
957 that provide ~~procedure for providing~~ instruction to students,
958 parents, teachers, school administrators, counseling staff, and
959 school volunteers on identifying, preventing, and responding to
960 bullying or harassment, including instruction on recognizing
961 behaviors that lead to bullying and harassment and taking
962 appropriate preventive action based on those observations.



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

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

968 ~~(7) Distribution of safe schools funds provided to a~~
969 ~~school district shall be contingent upon and payable to the~~
970 ~~school district upon the school district's compliance with all~~
971 ~~reporting procedures contained in this section.~~

972 ~~(8) On or before January 1 of each year, the Commissioner~~
973 ~~of Education shall report to the Governor, the President of the~~
974 ~~Senate, and the Speaker of the House of Representatives on the~~
975 ~~implementation of this section. The report shall include data~~
976 ~~collected pursuant to paragraph (4) (k).~~

977 Section 19. Subsection (16) is added to section 1011.62,
978 Florida Statutes, to read:

979 1011.62 Funds for operation of schools.—If the annual
980 allocation from the Florida Education Finance Program to each
981 district for operation of schools is not determined in the
982 annual appropriations act or the substantive bill implementing
983 the annual appropriations act, it shall be determined as
984 follows:

985 (16) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
986 created to provide funding for allowable safe schools
987 activities. Each school district shall receive a minimum safe
988 schools allocation in an amount provided in the General



989 Appropriations Act. Of the remaining funds provided in the
 990 General Appropriations Act for safe schools activities, two-
 991 thirds shall be allocated among the school districts based on
 992 each district's proportionate share of Total Index Crime for
 993 Florida by county reported by the Department of Law Enforcement
 994 in its most recent Uniform Crime Reports offense data and one-
 995 third shall be allocated based on each district's proportionate
 996 share of the state's total unweighted full-time equivalent
 997 student enrollment. Allowable safe schools activities shall be
 998 provided in the General Appropriations Act. The department shall
 999 monitor compliance with the reporting procedures of ss. 1006.09
 1000 and 1006.147. If a district does not comply with the reporting
 1001 procedures, the district's funds from the safe schools
 1002 allocation shall be withheld and reallocated to other school
 1003 districts. Each school district shall report to the Department
 1004 of Education the amount of funds expended for each of the
 1005 allowable safe schools activities.

1006 Section 20. Section 1012.23, Florida Statutes, is amended
 1007 to read:

1008 1012.23 School district personnel policies.—

1009 (1) Except as otherwise provided by law or the State
 1010 Constitution, district school boards may adopt rules governing
 1011 personnel matters, including the assignment of duties and
 1012 responsibilities for all district employees. District school
 1013 boards shall establish criteria to identify, recruit, train, and
 1014 mentor aspiring principals.



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1015 (2) Neither the superintendent nor a district school board
1016 member may appoint or ~~not employ or appoint~~ a relative, as
1017 defined in s. 112.3135, to work under the direct supervision of
1018 that district school board member or superintendent. The
1019 Commission on Ethics shall accept and investigate any alleged
1020 violations of this section pursuant to the procedures contained
1021 in ss. 112.322-112.3241.

1022 Section 21. Subsection (2) of section 1012.42, Florida
1023 Statutes, is amended to read:

1024 1012.42 Teacher teaching out-of-field.—

1025 (2) NOTIFICATION REQUIREMENTS.—When a teacher in a
1026 district school system is assigned teaching duties in a class
1027 dealing with subject matter that is outside the field in which
1028 the teacher is certified, outside the field that was the
1029 applicant's minor field of study, or outside the field in which
1030 the applicant has demonstrated sufficient subject area
1031 expertise, as determined by district school board policy in the
1032 subject area to be taught, the parents of all students in the
1033 class shall be notified in writing of such assignment and
1034 virtual instruction options. The parent of a student in the
1035 class may request the school to transfer the student to another
1036 class taught by an in-field teacher.

1037 Section 22. Section 1012.562, Florida Statutes, is created
1038 to read:

1039 1012.562 Public accountability and state approval of
1040 school leader preparation programs.—



1041 (1) PURPOSE.—The State Board of Education shall maintain a
1042 system for the development and approval of school leader
1043 preparation programs to:

1044 (a) Increase the supply of effective school leaders in the
1045 public schools of this state.

1046 (b) Produce school leaders who are prepared to lead
1047 Florida's diverse student population in meeting high standards
1048 for academic achievement.

1049 (c) Enable school leaders to facilitate the development
1050 and retention of effective and highly effective classroom
1051 teachers.

1052 (d) Hold approved programs accountable for producing
1053 program completers with the competencies and skills necessary to
1054 achieve state education goals.

1055 (e) Sustain the state system of school improvement and
1056 education accountability established pursuant to ss. 1000.03(5)
1057 and 1008.345.

1058 (2) PROGRAMS AUTHORIZED.—The Department of Education shall
1059 establish an initial and continued program approval process for
1060 school leader preparation programs. The department may approve
1061 two types of school leader preparation programs to enable
1062 aspiring school leaders to obtain certification pursuant to s.
1063 1012.56. Level I programs may be offered by school districts and
1064 postsecondary institutions and lead to initial certification in
1065 educational leadership for the purpose of preparing individuals
1066 to serve as school administrators. Level II programs may be



1067 offered by school districts, build upon Level I training, and
1068 lead to certification as a school principal. Level I and Level
1069 II programs must be competency-based, aligned to the principal
1070 leadership standards adopted by the state board, and open to
1071 individuals employed by public schools, including charter
1072 schools and virtual schools. Initial and continued approval of
1073 such programs is effective for a term of 5 years and shall be
1074 based upon the criteria provided in this section and rules of
1075 the state board.

1076 (3) INITIAL APPROVAL OF LEVEL I PROGRAMS.—A school
1077 district or postsecondary institution seeking to establish a
1078 Level I program must:

1079 (a) Demonstrate that it has the capacity to provide
1080 competency-based training that is aligned to the principal
1081 leadership standards adopted by the state board.

1082 (b) Have a partnership with at least one school district,
1083 if program approval is sought by a postsecondary institution.

1084 (c) Describe the qualifications that will be used to
1085 determine program admission, which must include consideration of
1086 each candidate's instructional expertise and leadership
1087 potential.

1088 (d) Describe how training provided through the program
1089 will be aligned to personnel evaluations under s. 1012.34 and
1090 the William Cecil Golden Professional Development Program for
1091 School Leaders under s. 1012.986.

1092 (4) CONTINUED APPROVAL OF LEVEL I PROGRAMS.—Continued



1093 approval of a Level I program shall be based upon evidence that
1094 the program continues to implement the requirements for initial
1095 approval and significant, objective, and quantifiable measures
1096 of the program's performance and the performance of program
1097 completers.

1098 (a) The criteria for continued approval must include:

1099 1. The placement rate of program completers into school
1100 leadership positions in public schools and private schools in
1101 the state.

1102 2. Annual personnel evaluation results of program
1103 completers under s. 1012.34.

1104 3. The passage rate of program completers on the Florida
1105 Educational Leadership Examination established pursuant to s.
1106 1012.56.

1107 4. Program completers' impact on student learning as
1108 measured by the learning growth model approved pursuant to s.
1109 1012.34.

1110 (b) Each Level I program must prepare and submit to the
1111 department an institutional program evaluation plan. Each
1112 institutional program evaluation plan must incorporate the
1113 criteria established in paragraph (a) and rules of the state
1114 board and may include additional data chosen by the program. The
1115 plan must provide information on how the program addresses
1116 continuous program improvement and must include provisions for
1117 involving primary stakeholders, such as program completers,
1118 public school personnel, classroom teachers, principals,



1119 community agencies, and business representatives in the
1120 evaluation process.

1121 (c) Each Level I program must guarantee the high quality
1122 of its program completers during the first 2 years immediately
1123 after completion of the program or initial certification,
1124 whichever occurs first. Any program completer who is employed in
1125 a public school in the state during this 2-year period and who
1126 earns an evaluation result other than effective or highly
1127 effective on the school district's personnel evaluation pursuant
1128 to s. 1012.34 shall be provided additional training by the
1129 school leadership preparation program at no expense to the
1130 program completer or the employer, if additional training is
1131 requested by the employer. Such training must consist of an
1132 individualized plan agreed upon by the employer and the program
1133 which includes specific learning outcomes. The program assumes
1134 no responsibility for the program completer's employment
1135 contract with the employer.

1136 (5) INITIAL AND CONTINUED APPROVAL OF LEVEL II PROGRAMS.—A
1137 school district seeking initial or continued approval to offer a
1138 Level II program must:

1139 (a) Demonstrate that it admits candidates who have:

1140 1. Obtained certification in educational leadership
1141 pursuant to 1012.56.

1142 2. Earned an effective or highly effective rating on his
1143 or her personnel evaluation pursuant to s. 1012.34 in each year
1144 of employment since obtaining certification in educational



1145 leadership.

1146 3. Satisfactorily performed instructional leadership
1147 responsibilities, as measured by his or her personnel evaluation
1148 under s. 1012.34.

1149 (b) Demonstrate that the program:

1150 1. Uses a sustained, competency-based and job-embedded
1151 approach to school leader preparation and ongoing professional
1152 development that is aligned to the principal leadership
1153 standards adopted by the state board.

1154 2. Provides training that is aligned to personnel
1155 evaluation systems under s. 1012.34 and professional development
1156 provided through the William Cecil Golden Professional
1157 Development Program for School Leaders under s. 1012.986.

1158 3. Provides individualized instruction using a customized
1159 learning plan that is based upon data gathered from self-
1160 assessment, selection, and appraisal instruments aligned to the
1161 competencies to be demonstrated in the program.

1162 4. Conducts program evaluations and implements program
1163 improvements based upon input from program completers and
1164 employers, information regarding the effectiveness of the
1165 training and professional development offered through the
1166 program, and data from various sources, including data specified
1167 in paragraph (4) (a).

1168 5. Meets monitoring and implementation requirements as
1169 established by the state board pursuant to this section.

1170 (6) RULEMAKING.—The State Board of Education shall adopt



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1171 rules for initial and continued approval of Level I and Level II
1172 school leadership preparation programs, including a program
1173 review process, the continued approval timelines, and the
1174 performance level targets for each of the continued approval
1175 criteria in subsections (4) and (5). The Commissioner of
1176 Education shall determine the continued approval of each Level I
1177 or Level II program based upon the data collected pursuant to
1178 this section and criteria adopted by the state board, which may
1179 include, but is not limited to, a program completer's
1180 satisfaction with instruction, an employer's satisfaction with
1181 program completers, and the program's responsiveness to the
1182 needs of local school districts.

1183 Section 23. Paragraph (b) of subsection (1) of section
1184 1012.795, Florida Statutes, is amended to read:

1185 1012.795 Education Practices Commission; authority to
1186 discipline.—

1187 (1) The Education Practices Commission may suspend the
1188 educator certificate of any person as defined in s. 1012.01(2)
1189 or (3) for up to 5 years, thereby denying that person the right
1190 to teach or otherwise be employed by a district school board or
1191 public school in any capacity requiring direct contact with
1192 students for that period of time, after which the holder may
1193 return to teaching as provided in subsection (4); may revoke the
1194 educator certificate of any person, thereby denying that person
1195 the right to teach or otherwise be employed by a district school
1196 board or public school in any capacity requiring direct contact



1197 | with students for up to 10 years, with reinstatement subject to
 1198 | the provisions of subsection (4); may revoke permanently the
 1199 | educator certificate of any person thereby denying that person
 1200 | the right to teach or otherwise be employed by a district school
 1201 | board or public school in any capacity requiring direct contact
 1202 | with students; may suspend the educator certificate, upon an
 1203 | order of the court or notice by the Department of Revenue
 1204 | relating to the payment of child support; or may impose any
 1205 | other penalty provided by law, if the person:

1206 | (b) Knowingly failed to report actual or suspected child
 1207 | abuse as required in s. 1006.061, an actual or suspected
 1208 | incident of bullying or harassment as required in 1006.147, an
 1209 | actual or suspected incident of hazing as required in 1006.135,
 1210 | or report alleged misconduct by instructional personnel or
 1211 | school administrators which affects the health, safety, or
 1212 | welfare of a student as required in s. 1012.796.

1213 | Section 24. Paragraph (b) of subsection (4) of section
 1214 | 1012.98, Florida Statutes, is amended to read:

1215 | 1012.98 School Community Professional Development Act.—

1216 | (4) The Department of Education, school districts,
 1217 | schools, Florida College System institutions, and state
 1218 | universities share the responsibilities described in this
 1219 | section. These responsibilities include the following:

1220 | (b) Each school district shall develop a professional
 1221 | development system as specified in subsection (3). The system
 1222 | shall be developed in consultation with teachers, teacher-



1223 educators of Florida College System institutions and state
1224 universities, business and community representatives, and local
1225 education foundations, consortia, and professional
1226 organizations. The professional development system must:

- 1227 1. Be approved by the department. All substantial
1228 revisions to the system shall be submitted to the department for
1229 review for continued approval.
- 1230 2. Be based on analyses of student achievement data and
1231 instructional strategies and methods that support rigorous,
1232 relevant, and challenging curricula for all students. Schools
1233 and districts, in developing and refining the professional
1234 development system, shall also review and monitor school
1235 discipline data; school environment surveys; assessments of
1236 parental satisfaction; performance appraisal data of teachers,
1237 managers, and administrative personnel; and other performance
1238 indicators to identify school and student needs that can be met
1239 by improved professional performance.
- 1240 3. Provide inservice activities coupled with followup
1241 support appropriate to accomplish district-level and school-
1242 level improvement goals and standards. The inservice activities
1243 for instructional personnel shall focus on analysis of student
1244 achievement data, ongoing formal and informal assessments of
1245 student achievement, identification and use of enhanced and
1246 differentiated instructional strategies that emphasize rigor,
1247 relevance, and reading in the content areas, enhancement of
1248 subject content expertise, integrated use of classroom



1249 | technology that enhances teaching and learning, classroom
1250 | management, parent involvement, and school safety.

1251 | 4. Include a master plan for inservice activities,
1252 | pursuant to rules of the State Board of Education, for all
1253 | district employees from all fund sources. The master plan shall
1254 | be updated annually by September 1, must be based on input from
1255 | teachers and district and school instructional leaders, and must
1256 | use the latest available student achievement data and research
1257 | to enhance rigor and relevance in the classroom. Each district
1258 | inservice plan must be aligned to and support the school-based
1259 | inservice plans and school improvement plans pursuant to s.
1260 | 1001.42(18). Each district inservice plan must provide a
1261 | description of the training that middle grades instructional
1262 | personnel and school administrators receive on the district's
1263 | code of student conduct adopted pursuant to s. 1006.07;
1264 | integrated digital instruction and competency-based instruction
1265 | and CAPE Digital Tool certificates and CAPE industry
1266 | certifications; classroom management; student behavior and
1267 | interaction; extended learning opportunities for students; and
1268 | instructional leadership. District plans must be approved by the
1269 | district school board annually in order to ensure compliance
1270 | with subsection (1) and to allow for dissemination of research-
1271 | based best practices to other districts. District school boards
1272 | must submit verification of their approval to the Commissioner
1273 | of Education no later than October 1, annually. Each school
1274 | principal may establish and maintain an individual professional



1275 development plan for each instructional employee assigned to the
1276 school as a seamless component to the school improvement plans
1277 developed pursuant to s. 1001.42(18). An individual professional
1278 development plan must be related to specific performance data
1279 for the students to whom the teacher is assigned, define the
1280 inservice objectives and specific measurable improvements
1281 expected in student performance as a result of the inservice
1282 activity, and include an evaluation component that determines
1283 the effectiveness of the professional development plan.

1284 5. Include inservice activities for school administrative
1285 personnel that address updated skills necessary for
1286 instructional leadership and effective school management
1287 pursuant to s. 1012.986.

1288 6. Provide for systematic consultation with regional and
1289 state personnel designated to provide technical assistance and
1290 evaluation of local professional development programs.

1291 7. Provide for delivery of professional development by
1292 distance learning and other technology-based delivery systems to
1293 reach more educators at lower costs.

1294 8. Provide for the continuous evaluation of the quality
1295 and effectiveness of professional development programs in order
1296 to eliminate ineffective programs and strategies and to expand
1297 effective ones. Evaluations must consider the impact of such
1298 activities on the performance of participating educators and
1299 their students' achievement and behavior.

1300 9. For middle grades, emphasize:



1301 a. Interdisciplinary planning, collaboration, and
 1302 instruction.

1303 b. Alignment of curriculum and instructional materials to
 1304 the state academic standards adopted pursuant to s. 1003.41.

1305 c. Use of small learning communities; problem-solving,
 1306 inquiry-driven research and analytical approaches for students;
 1307 strategies and tools based on student needs; competency-based
 1308 instruction; integrated digital instruction; and project-based
 1309 instruction.

1310 10. Provide access to suicide prevention education
 1311 resources.

1312
 1313 Each school that includes any of grades 6, 7, or 8 must include
 1314 in its school improvement plan, required under s. 1001.42(18), a
 1315 description of the specific strategies used by the school to
 1316 implement each item listed in this subparagraph.

1317 Section 25. Subsection (1) of section 1012.986, Florida
 1318 Statutes, is amended, and paragraph (e) is added to subsection
 1319 (2) of that section, to read:

1320 1012.986 William Cecil Golden Professional Development
 1321 Program for School Leaders.—

1322 (1) There is established the William Cecil Golden
 1323 Professional Development Program for School Leaders to provide
 1324 high standards and sustained support for principals as
 1325 instructional leaders. The program shall consist of a
 1326 collaborative network of state-approved school leader



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1327 preparation programs ~~state and national professional leadership~~
1328 ~~organizations~~ to respond to instructional leadership needs
1329 throughout the state. The program network shall support the
1330 human-resource development needs of principals, principal
1331 leadership teams, and candidates for principal leadership
1332 positions using the principal framework of leadership standards
1333 adopted by the State Board of Education, ~~the Southern Regional~~
1334 ~~Education Board, and the National Staff Development Council~~. The
1335 goal of the network leadership program is to:

1336 (a) Provide resources to support and enhance the
1337 principal's role as the instructional leader.

1338 (b) Maintain a clearinghouse and disseminate data-
1339 supported information related to enhanced student achievement,
1340 based on educational research and best practices.

1341 (c) Facilitate coordination of state-approved school
1342 leader preparation programs and build the capacity to increase
1343 the quality of programs for preservice education for aspiring
1344 principals and inservice professional development for principals
1345 and principal leadership teams to increase the quality of school
1346 leadership in the state.

1347 (d) Support best teaching and research-based instructional
1348 practices through dissemination and modeling at the preservice
1349 and inservice levels for both teachers and principals.

1350 (2) The Department of Education shall coordinate through
1351 the network identified in subsection (1) to offer the program
1352 through multiple delivery systems, including:



1353 (e) State-approved school leader preparation programs
1354 pursuant to s. 1012.562.

1355 Section 26. Subsection (1) of section 112.31455, Florida
1356 Statutes, is amended to read:

1357 112.31455 Collection methods for unpaid automatic fines
1358 for failure to timely file disclosure of financial interests.—

1359 (1) Before referring any unpaid fine accrued pursuant to
1360 s. 112.3144(5) or s. 112.3145(6) to the Department of Financial
1361 Services, the commission shall attempt to determine whether the
1362 individual owing such a fine is a current public officer or
1363 current public employee. If so, the commission may notify the
1364 Chief Financial Officer or the governing body of the appropriate
1365 county, municipality, district school board, or special district
1366 of the total amount of any fine owed to the commission by such
1367 individual.

1368 (a) After receipt and verification of the notice from the
1369 commission, the Chief Financial Officer or the governing body of
1370 the county, municipality, district school board, or special
1371 district shall begin withholding the lesser of 10 percent or the
1372 maximum amount allowed under federal law from any salary-related
1373 payment. The withheld payments shall be remitted to the
1374 commission until the fine is satisfied.

1375 (b) The Chief Financial Officer or the governing body of
1376 the county, municipality, district school board, or special
1377 district may retain an amount of each withheld payment, as
1378 provided in s. 77.0305, to cover the administrative costs



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1379 | incurred under this section.

1380 | Section 27. This act shall take effect July 1, 2015.