

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; revising the early  
8           warning system for certain students; amending s.  
9           1002.205, F.S.; requiring the Department of Education  
10          to annually provide notice of certain requirements and  
11          statutes; amending s. 1003.01, F.S.; revising and  
12          adding definitions; amending s. 1003.02, F.S.;  
13          conforming a cross-reference; amending s. 1003.23,  
14          F.S.; requiring certain public school personnel and  
15          private schools to maintain certain attendance  
16          records; amending s. 1003.24, F.S.; deleting a  
17          provision providing that the absence of a student from  
18          school is prima facie evidence for certain violations;  
19          amending s. 1003.26, F.S.; revising provisions  
20          relating district responsibilities to the enforcement  
21          of school attendance and nonattendance policies;  
22          amending s. 1003.27, F.S.; revising provisions for  
23          court procedures and penalties relating to compulsory  
24          school attendance; amending s. 1003.435, F.S.;  
25          revising the allowable age for candidates for a high  
26          school equivalency diploma; deleting an exception;

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

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53 transferred to a classroom with an in-field teacher;  
54 requiring the school to respond to a parent's request  
55 within a specified timeframe and provide the parent  
56 with certain notifications; amending s. 1012.795,  
57 F.S.; revising causes for suspension of educator  
58 certificates; amending s. 1012.98, F.S.; requiring a  
59 school district's professional development system to  
60 provide access to suicide prevention educational  
61 resources; amending s. 112.3144, F.S.; revising  
62 provisions for the notification of unpaid automatic  
63 fines for certain disclosure failures; providing an  
64 effective date.

65  
66 Be It Enacted by the Legislature of the State of Florida:

67  
68 Section 1. Subsection (1) of section 984.151, Florida  
69 Statutes, is amended to read:

70 984.151 Truancy petition; prosecution; disposition.—

71 (1) If the school determines that a student subject to  
72 compulsory school attendance has had at least five unexcused  
73 absences, or absences for which the reasons are unknown, within  
74 a calendar month or 10 unexcused absences, or absences for which  
75 the reasons are unknown, within a 90-calendar-day period  
76 pursuant to s. 1003.26(2)(a)2. ~~1003.26(1)(b)~~, or has had more  
77 than 15 unexcused absences in a 90-calendar-day period, the  
78 superintendent of schools or his or her designee may file a

79 truancy petition.

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

82 1001.41 General powers of district school board.—The  
83 district school board, after considering recommendations  
84 submitted by the district school superintendent, shall exercise  
85 the following general powers:

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

89 Section 3. Subsection (6) and paragraphs (a) and (b) of  
90 subsection (18) of section 1001.42, Florida Statutes, are  
91 amended to read:

92 1001.42 Powers and duties of district school board.—The  
93 district school board, acting as a board, shall exercise all  
94 powers and perform all duties listed below:

95 (6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL  
96 PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS  
97 ADMINISTRATORS.—Adopt policies establishing standards of ethical  
98 conduct for instructional personnel, administrative personnel,  
99 and school officers ~~administrators~~. The policies must require  
100 all instructional personnel, administrative personnel, and  
101 school officers ~~administrators~~, as defined in s. 1012.01, to  
102 complete training on the standards; establish the duty of  
103 instructional personnel, administrative personnel, and school  
104 officers ~~administrators~~ to report, and procedures for reporting,

105 | alleged misconduct by other instructional or administrative  
 106 | personnel and school officers ~~school administrators~~ which  
 107 | affects the health, safety, or welfare of a student; and include  
 108 | an explanation of the liability protections provided under ss.  
 109 | 39.203 and 768.095. A district school board, or any of its  
 110 | employees, may not enter into a confidentiality agreement  
 111 | regarding terminated or dismissed instructional or  
 112 | administrative personnel or school officers ~~administrators, or~~  
 113 | ~~personnel or administrators~~ who resign in lieu of termination,  
 114 | based in whole or in part on misconduct that affects the health,  
 115 | safety, or welfare of a student, and may not provide  
 116 | instructional personnel, administrative personnel, or school  
 117 | officers ~~administrators~~ with employment references or discuss  
 118 | the personnel's or officers' ~~administrators'~~ performance with  
 119 | prospective employers in another educational setting, without  
 120 | disclosing the personnel's or officers' ~~administrators'~~  
 121 | misconduct. Any part of an agreement or contract that has the  
 122 | purpose or effect of concealing misconduct by instructional  
 123 | personnel, administrative personnel, or school officers  
 124 | ~~administrators~~ which affects the health, safety, or welfare of a  
 125 | student is void, is contrary to public policy, and may not be  
 126 | enforced.

127 | (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—  
 128 | Maintain a system of school improvement and education  
 129 | accountability as provided by statute and State Board of  
 130 | Education rule. This system of school improvement and education

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131 accountability shall be consistent with, and implemented  
132 through, the district's continuing system of planning and  
133 budgeting required by this section and ss. 1008.385, 1010.01,  
134 and 1011.01. This system of school improvement and education  
135 accountability shall comply with the provisions of ss. 1008.33,  
136 1008.34, 1008.345, and 1008.385 and include the following:

137 (a) School improvement plans.—

138 1. The district school board shall annually approve and require  
139 implementation of a new, amended, or continuation school  
140 improvement plan for each school in the district. If a school  
141 has a significant gap in achievement on statewide, standardized  
142 assessments administered pursuant to s. 1008.22 by one or more  
143 student subgroups, as defined in the federal Elementary and  
144 Secondary Education Act (ESEA), 20 U.S.C. s.  
145 6311(b)(2)(C)(v)(II); has not significantly increased the  
146 percentage of students passing statewide, standardized  
147 assessments; has not significantly increased the percentage of  
148 students demonstrating Learning Gains, as defined in s. 1008.34  
149 and as calculated under s. 1008.34(3)(b), who passed statewide,  
150 standardized assessments; or has significantly lower graduation  
151 rates for a subgroup when compared to the state's graduation  
152 rate, that school's improvement plan shall include strategies  
153 for improving these results. The state board shall adopt rules  
154 establishing thresholds and for determining compliance with this  
155 subparagraph.

156 2. A school that includes any of grades 6, 7, or 8 shall

157 include annually in its school improvement plan information and  
158 data on the school's early warning system required under  
159 paragraph (b), including a list of the early warning indicators  
160 used in the system, the number of students identified by the  
161 system as exhibiting two or more early warning indicators, the  
162 number of students by grade level that exhibit each early  
163 warning indicator, and a description of all intervention  
164 strategies employed by the school to improve the academic  
165 performance of students identified by the early warning system.  
166 In addition, a school that includes any of grades 6, 7, or 8  
167 shall describe in its school improvement plan the strategies  
168 used by the school to implement and evaluate the instructional  
169 practices for middle grades emphasized by the district's  
170 professional development system pursuant to s. 1012.98(4)(b)9.

171 (b) Early warning system.—

172 1. A school that includes any of grades 6, 7, or 8 shall  
173 implement an early warning system to identify students in grades  
174 6, 7, and 8 who need additional support to improve academic  
175 performance and stay engaged in school. The early warning system  
176 must include the following early warning indicators:

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

179 b. One or more suspensions, whether in school or out of  
180 school.

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

182 d. A Level 1 score on the statewide, standardized

183 assessments in English Language Arts or mathematics.

184

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

187 2. A school-based team responsible for implementing the  
188 requirements of this paragraph shall monitor the data from the  
189 early warning system in subparagraph (a)2. When a student  
190 exhibits two or more early warning indicators, the team must ~~the~~  
191 ~~school's child study team under s. 1003.02 or a school-based~~  
192 ~~team formed for the purpose of implementing the requirements of~~  
193 ~~this paragraph shall~~ convene to determine appropriate  
194 intervention strategies for the student unless the student is  
195 already being served by an intervention program. The school  
196 shall provide at least 10 days' written notice of the meeting to  
197 the student's parent, indicating the meeting's purpose, time,  
198 and location, and provide the parent the opportunity to  
199 participate. Data and information relating to the indicators  
200 must be used to inform any intervention strategies provided to a  
201 student identified under this paragraph.

202 Section 4. Section 1002.205, Florida Statutes, is amended  
203 to read:

204 1002.205 Guidelines on religious expression;  
205 distribution.—The Department of Education shall each year  
206 distribute for informational purposes to all district school  
207 board members, district school superintendents, school  
208 principals, and teachers the entire guidelines on "Religious



209 Expression in Public Schools" published by the United States  
 210 Department of Education, as updated from time to time, and  
 211 provide notice of the requirements of the Religious Freedom  
 212 Restoration Act of 1998 and s. 1003.4505, relating to protection  
 213 of school speech.

214 Section 5. Subsection (13) of section 1003.01, Florida  
 215 Statutes, is amended, and subsection (17) is added to that  
 216 section, to read:

217 1003.01 Definitions.—As used in this chapter, the term:

218 (13) "Regular school attendance" means the actual  
 219 attendance of a student during the school day as defined by law  
 220 and rules of the State Board of Education. Regular attendance  
 221 within the intent of s. 1003.21 may be achieved by attendance  
 222 in:

- 223 (a) A public school supported by public funds;
- 224 ~~(b) A parochial, religious, or denominational school;~~
- 225 (b)-(e) A private school, including a parochial, religious,  
 226 or denominational school supported in whole or in part by  
 227 tuition charges or by endowments or gifts;
- 228 (c)-(d) A home education program that meets the  
 229 requirements of chapter 1002; or
- 230 (d)-(e) A private tutoring program that meets the  
 231 requirements of chapter 1002.

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

235 Section 6. Paragraph (b) of subsection (1) of section  
236 1003.02, Florida Statutes, is amended to read:

237 1003.02 District school board operation and control of  
238 public K-12 education within the school district.—As provided in  
239 part II of chapter 1001, district school boards are  
240 constitutionally and statutorily charged with the operation and  
241 control of public K-12 education within their school district.  
242 The district school boards must establish, organize, and operate  
243 their public K-12 schools and educational programs, employees,  
244 and facilities. Their responsibilities include staff  
245 development, public K-12 school student education including  
246 education for exceptional students and students in juvenile  
247 justice programs, special programs, adult education programs,  
248 and career education programs. Additionally, district school  
249 boards must:

250 (1) Provide for the proper accounting for all students of  
251 school age, for the attendance and control of students at  
252 school, and for proper attention to health, safety, and other  
253 matters relating to the welfare of students in the following  
254 areas:

255 (b) Enforcement of attendance laws.—Provide for the  
256 enforcement of all laws and rules relating to the attendance of  
257 students at school. District school boards are authorized to  
258 establish policies that allow accumulated unexcused tardies,  
259 regardless of when they occur during the school day, and early  
260 departures from school to be recorded as unexcused absences.

261 District school boards are also authorized to establish policies  
 262 that require referral to a school's child study team for  
 263 students who have fewer absences than the number required by s.  
 264 1003.26(2)(a)2. ~~1003.26(1)(b).~~

265 Section 7. Section 1003.23, Florida Statutes, is amended  
 266 to read:

267 1003.23 Attendance records and reports.—

268 (1) PUBLIC SCHOOLS.—

269 (a) The attendance of all public K-12 school students  
 270 shall be checked each school day in the manner prescribed by  
 271 rules of the State Board of Education and recorded in the  
 272 teacher's register or by some approved system of recording  
 273 attendance. Students may be counted in attendance only if they  
 274 are ~~actually~~ present at school or are away from school on a  
 275 school day and are engaged in an educational activity which  
 276 constitutes a part of the school-approved instructional program  
 277 for the student.

278 (b) Instructional personnel and administrative personnel  
 279 in a public school shall keep all records and shall prepare and  
 280 submit promptly all reports that may be required by law and by  
 281 rules of the State Board of Education and district school  
 282 boards. Such records shall include a register of enrollment and  
 283 attendance that shows each student's enrollment and records his  
 284 or her absence or attendance for each school day of the school  
 285 year. The register shall be open for inspection by a designated  
 286 school representative or the district school superintendent.

287           (2) PRIVATE SCHOOLS.~~Each All officials, teachers, and~~  
 288 ~~other employees in public, parochial, religious, denominational,~~  
 289 ~~and private school as defined in s. 1002.01 K-12 schools,~~  
 290 ~~including private tutors,~~ shall record each student's attendance  
 291 or absence for each school day of the school year in ~~keep all~~  
 292 ~~records and shall prepare and submit promptly all reports that~~  
 293 ~~may be required by law and by rules of the State Board of~~  
 294 ~~Education and district school boards. Such records shall include~~  
 295 a register of enrollment and attendance that documents the  
 296 student's attendance in the school and compliance with its  
 297 attendance policy and ~~all persons described above shall make~~  
 298 ~~these reports therefrom as may be required by the State Board of~~  
 299 ~~Education. The enrollment register shall show the absence or~~  
 300 ~~attendance of each student enrolled for each school day of the~~  
 301 ~~year in a manner prescribed by the State Board of Education.~~  
 302 Students may be counted in attendance only if they are present  
 303 at school or are away from school on a school day and are  
 304 engaged in an educational activity that constitutes a part of  
 305 the school-approved instructional program for the student. The  
 306 register shall be open for ~~the~~ inspection by a ~~the~~ designated  
 307 private school representative or the district school  
 308 superintendent of the district in which the private school is  
 309 located, or his or her designee, for the purpose of confirming  
 310 that a student is in attendance at the school and in compliance  
 311 with the private school's attendance policy.

312           (3) Violation of the provisions of this section shall be a

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313 misdemeanor of the second degree, punishable as provided by law.

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

316 Section 8. Section 1003.24, Florida Statutes, is amended  
317 to read:

318 1003.24 Parents responsible for attendance of children;  
319 attendance policy.—Each parent of a child within the compulsory  
320 attendance age is responsible for the child's school attendance  
321 as required by law. ~~The absence of a student from school is~~  
322 ~~prima facie evidence of a violation of this section; however,~~  
323 ~~criminal prosecution under this chapter may not be brought~~  
324 ~~against a parent until the provisions of s. 1003.26 have been~~  
325 ~~complied with.~~ A parent of a student is not responsible for the  
326 student's nonattendance at school under any of the following  
327 conditions:

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

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

333 (3) FINANCIAL INABILITY.—The parent was unable financially  
334 to provide necessary clothes for the student, which inability  
335 was reported in writing to the superintendent prior to the  
336 opening of school or immediately after the beginning of such  
337 inability, provided that the validity of any claim for exemption  
338 under this subsection shall be determined by the district school

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339 superintendent subject to appeal to the district school board;  
340 or

341 (4) SICKNESS, INJURY, OR OTHER INSURMOUNTABLE CONDITION.—  
342 Attendance was impracticable or inadvisable on account of  
343 sickness or injury, attested to by a written statement of a  
344 licensed practicing physician, or was impracticable because of  
345 some other stated insurmountable condition as defined by rules  
346 of the State Board of Education. If a student is continually  
347 sick and repeatedly absent from school, he or she must be under  
348 the supervision of a physician in order to receive an excuse  
349 from attendance. Such excuse provides that a student's condition  
350 justifies absence for more than the number of days permitted by  
351 the district school board.

352  
353 Each district school board shall establish an attendance policy  
354 that includes, but is not limited to, the required number of  
355 days each school year that a student must be in attendance and  
356 the number of absences and tardinesses after which a statement  
357 explaining such absences and tardinesses must be on file at the  
358 school. Each school in the district must determine if an absence  
359 or tardiness is excused or unexcused according to criteria  
360 established by the district school board.

361 Section 9. Section 1003.26, Florida Statutes, is amended  
362 to read:

363 1003.26 Enforcement of school attendance.—The Legislature  
364 finds that poor academic performance is associated with

365 nonattendance and that school districts must take an active role  
366 in promoting and enforcing attendance as a means of improving  
367 student performance. Early intervention in school attendance is  
368 the most effective way of producing good attendance habits that  
369 will lead to improved student learning and achievement.

370 (1) DISTRICT RESPONSIBILITIES. ~~Each~~ ~~It is the policy of~~  
371 ~~the state that each~~ district school superintendent is ~~be~~  
372 responsible for enforcing school attendance of all students  
373 subject to the compulsory school age in the school district and  
374 supporting enforcement of school attendance by local law  
375 enforcement agencies. The responsibility includes recommending  
376 policies and procedures to the district school board that  
377 require public schools to respond in a timely manner to every  
378 unexcused absence, ~~and every absence for which the reason is~~  
379 ~~unknown,~~ of students enrolled in the schools and when the  
380 student is at risk of chronic absenteeism. District school board  
381 policies shall require:

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

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

388 (c) ~~provide that~~ Public schools to track excused and  
389 unexcused absences and contact the parent ~~home~~ in the case of an  
390 unexcused absence from school, ~~or an absence from school for~~

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391 ~~which the reason is unknown,~~ to prevent the development of  
392 patterns of nonattendance. ~~The Legislature finds that early~~  
393 ~~intervention in school attendance is the most effective way of~~  
394 ~~producing good attendance habits that will lead to improved~~  
395 ~~student learning and achievement.~~

396 (2) NONATTENDANCE AND NONENROLLMENT.—Each public school  
397 shall implement the following steps to promote and enforce  
398 regular school attendance:

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

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

408 2. (b) If a student has had at least five unexcused  
409 absences, ~~or absences for which the reasons are unknown,~~ within  
410 a calendar month or 10 ~~unexcused~~ absences, for any reason ~~or~~  
411 ~~absences for which the reasons are unknown,~~ within a 90-  
412 calendar-day period, the student's primary teacher shall report  
413 to the school principal or his or her designee that the student  
414 may be exhibiting a pattern of nonattendance. The principal  
415 shall, unless there is clear evidence that the absences are not  
416 a pattern of nonattendance, refer the case to the school's



417 attendance ~~child study~~ team to determine if early patterns of  
418 chronic absenteeism ~~truancy~~ are developing and impacting the  
419 student's academic performance. If the attendance ~~child study~~  
420 team finds that a pattern of nonattendance is developing,  
421 ~~whether the absences are excused or not,~~ a meeting with the  
422 parent must be scheduled to identify and address the causes of  
423 nonattendance. ~~potential remedies,~~ and The principal shall  
424 notify the district school superintendent and the school  
425 district contact for home education programs that the referred  
426 student is exhibiting a pattern of nonattendance.

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

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

431 b.2. Evaluate the need ~~Evaluation~~ for alternative  
432 education programs.

433 c.3. Attempt to enter into an attendance contract  
434 ~~contracts.~~

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

437 e. Evaluate whether referral to other agencies for family  
438 services is warranted.

439  
440 The attendance ~~child study~~ team may, but is not required to,  
441 implement other interventions, including a ~~referral to other~~  
442 ~~agencies for family services or~~ recommendation for filing a

443 truancy petition pursuant to s. 984.151.

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

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

459 6.a.~~(f)1.~~ If the parent of a child who has been identified  
460 as exhibiting a pattern of nonattendance enrolls the child in a  
461 home education program pursuant to chapter 1002, the district  
462 school superintendent shall provide the parent a copy of s.  
463 1002.41 and the accountability requirements of this paragraph.  
464 The district school superintendent shall also refer the parent  
465 to a home education review committee composed of the district  
466 contact for home education programs and at least two home  
467 educators selected by the parent from a district list of all  
468 home educators who have conducted a home education program for

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469 at least 3 years and who have indicated a willingness to serve  
470 on the committee. The home education review committee shall  
471 review the portfolio of the student, as defined by s. 1002.41,  
472 every 30 days during the district's regular school terms until  
473 the committee is satisfied that the home education program is in  
474 compliance with s. 1002.41(1)(b). The first portfolio review  
475 must occur within the first 30 calendar days of the  
476 establishment of the program. The provisions of sub-subparagraph  
477 b. ~~subparagraph 2.~~ do not apply once the committee determines  
478 the home education program is in compliance with s.  
479 1002.41(1)(b).

480 b.2. If the parent fails to provide a portfolio to the  
481 committee, the committee shall notify the district school  
482 superintendent. The district school superintendent shall then  
483 terminate the home education program and require the parent to  
484 enroll the child in an attendance option that meets the  
485 definition of "regular school attendance" under s.  
486 1003.01(13)(a), (b), ~~(c)~~, or (d) ~~(e)~~, within 3 days. Upon  
487 termination of a home education program pursuant to this  
488 subparagraph, the parent shall not be eligible to reenroll the  
489 child in a home education program for 180 calendar days. Failure  
490 of a parent to enroll the child in an attendance option as  
491 required by this subparagraph after termination of the home  
492 education program pursuant to this subparagraph shall constitute  
493 noncompliance with the compulsory attendance requirements of s.  
494 1003.21 and may result in criminal prosecution under s.

495 1003.27(2). Nothing contained herein shall restrict the ability  
 496 of the district school superintendent, or the ability of his or  
 497 her designee, to review the portfolio pursuant to s.

498 1002.41(1)(b).

499 7.~~(g)~~ If a student subject to compulsory school attendance  
 500 will not comply with attempts to enforce school attendance, the  
 501 parent or the district school superintendent or his or her  
 502 designee shall refer the case to the case staffing committee  
 503 pursuant to s. 984.12, and the district school superintendent or  
 504 his or her designee may file a truancy petition pursuant to the  
 505 procedures in s. 984.151.

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

513 ~~(b)(2) GIVE WRITTEN NOTICE.~~

514 ~~(a)~~ When a student subject to compulsory school attendance  
 515 is not enrolled in any educational option that meets the  
 516 definition of regular school attendance under s. 1003.01(13),  
 517 ~~Under the direction of~~ the district school superintendent, or  
 518 his or her designee, a designated school representative shall  
 519 give written notice in person or by return-receipt mail to the  
 520 student's parent that requires the student's enrollment in an

521 attendance option defined under s. 1003.01(13) ~~or attendance~~  
522 within 3 days after the receipt date of notice, ~~in person or by~~  
523 ~~return receipt mail, to the parent when no valid reason is found~~  
524 ~~for a student's nonenrollment in school.~~ If the notice and  
525 requirement are ignored, ~~the designated school representative~~  
526 ~~shall report the case to the district school superintendent, or~~  
527 his or her designee shall ~~and may~~ refer the case to the case  
528 staffing committee under, ~~established pursuant to s. 984.12.~~ The  
529 ~~district school superintendent~~ and may shall take such steps as  
530 are necessary to bring criminal prosecution against the parent.

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

538 (3) RETURN STUDENT TO PARENT.—A designated school  
539 representative may visit the home or place of residence of a  
540 student and any other place in which he or she is likely to find  
541 any student who is required to attend school when the student is  
542 not enrolled or is absent from school during school hours  
543 without an excuse, and, when the student is found, shall return  
544 the student to his or her parent or to the principal or teacher  
545 in charge of the school, or to the private tutor from whom  
546 absent, or to the juvenile assessment center or other location

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547 established by the district school board to receive students who  
548 are absent from school. Upon receipt of the student, the parent  
549 shall be immediately notified.

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

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

563 Section 10. Subsections (2) and (5) and paragraph (a) of  
564 subsection (7) of section 1003.27, Florida Statutes, are amended  
565 to read:

566 1003.27 Court procedure and penalties.—The court procedure  
567 and penalties for the enforcement of the provisions of this  
568 part, relating to compulsory school attendance, shall be as  
569 follows:

570 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

571 (a) Once all reasonable efforts to resolve a student's  
572 nonattendance under s. 1003.26(2)(a) or nonenrollment under s.

573 1003.26(2)(b) are exhausted, ~~In each case of nonenrollment or of~~  
574 ~~nonattendance upon the part of a student who is required to~~  
575 ~~attend some school, when no valid reason for such nonenrollment~~  
576 ~~or nonattendance is found,~~ the district school superintendent  
577 shall institute a criminal prosecution against the student's  
578 parent.

579 (b) Each public school principal or the principal's  
580 designee shall notify the district school board of each minor  
581 student under its jurisdiction who is habitually truant as  
582 defined in s. 1003.01(8) ~~accumulates 15 unexcused absences in a~~  
583 ~~period of 90 calendar days.~~ Each designee of the governing body  
584 of each private school, and each parent whose child is enrolled  
585 in a home education program, may provide the Department of  
586 Highway Safety and Motor Vehicles with the legal name, sex, date  
587 of birth, and social security number of each minor student under  
588 his or her jurisdiction who fails to satisfy relevant attendance  
589 requirements and who fails to otherwise satisfy the requirements  
590 of s. 322.091. The district school superintendent must provide  
591 the Department of Highway Safety and Motor Vehicles the legal  
592 name, sex, date of birth, and social security number of each  
593 minor student who has been reported under this paragraph and who  
594 fails to otherwise satisfy the requirements of s. 322.091. The  
595 Department of Highway Safety and Motor Vehicles may not issue a  
596 driver license or learner's driver license to, and shall suspend  
597 any previously issued driver license or learner's driver license  
598 of, any such minor student, pursuant to the provisions of s.

599 322.091.

600 (5) ATTENDANCE REGISTER AS EVIDENCE.—The register of  
 601 enrollment and attendance of students at a public, ~~parochial,~~  
 602 ~~religious, denominational,~~ or private school, or of students  
 603 taught by a private tutor, kept in compliance with s. 1003.23  
 604 ~~rules of the State Board of Education~~ is prima facie evidence  
 605 that a student is enrolled in and attending the public school,  
 606 private school, or private tutoring program ~~of the facts which~~  
 607 ~~it is required to show. A certified copy of any rule and a~~  
 608 ~~statement of the date of its adoption by the State Board of~~  
 609 ~~Education is admissible as prima facie evidence of the~~  
 610 ~~provisions of the rule and of the date of its adoption.~~

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

613 (a) The parent.—

614 1. A parent who refuses or fails to have a minor student  
 615 who is under his or her control enroll in or attend school  
 616 regularly, or who refuses or fails to comply with the  
 617 requirements in subsection (3), commits a misdemeanor of the  
 618 second degree, punishable as provided in s. 775.082 or s.  
 619 775.083.

620 2. The continued or habitual absence of a minor student  
 621 without the consent of the principal or teacher in charge of the  
 622 school he or she attends or should attend, or of the tutor who  
 623 instructs or should instruct him or her, is prima facie evidence  
 624 of a violation of this chapter; however, a showing that the



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625 parent has made a bona fide and diligent effort to control and  
626 keep the student in school shall be an affirmative defense to  
627 any criminal or other liability under this subsection and the  
628 court shall refer the parent and child for counseling, guidance,  
629 or other needed services.

630 3. In addition to any other punishment, the court shall  
631 order a parent who has violated this section to send the minor  
632 student to school, and may also order the parent to participate  
633 in an approved parent training class, attend school with the  
634 student unless this would cause undue hardship, perform  
635 community service hours at the school, or participate in  
636 counseling or other services, as appropriate. If a parent is  
637 ordered to attend school with a student, the school shall  
638 provide for programming to educate the parent and student on the  
639 importance of school attendance. It shall be unlawful to  
640 terminate any employee solely because he or she is attending  
641 school with his or her child pursuant to a court order.

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

644 1003.435 High school equivalency diploma program.—

645 (4) A candidate for a high school equivalency diploma  
646 shall be at least 16 ~~18~~ years of age on the date of the  
647 examination, ~~except that in extraordinary circumstances, as~~  
648 ~~provided for in rules of the district school board of the~~  
649 ~~district in which the candidate resides or attends school, a~~  
650 ~~candidate may take the examination after reaching the age of 16.~~

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

653 1003.57 Exceptional students instruction.—

654 (1) (a) For purposes of providing exceptional student  
 655 instruction under this section:

656 1. A school district shall use the following terms to  
 657 describe the instructional setting for a student with a  
 658 disability, 6 through 21 years of age, who is not educated in a  
 659 setting accessible to all children who are together at all  
 660 times:

661 a. "Exceptional student education center" or "special day  
 662 school" means a separate public school to which nondisabled  
 663 peers do not have access.

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

666 c. "Regular class placement" means ~~a class in which~~ a  
 667 student spends 80 percent or more of the school week with  
 668 nondisabled peers.

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

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

675 2. A school district shall use the term "inclusion" to  
 676 mean that a student is receiving education in a general

677 education regular class setting, reflecting natural proportions  
678 and age-appropriate heterogeneous groups in core academic and  
679 elective or special areas within the school community; a student  
680 with a disability is a valued member of the classroom and school  
681 community; the teachers and administrators support universal  
682 education and have knowledge and support available to enable  
683 them to effectively teach all children; and a teacher is  
684 provided access to technical assistance in best practices,  
685 instructional methods, and supports tailored to the student's  
686 needs based on current research.

687 (c) A student may not be given special instruction or  
688 services as an exceptional student until after he or she has  
689 been properly evaluated and found eligible as an exceptional  
690 student in the manner prescribed by rules of the State Board of  
691 Education. The parent of an exceptional student evaluated and  
692 found eligible or ineligible shall be notified of each such  
693 evaluation and determination. Such notice shall contain a  
694 statement informing the parent that he or she is entitled to a  
695 due process hearing on the identification, evaluation, ~~and~~  
696 eligibility determination, education placement, or the provision  
697 of a free appropriate public education ~~lack thereof~~. Such  
698 hearings are exempt from ss. 120.569, 120.57, and 286.011,  
699 except to the extent that the State Board of Education adopts  
700 rules establishing other procedures. Any records created as a  
701 result of such hearings are confidential and exempt from s.  
702 119.07(1). The hearing must be conducted by an administrative

703 law judge from the Division of Administrative Hearings pursuant  
704 to a contract between the Department of Education and the  
705 Division of Administrative Hearings. The decision of the  
706 administrative law judge is final, except that any party  
707 aggrieved by the finding and decision rendered by the  
708 administrative law judge has the right to bring a civil action  
709 in the state circuit court. In such an action, the court shall  
710 receive the records of the administrative hearing and shall hear  
711 additional evidence at the request of either party. In the  
712 alternative, in hearings conducted on behalf of a student who is  
713 identified as gifted, any party aggrieved by the finding and  
714 decision rendered by the administrative law judge has the right  
715 to request a review of the administrative law judge's order by  
716 the district court of appeal as provided in s. 120.68.

717 (j) The district school board shall provide each parent  
718 with information regarding the amount that the school district  
719 receives from the state appropriation for each of the five  
720 exceptional student education support levels for a full-time  
721 student. The school district shall provide this information at  
722 the initial meeting of a student's individual education plan  
723 team each school year.

724 Section 13. Subsection (4) of section 1003.5715, Florida  
725 Statutes, is amended to read:

726 1003.5715 Parental consent; individual education plan.—

727 (4) Except for a change in placement described in s.  
728 1003.57(1)(h), if a school district determines that there is a

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729 need to change an exceptional student's IEP as it relates to  
730 actions described in subsection (1), the school must hold an IEP  
731 Team meeting that includes the parent to discuss the reason for  
732 the change. The school shall provide written notice of the  
733 meeting to the parent at least 10 days before the meeting,  
734 indicating the purpose, time, and location of the meeting and  
735 who, by title or position, will attend the meeting. The 10-day  
736 notice of the IEP Team meeting requirement may be waived by  
737 informed consent of the parent after the parent receives the  
738 written notice.

739 Section 14. Subsection (7) of section 1006.09, Florida  
740 Statutes, is amended to read:

741 1006.09 Duties of school principal relating to student  
742 discipline and school safety.—

743 (7) The State Board of Education shall adopt by rule a  
744 standardized form to be used by each school principal to report  
745 data concerning school safety and discipline. The department  
746 shall periodically review the collection and classification of  
747 school incidents with stakeholders to increase the accuracy and  
748 transparency of school environment and safety incident  
749 reporting.

750 Section 15. Paragraph (b) of subsection (2) of section  
751 1006.283, Florida Statutes, is amended to read:

752 1006.283 District school board instructional materials  
753 review process.—

754 (2)

- 755 (b) District school board rules must also:
- 756 1. Identify, by subject area, a review cycle for
- 757 instructional materials.
- 758 2. Specify the qualifications for an instructional
- 759 materials reviewer and the process for selecting reviewers; list
- 760 a reviewer's duties and responsibilities, including compliance
- 761 with the requirements of s. 1006.31; and provide that all
- 762 instructional materials recommended by a reviewer be accompanied
- 763 by the reviewer's statement that the materials align with the
- 764 state standards pursuant to s. 1003.41 and the requirements of
- 765 s. 1006.31.
- 766 3. State the requirements for an affidavit to be made by
- 767 each district instructional materials reviewer which
- 768 substantially meet the requirements of s. 1006.30.
- 769 4. Comply with s. 1006.32, relating to prohibited acts.
- 770 5. Establish a process that certifies the accuracy of
- 771 instructional materials.
- 772 6. Incorporate applicable requirements of s. 1006.31,
- 773 which relates to the duties of instructional materials
- 774 reviewers.
- 775 7. Incorporate applicable requirements of s. 1006.38,
- 776 relating to the duties, responsibilities, and requirements of
- 777 publishers of instructional materials.
- 778 8. Establish the process by which instructional materials
- 779 are adopted by the district school board, which must include:
- 780 a. A process to allow student editions of recommended

781 instructional materials to be accessed and viewed online by the  
782 public at least 20 calendar days before the school board hearing  
783 and public meeting as specified in this subparagraph. This  
784 process must include reasonable safeguards against the  
785 unauthorized use, reproduction, and distribution of  
786 instructional materials considered for adoption.

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

789 c. An open, noticed public meeting to approve an annual  
790 instructional materials plan to identify any instructional  
791 materials that will be purchased through the district school  
792 board instructional materials review process pursuant to this  
793 section. This public meeting must be held on a different date  
794 than the school board hearing.

795 d. Notice requirements for the school board hearing and  
796 the public meeting that must specifically state which  
797 instructional materials are being reviewed and the manner in  
798 which the instructional materials can be accessed for public  
799 review.

800 9. Establish the process by which the district school  
801 board shall receive public comment on, and review, the  
802 recommended instructional materials.

803 10. Establish the process by which instructional materials  
804 will be purchased, including advertising, bidding, and  
805 purchasing requirements.

806 11. Establish the process by which the school district

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807 will notify parents of their ability to access their children's  
808 instructional materials and homework assignments through the  
809 district's local instructional improvement system and by which  
810 the school district will encourage parents to access the system.  
811 This notification must be displayed prominently on the school  
812 district's website and provided annually in written format to  
813 all parents of enrolled students.

814 Section 16. Subsection (2) of section 1008.212, Florida  
815 Statutes, is amended to read:

816 1008.212 Students with disabilities; extraordinary  
817 exemption.—

818 (2) A student with a disability for whom the individual  
819 education plan (IEP) team determines is prevented by a  
820 circumstance or condition from physically demonstrating the  
821 mastery of skills that have been acquired and are measured by  
822 the statewide standardized assessment, a statewide standardized  
823 end-of-course assessment, or an alternate assessment pursuant to  
824 s. 1008.22(3)(c) may ~~shall~~ be granted an extraordinary exemption  
825 from the administration of the assessment. A learning,  
826 emotional, behavioral, or significant cognitive disability, or  
827 the receipt of services through the homebound or hospitalized  
828 program in accordance with rule 6A-6.03020, Florida  
829 Administrative Code, is not, in and of itself, an adequate  
830 criterion for the granting of an extraordinary exemption.

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



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833 1002.20 K-12 student and parent rights.—Parents of public  
834 school students must receive accurate and timely information  
835 regarding their child's academic progress and must be informed  
836 of ways they can help their child to succeed in school. K-12  
837 students and their parents are afforded numerous statutory  
838 rights including, but not limited to, the following:

839 (25) ACCESS TO EDUCATION RECORDS.—Students and their  
840 parents have the right to inspect the student's education  
841 records, in accordance with s. 1002.22(2), within a reasonable  
842 time but no more than 14 days after the student or parent  
843 requests access to the records. Students and their parents also  
844 have the right to request and receive copies of the student's  
845 education records within a reasonable time under reasonable  
846 conditions, subject to a fee in accordance with s. 119.07(4).

847 Section 18. Subsections (4), (7), and (8) of section  
848 1006.147, Florida Statutes, are amended to read:

849 1006.147 Bullying and harassment prohibited.—

850 (4) Each school district shall adopt and review at least  
851 every 3 years a policy prohibiting bullying and harassment of a  
852 student or employee of a public K-12 educational institution.  
853 Each school district's policy shall be in substantial conformity  
854 with the Department of Education's model policy. The school  
855 district bullying and harassment policy shall afford all  
856 students the same protection regardless of their status under  
857 the law. The school district may establish separate  
858 discrimination policies that include categories of students. The

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859 school district shall involve students, parents, teachers,  
860 administrators, school staff, school volunteers, community  
861 representatives, and local law enforcement agencies in the  
862 process of adopting and reviewing the policy. The school  
863 district policy must be implemented by each school principal in  
864 a manner that is ongoing throughout the school year and  
865 integrated with the ~~a~~ school's curriculum, bullying prevention  
866 and intervention program, ~~a school's~~ discipline policies, and  
867 other violence prevention efforts. The school district policy  
868 must contain, at a minimum, the following components:

869 (a) A statement prohibiting bullying and harassment.

870 (b) A definition of bullying and a definition of  
871 harassment that include the definitions listed in this section.

872 (c) A description of the type of behavior expected from  
873 each student and employee of a public K-12 educational  
874 institution.

875 (d) The consequences for a student or employee of a public  
876 K-12 educational institution who commits an act of bullying or  
877 harassment.

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

882 (f) A procedure for receiving reports of ~~reporting~~ an  
883 alleged act of bullying or harassment, including provisions that  
884 permit a person to anonymously report such an act. However, this

885 paragraph does not permit formal disciplinary action to be based  
886 solely on an anonymous report.

887 (g) A procedure for the prompt investigation of a report  
888 of bullying or harassment and the persons responsible for the  
889 investigation. The investigation of a reported act of bullying  
890 or harassment is deemed to be a school-related activity and  
891 begins with a report of such an act. Incidents that require a  
892 reasonable investigation when reported to appropriate school  
893 authorities shall include alleged incidents of bullying or  
894 harassment allegedly committed against a child while the child  
895 is en route to school aboard a school bus or at a school bus  
896 stop.

897 (h) A process to investigate whether a reported act of  
898 bullying or harassment is within the scope of the district  
899 school system and, if not, a process for referral of such an act  
900 to the appropriate jurisdiction. Computers without web-filtering  
901 software or computers with web-filtering software that is  
902 disabled shall be used when complaints of cyberbullying are  
903 investigated.

904 (i) A procedure for providing immediate notification to  
905 the parents of a victim of bullying or harassment and the  
906 parents of the perpetrator of an act of bullying or harassment,  
907 as well as notification to all local agencies where criminal  
908 charges may be pursued against the perpetrator.

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

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911 (k) A procedure for including incidents of bullying or  
912 harassment in the school's report of data concerning school  
913 safety and discipline required under s. 1006.09(6). The report  
914 must include each incident of bullying or harassment and the  
915 resulting consequences, including discipline and referrals. The  
916 report must include in a separate section each alleged ~~reported~~  
917 incident of bullying or harassment that does not meet the  
918 criteria of a prohibited act under this section with  
919 recommendations regarding such incidents. The Department of  
920 Education shall aggregate information contained in the reports.

921 (l) A list of programs authorized by the school district  
922 that provide ~~procedure for providing~~ instruction to students,  
923 parents, teachers, school administrators, counseling staff, and  
924 school volunteers on identifying, preventing, and responding to  
925 bullying or harassment, including instruction on recognizing  
926 behaviors that lead to bullying and harassment and taking  
927 appropriate preventive action based on those observations.

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

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

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

937 ~~(8) On or before January 1 of each year, the Commissioner~~  
938 ~~of Education shall report to the Governor, the President of the~~  
939 ~~Senate, and the Speaker of the House of Representatives on the~~  
940 ~~implementation of this section. The report shall include data~~  
941 ~~collected pursuant to paragraph (4)(k).~~

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

944 1011.62 Funds for operation of schools.—If the annual  
945 allocation from the Florida Education Finance Program to each  
946 district for operation of schools is not determined in the  
947 annual appropriations act or the substantive bill implementing  
948 the annual appropriations act, it shall be determined as  
949 follows:

950 (16) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is  
951 created to provide funding for allowable safe schools  
952 activities. Each school district shall receive a minimum safe  
953 schools allocation in an amount provided in the General  
954 Appropriations Act. Of the remaining funds provided in the  
955 General Appropriations Act for safe schools activities, two-  
956 thirds shall be allocated among the school districts based on  
957 each district's proportionate share of Total Index Crime for  
958 Florida by county reported by the Department of Law Enforcement  
959 in its most recent Uniform Crime Reports offense data and one-  
960 third shall be allocated based on each district's proportionate  
961 share of the state's total unweighted full-time equivalent  
962 student enrollment. Allowable safe schools activities shall be

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963 provided in the General Appropriations Act. The department shall  
964 monitor compliance with the reporting procedures of ss. 1006.09  
965 and 1006.147. If a district does not comply with the reporting  
966 procedures, the district's funds from the safe schools  
967 allocation shall be withheld and reallocated to other school  
968 districts. Each school district shall report to the Department  
969 of Education the amount of funds expended for each of the  
970 allowable safe schools activities.

971 Section 20. Section 1012.23, Florida Statutes, is amended  
972 to read:

973 1012.23 School district personnel policies.—

974 (1) Except as otherwise provided by law or the State  
975 Constitution, district school boards may adopt rules governing  
976 personnel matters, including the assignment of duties and  
977 responsibilities for all district employees. District school  
978 boards shall establish criteria to identify, recruit, train, and  
979 mentor aspiring principals.

980 (2) Neither the superintendent nor a district school board  
981 member may appoint or ~~not employ or appoint~~ a relative, as  
982 defined in s. 112.3135, to work under the direct supervision of  
983 that district school board member or superintendent. The  
984 Commission on Ethics shall accept and investigate any alleged  
985 violations of this section pursuant to the procedures contained  
986 in ss. 112.322-112.3241.

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

989 1012.42 Teacher teaching out-of-field.—

990 (2) NOTIFICATION REQUIREMENTS.—When a teacher in a  
 991 district school system is assigned teaching duties in a class  
 992 dealing with subject matter that is outside the field in which  
 993 the teacher is certified, outside the field that was the  
 994 applicant's minor field of study, or outside the field in which  
 995 the applicant has demonstrated sufficient subject area  
 996 expertise, as determined by district school board policy in the  
 997 subject area to be taught, the parents of all students in the  
 998 class shall be notified in writing of such assignment and  
 999 virtual instruction options. The parent of a student in the  
 1000 class may request the school to transfer the student to another  
 1001 class taught by an in-field teacher.

1002 Section 22. Paragraph (b) of subsection (1) of section  
 1003 1012.795, Florida Statutes, is amended to read:

1004 1012.795 Education Practices Commission; authority to  
 1005 discipline.—

1006 (1) The Education Practices Commission may suspend the  
 1007 educator certificate of any person as defined in s. 1012.01(2)  
 1008 or (3) for up to 5 years, thereby denying that person the right  
 1009 to teach or otherwise be employed by a district school board or  
 1010 public school in any capacity requiring direct contact with  
 1011 students for that period of time, after which the holder may  
 1012 return to teaching as provided in subsection (4); may revoke the  
 1013 educator certificate of any person, thereby denying that person  
 1014 the right to teach or otherwise be employed by a district school

1015 board or public school in any capacity requiring direct contact  
 1016 with students for up to 10 years, with reinstatement subject to  
 1017 the provisions of subsection (4); may revoke permanently the  
 1018 educator certificate of any person thereby denying that person  
 1019 the right to teach or otherwise be employed by a district school  
 1020 board or public school in any capacity requiring direct contact  
 1021 with students; may suspend the educator certificate, upon an  
 1022 order of the court or notice by the Department of Revenue  
 1023 relating to the payment of child support; or may impose any  
 1024 other penalty provided by law, if the person:

1025 (b) Knowingly failed to report actual or suspected child  
 1026 abuse as required in s. 1006.061, an actual or suspected  
 1027 incident of bullying or harassment as required in 1006.147, an  
 1028 actual or suspected incident of hazing as required in 1006.135,  
 1029 or report alleged misconduct by instructional personnel or  
 1030 school administrators which affects the health, safety, or  
 1031 welfare of a student as required in s. 1012.796.

1032 Section 23. Paragraph (b) of subsection (4) of section  
 1033 1012.98, Florida Statutes, is amended to read:

1034 1012.98 School Community Professional Development Act.—

1035 (4) The Department of Education, school districts,  
 1036 schools, Florida College System institutions, and state  
 1037 universities share the responsibilities described in this  
 1038 section. These responsibilities include the following:

1039 (b) Each school district shall develop a professional  
 1040 development system as specified in subsection (3). The system



1041 shall be developed in consultation with teachers, teacher-  
1042 educators of Florida College System institutions and state  
1043 universities, business and community representatives, and local  
1044 education foundations, consortia, and professional  
1045 organizations. The professional development system must:

1046 1. Be approved by the department. All substantial  
1047 revisions to the system shall be submitted to the department for  
1048 review for continued approval.

1049 2. Be based on analyses of student achievement data and  
1050 instructional strategies and methods that support rigorous,  
1051 relevant, and challenging curricula for all students. Schools  
1052 and districts, in developing and refining the professional  
1053 development system, shall also review and monitor school  
1054 discipline data; school environment surveys; assessments of  
1055 parental satisfaction; performance appraisal data of teachers,  
1056 managers, and administrative personnel; and other performance  
1057 indicators to identify school and student needs that can be met  
1058 by improved professional performance.

1059 3. Provide inservice activities coupled with followup  
1060 support appropriate to accomplish district-level and school-  
1061 level improvement goals and standards. The inservice activities  
1062 for instructional personnel shall focus on analysis of student  
1063 achievement data, ongoing formal and informal assessments of  
1064 student achievement, identification and use of enhanced and  
1065 differentiated instructional strategies that emphasize rigor,  
1066 relevance, and reading in the content areas, enhancement of

1067 subject content expertise, integrated use of classroom  
1068 technology that enhances teaching and learning, classroom  
1069 management, parent involvement, and school safety.

1070 4. Include a master plan for inservice activities,  
1071 pursuant to rules of the State Board of Education, for all  
1072 district employees from all fund sources. The master plan shall  
1073 be updated annually by September 1, must be based on input from  
1074 teachers and district and school instructional leaders, and must  
1075 use the latest available student achievement data and research  
1076 to enhance rigor and relevance in the classroom. Each district  
1077 inservice plan must be aligned to and support the school-based  
1078 inservice plans and school improvement plans pursuant to s.  
1079 1001.42(18). Each district inservice plan must provide a  
1080 description of the training that middle grades instructional  
1081 personnel and school administrators receive on the district's  
1082 code of student conduct adopted pursuant to s. 1006.07;  
1083 integrated digital instruction and competency-based instruction  
1084 and CAPE Digital Tool certificates and CAPE industry  
1085 certifications; classroom management; student behavior and  
1086 interaction; extended learning opportunities for students; and  
1087 instructional leadership. District plans must be approved by the  
1088 district school board annually in order to ensure compliance  
1089 with subsection (1) and to allow for dissemination of research-  
1090 based best practices to other districts. District school boards  
1091 must submit verification of their approval to the Commissioner  
1092 of Education no later than October 1, annually. Each school

1093 principal may establish and maintain an individual professional  
1094 development plan for each instructional employee assigned to the  
1095 school as a seamless component to the school improvement plans  
1096 developed pursuant to s. 1001.42(18). An individual professional  
1097 development plan must be related to specific performance data  
1098 for the students to whom the teacher is assigned, define the  
1099 inservice objectives and specific measurable improvements  
1100 expected in student performance as a result of the inservice  
1101 activity, and include an evaluation component that determines  
1102 the effectiveness of the professional development plan.

1103 5. Include inservice activities for school administrative  
1104 personnel that address updated skills necessary for  
1105 instructional leadership and effective school management  
1106 pursuant to s. 1012.986.

1107 6. Provide for systematic consultation with regional and  
1108 state personnel designated to provide technical assistance and  
1109 evaluation of local professional development programs.

1110 7. Provide for delivery of professional development by  
1111 distance learning and other technology-based delivery systems to  
1112 reach more educators at lower costs.

1113 8. Provide for the continuous evaluation of the quality  
1114 and effectiveness of professional development programs in order  
1115 to eliminate ineffective programs and strategies and to expand  
1116 effective ones. Evaluations must consider the impact of such  
1117 activities on the performance of participating educators and  
1118 their students' achievement and behavior.

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- 1119 9. For middle grades, emphasize:  
1120 a. Interdisciplinary planning, collaboration, and  
1121 instruction.  
1122 b. Alignment of curriculum and instructional materials to  
1123 the state academic standards adopted pursuant to s. 1003.41.  
1124 c. Use of small learning communities; problem-solving,  
1125 inquiry-driven research and analytical approaches for students;  
1126 strategies and tools based on student needs; competency-based  
1127 instruction; integrated digital instruction; and project-based  
1128 instruction.  
1129 10. Provide access to suicide prevention education  
1130 resources.

1131  
1132 Each school that includes any of grades 6, 7, or 8 must include  
1133 in its school improvement plan, required under s. 1001.42(18), a  
1134 description of the specific strategies used by the school to  
1135 implement each item listed in this subparagraph.

1136 Section 24. Subsection (1) of section 112.31455, Florida  
1137 Statutes, is amended to read:

1138 112.31455 Collection methods for unpaid automatic fines  
1139 for failure to timely file disclosure of financial interests.—

1140 (1) Before referring any unpaid fine accrued pursuant to  
1141 s. 112.3144(5) or s. 112.3145(6) to the Department of Financial  
1142 Services, the commission shall attempt to determine whether the  
1143 individual owing such a fine is a current public officer or  
1144 current public employee. If so, the commission may notify the

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1145 Chief Financial Officer or the governing body of the appropriate  
1146 county, municipality, district school board, or special district  
1147 of the total amount of any fine owed to the commission by such  
1148 individual.

1149 (a) After receipt and verification of the notice from the  
1150 commission, the Chief Financial Officer or the governing body of  
1151 the county, municipality, district school board, or special  
1152 district shall begin withholding the lesser of 10 percent or the  
1153 maximum amount allowed under federal law from any salary-related  
1154 payment. The withheld payments shall be remitted to the  
1155 commission until the fine is satisfied.

1156 (b) The Chief Financial Officer or the governing body of  
1157 the county, municipality, district school board, or special  
1158 district may retain an amount of each withheld payment, as  
1159 provided in s. 77.0305, to cover the administrative costs  
1160 incurred under this section.

1161 Section 25. This act shall take effect July 1, 2015.