



The Home Education Foundation

"Home Educators' Voice at the Capitol"

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Statute Changes from the 2002 School Code:

228.041(34)	1002.01(1)	Definition of home education
228.041(16)	deleted	Definition of School Year
232.01	1003.21	School Attendance
232.02	1003.01(13)	Regular Attendance
232.0201	1002.41	Home Education Program
232.0202	1002.43	Private Tutor Programs
232.021	1003.23(2)	Attendance Records
232.425	1006.15	Home Ed/Extracurricular
232.246	1003.43	High School Graduation Requirements
232.2462	1003.436	Definition of Credit

2002 Florida School Code

Chapter 1000 K-20 General Provisions

Part I General Provisions

1000.02 Policy and guiding principles for the Florida K-20 education system.--

- (1) It is the policy of the Legislature:
- (f) To ensure that independent education institutions and home education programs maintain their independence, autonomy, and nongovernmental status.

Chapter 1001 -- K-20 Governance

Part I c -- Department of Education

1001.21 Office of Private Schools and Home Education Programs. --

The state recognizes the contributions of private schools and home education programs in providing alternatives to public school education. These nongovernmental educational systems serve the public, but are not considered to be a part of the public system of education.

(1) The Office of Private Schools and Home Education Programs is established within the Department of Education. The Department of Education and the Commissioner of Education have no authority over the institutions or students served by the office. The office shall:

- (a) Serve the interests of students and the parents of students in private schools and home education programs.
 - (b) Serve the interests of private institutions.
 - (c) Provide general information to the public about private and home education delivery systems.
- (2) The Commissioner of Education shall appoint an executive director for the office who shall:

(a) Serve as a source of communication between private schools, home education programs, the Commissioner of Education, and the State Board of Education.

(b) Evaluate pending policy to ensure that the policy does not subject private schools and home education programs to additional regulation or mandates.

(c) Establish a clearinghouse of information for the public.

(d) Foster a collaborative spirit and working relationship among private schools, home education programs, and the public sector.

(e) Identify and convey the best practices of private schools and home education programs for the benefit of the public and private education delivery sectors.

(f) Represent issues and concerns relating to home education programs and private schools on all applicable ad hoc advisory bodies.

Chapter 1002 -- Student and Parental Rights and Educational Choices

Part I-- General Provisions

1002.01 Definitions.—

(1) A "home education program" means the sequentially progressive instruction of a student directed by his or her parent in order to satisfy the attendance requirements of ss. 1002.41, 1003.01(4), and 1003.21(1).

(2) A "private school" is a nonpublic school defined as an individual, association, copartnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten or a higher grade or as an elementary, secondary, business, technical, or trade school below college level or any organization that provides instructional services that meet the intent of s. 1003.01(14) or that gives preemployment or supplementary training in technology or in fields of trade or industry or that offers academic, literary, or career and technical training below college level, or any combination of the above, including an institution that performs the functions of the above schools through correspondence or extension, except those licensed under the provisions of chapter 1005. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school. This definition does not include home education programs conducted in accordance with s. 1002.41.

Part II --Student and Parental Rights

1002.20 K-12 student and parent rights.—

K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(2) ATTENDANCE.--

(a) Compulsory school attendance.--The compulsory school attendance laws apply to all children between the ages of 6 and 16 years, as provided in s. 1003.21(1) and (2)(a), and, in accordance with the provisions of s. 1003.21(1) and (2)(a):

1. A student who attains the age of 16 years during the school year has the right to file a formal declaration of intent to terminate school enrollment if the declaration is signed by the parent. The parent has the right to be notified by the school district of the district's receipt of the student's declaration of intent to terminate school enrollment.

(b) Regular school attendance.--Parents of students who have attained the age of 6 years by February 1 of any school year but who have not attained the age of 16 years must comply with the compulsory school attendance laws. Parents have the option to comply with the school attendance laws by

attendance of the student in a public school; a parochial, religious, or denominational school; a private school; a home education program; or a private tutoring program, in accordance with the provisions of s. 1003.01(14).

(6) EDUCATIONAL CHOICE.—

(c) Home education.--The parent of a student may choose to place the student in a home education program in accordance with the provisions of s. 1002.41.

(d) Private tutoring.--The parent of a student may choose to place the student in a private tutoring program in accordance with the provisions of s. 1002.43(1).

(17) EXTRACURRICULAR ACTIVITIES.--In accordance with the provisions of s. 1006.15:

(b) Home education students.--Home education students who meet specified academic and conduct requirements are eligible to participate in extracurricular activities at the public school to which the student would be assigned or could choose to attend according to district school board policies, or may develop an agreement to participate at a private school.

(d) Discrimination prohibited.--Organizations that regulate or govern extracurricular activities of public schools shall not discriminate against any eligible student based on an educational choice of public, private, or home education.

Part III -- Educational Choice

1002.33 Charter schools.--

(3)(b) ... A private school, parochial school, or home education program shall not be eligible for charter school status.

1002.37 The Florida Virtual School.--

(1)(b) The mission of the Florida Virtual School is to provide students with technology-based educational opportunities to gain the knowledge and skills necessary to succeed. The school shall serve any student in the state who meets the profile for success in this educational delivery context and shall give priority to:

1. Students who need expanded access to courses in order to meet their educational goals, such as home education students and students in inner-city and rural high schools who do not have access to higher-level courses.

(2)(b) The school shall collect and report data for all students served and credit awarded. This data shall be segregated by private, public, and home education students by program. Information shall also be collected that reflects any other school in which a virtual school student is enrolled.

(h) The board of trustees shall annually submit to the State Board of Education both forecasted and actual enrollments for the Florida Virtual School, according to procedures established by the State Board of Education. At a minimum, such procedures must include the number of public, private, and home education students served by district.

Part IV -- Home Education, Private Schools, Other Education Options

1002.41 Home Education Program—

(1) A "home education program" is defined in s.1002.01. The parent is not required to hold a valid regular Florida teaching certificate.

(a) The parent shall notify the district school superintendent of the county in which the parent resides of her or his intent to establish and maintain a home education program. The notice shall be in writing, signed by the parent, and shall include the names, addresses, and birthdates of all children who shall be enrolled as students in the home education program. The notice shall be filed in the district school superintendent's office within 30 days of the establishment of the home education program. A written notice of termination of the home education program shall be filed in the district school superintendent's office within 30 days after said termination.

(b) The parent shall maintain a portfolio of records and materials. The portfolio shall consist of the following:

1. A log of educational activities that is made contemporaneously with the instruction and that designates by title any reading materials used.
2. Samples of any writings, worksheets, workbooks, or creative materials used or developed by the student.

The portfolio shall be preserved by the parent for 2 years and shall be made available for inspection by the district school superintendent, or the district school superintendent's agent, upon 15 days' written notice. Nothing in this section shall require the district school superintendent to inspect the portfolio.

(c) The parent shall provide for an annual educational evaluation in which is documented the student's demonstration of educational progress at a level commensurate with her or his ability. The parent shall select the method of evaluation and shall file a copy of the evaluation annually with the district school superintendent's office in the county in which the student resides. The annual educational evaluation shall consist of one of the following:

1. A teacher selected by the parent shall evaluate the student's educational progress upon review of the portfolio and discussion with the student. Such teacher shall hold a valid regular Florida certificate to teach academic subjects at the elementary or secondary level;
2. The student shall take any nationally normed student achievement test administered by a certified teacher;
3. The student shall take a state student assessment test used by the school district and administered by a certified teacher, at a location and under testing conditions approved by the school district;
4. The student shall be evaluated by an individual holding a valid, active license pursuant to the provisions of s. 490.003(7) or (8); or
5. The student shall be evaluated with any other valid measurement tool as mutually agreed upon by the district school superintendent of the district in which the student resides and the student's parent.

(2) The district school superintendent shall review and accept the results of the annual educational evaluation of the student in a home education program. If the student does not demonstrate educational progress at a level commensurate with her or his ability, the district school superintendent shall notify the parent, in writing, that such progress has not been achieved. The parent shall have 1 year from the date of receipt of the written notification to provide remedial instruction to the student. At the end of the 1-year probationary period, the student shall be reevaluated as specified in paragraph (1)(c). Continuation in a home education program shall be contingent upon the student demonstrating educational progress commensurate with her or his ability at the end of the probationary period.

(3) A home education program shall be excluded from meeting the requirements of a school day.

(4) Home education students may participate in interscholastic extracurricular student activities in accordance with the provisions of s. 1006.15.

(5) Home education students may participate in the Bright Futures Scholarship Program in accordance with the provisions of ss. 1009.53-1009.539.

(6) Home education students may participate in dual enrollment programs in accordance with the provisions of s. 1007.27(4) and 1007.271(10).

(7) Home education students are eligible for admission to community colleges in accordance with the provisions of s. 1007.263.

(8) Home education students are eligible for admission to state universities in accordance with the provisions of s. 1007.261.

(9) Home education program students may receive testing and evaluation services at diagnostic and resource centers, in accordance with the provisions of s. 1006.03.

Chapter 1003 Public K-12 Education

Part I General Provisions

1003.01 Definitions.—

(13) Regular School Attendance means the actual attendance of a student during the school day as defined by law and rules of the State Board of Education. Regular attendance within the intent of s.

1003.21 may be achieved by attendance in:

- (a) A public school supported by public funds;
- (b) A parochial, religious, or denominational school;
- (c) A private school supported in whole or in part by tuition charges or by endowments or gifts;
- (d) A home education program that meets the requirements of chapter 1002; or
- (e) A private tutoring program that meets the requirements of chapter 1002.

Part II School Attendance

1003.21 School attendance.--

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

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

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

(c) A student who attains the age of 16 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the student files a formal declaration of intent to terminate school enrollment with the district school board. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the student and the student's parent.

The school district must notify the student's parent of receipt of the student's declaration of intent to terminate school enrollment.

1003.23 Attendance records and reports.--

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

(2) All officials, teachers, and other employees in public, parochial, religious, denominational, and private K-12 schools, including private tutors, shall keep all records and shall prepare and submit promptly all reports that may be

required by law and by rules of the State Board of Education and district school boards. Such records shall include a register of enrollment and attendance and all persons described above shall make these reports therefrom as may be

required by the State Board of Education. The enrollment register shall show the absence or attendance of each student enrolled for each school day of the year in a manner prescribed by the State Board of Education. The register shall

be open for the inspection by the designated school representative or the district school superintendent of the district in which the school is located. Violation of the provisions of this section shall be a misdemeanor of the second degree, punishable as provided by law. This section shall not apply to home education programs provided in s. 1002.41.

1003.26 Enforcement of school attendance.--

1003.26 (f)1. If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to chapter 1002, the district school superintendent shall provide the parent a copy of s. 1002.41 and the accountability requirements of this paragraph. The district school superintendent shall also refer the parent to a home education review committee composed of the district contact for home education programs and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least 3 years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the student, as defined by s. 1002.41, every 30 days during the district's regular school terms until the committee is satisfied that the home education program is in compliance with s. 1002.41(1)(b).

The first portfolio review must occur within the first 30 calendar days of the establishment of the program. The provisions of subparagraph 2. do not apply once the committee determines the home education program is in compliance with s. 1002.41(1)(b).

2. If the parent fails to provide a portfolio to the committee, the committee shall notify the district school superintendent. The district school superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of "regular school attendance" under s. 1003.01(13)(a), (b), (c), or (e), within 3 days. Upon termination of a home education program pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days.

Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of s. 1003.21 and may result in criminal prosecution under s. 1003.27(2). Nothing contained herein shall restrict the ability of the district school superintendent, or the ability of his or her designee, to review the portfolio pursuant to s. 1002.41(1)(b).

1003.27 Court procedure and penalties.—

1003.27(2) Nonenrollment and Nonattendance Cases --

(b) Each public school principal or the principal's designee shall notify the district school board of each minor student under its jurisdiction who accumulates 15 unexcused absences in a period of 90 calendar days. Each designee of the governing body of each private school, and each parent whose child is enrolled in a home education program, may provide the Department of Highway Safety and Motor Vehicles with the legal name, sex, date of birth, and social security number of each minor student under his or her jurisdiction who fails to satisfy relevant attendance requirements and who fails to otherwise satisfy the requirements of s. 322.091....

Chapter 1006 Support for Learning
Part I Public K-12 Education Support for Learning and Student Services
Part I.a. Learning Services Generally

1006.03 Diagnostic and learning resource centers.--

(3) Diagnostic and resource centers may provide testing and evaluation services to private school students and other children who are not enrolled in public schools.

Part I.d. Student Extracurricular Activities and Athletics

1006.15-- Student standards for participation in interscholastic extracurricular student activities; regulation.--

(1) This section may be cited as the "Craig Dickinson Act."

(2) Interscholastic extracurricular student activities are an important complement to the academic curriculum. Participation in a comprehensive extracurricular and academic program contributes to student development of the social and intellectual skills necessary to become a well-rounded adult. As used in this section, the term "extracurricular" means any school-authorized or education-related activity occurring during or outside the regular instructional school day.

(3)(a) To be eligible to participate in interscholastic extracurricular student activities, a student must:

1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1003.43(1).

2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student's parents, if the student's cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1003.43(1) or, for students who entered the 9th grade prior to the 1997-1998 school year, if the student's cumulative grade point average falls below 2.0

4 on a 4.0 scale, or its equivalent, in the courses required by s. 1003.43(1) that are taken after July 1, 1997. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1003.43(1) during his or her junior or senior year.

4. Maintain satisfactory conduct and, if a student is convicted of, or is found to have committed, a felony or a delinquent act which would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.

(b) Any student who is exempt from attending a full school day based on rules adopted by the district school board for double session schools or programs, experimental schools, or schools operating under emergency conditions must maintain the grade point average required by this section and pass each class for which he or she is enrolled.

(c) An individual home education student is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to district or interdistrict controlled open enrollment provisions, or may

develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

1. The home education student must meet the requirements of the home education program pursuant to s. 1002.41.
2. During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (3)(b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a community college, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.
3. The home education student must meet the same residency requirements as other students in the school at which he or she participates.
4. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.
5. The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.
6. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to subparagraph (3)(c)2.
7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to subparagraph (3)(c)2 to become eligible to participate as a home education student.

(4) The student standards for participation in interscholastic extracurricular activities must be applied beginning with the student's first semester of the 9th grade. Each student must meet such other requirements for participation as may be established by the district school board; however, a district school board may not establish requirements for participation in interscholastic extracurricular activities which make participation in such activities less accessible to home education students than to other students. Except as set forth in paragraph (3)(c), evaluation processes or requirements that are placed on home education student participants may not go beyond those that apply under s. 1002.41 to home education students generally.

(5) Any organization or entity that regulates or governs interscholastic extracurricular activities of public schools:

- (a) Shall permit home education associations to join as member schools.
- (b) Shall not discriminate against any eligible student based on an educational choice of public, private, or home education.
- (6) Public schools are prohibited from membership in any organization or entity which regulates or governs interscholastic extracurricular activities and discriminates against eligible students in public, private, or home education.
- (7) Any insurance provided by district school boards for participants in extracurricular activities shall cover the participating home education student. If there is an additional premium for such coverage, the participating home education student shall pay the premium.

1006.19 Audit of records of nonprofit corporations and associations handling interscholastic activities.--

(1) Each nonprofit association or corporation that operates for the purpose of supervising and controlling interscholastic activities of public high schools and whose membership is composed of duly certified representatives of public high schools, and whose rules and regulations are established by members thereof, shall have an annual financial audit of its accounts and records by an independent

certified public accountant retained by it and paid from its funds. The accountant shall furnish a copy of the audit report to the Auditor General.

(2) Any such nonprofit association or corporation shall keep adequate and complete records of all moneys received by it, including the source and amount, and all moneys spent by it, including salaries, fees, expenses, travel allowances, and all other items of expense. All records of any such organization shall be open for inspection by the Auditor General.

1006.20 Athletics in public K-12 schools.--

(1) GOVERNING NONPROFIT ORGANIZATION.--The Florida High School Activities Association is designated as the governing nonprofit organization of athletics in Florida public schools. If the Florida High School Activities Association fails to meet the provisions of this section, the commissioner shall designate a nonprofit organization to govern athletics with the approval of the State Board of Education. The organization is not to be a state agency as defined in s. 120.52. The organization shall be subject to the provisions of s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a member of the organization. The bylaws of the organization are to be the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute. For the purposes of this section, "high school" includes grades 6 through 12.

(2) ADOPTION OF BYLAWS.-- (a) The organization shall adopt bylaws that, unless specifically provided by statute, establish eligibility requirements for all students who participate in high school athletic competition in its member schools. The bylaws governing residence and transfer shall allow the student to be eligible in the school in which he or she first enrolls each school year, or makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in any member school. The student shall be eligible in that school so long as he or she remains enrolled in that school. Subsequent eligibility shall be determined and enforced through the organization's bylaws.

(b) The organization shall adopt bylaws that specifically prohibit the recruiting of students for athletic purposes. The bylaws shall prescribe penalties and an appeals process for athletic recruiting violations.

(c) The organization shall adopt bylaws that require all students participating in interscholastic athletic competition or who are candidates for an interscholastic athletic team to satisfactorily pass a medical evaluation each year prior to participating in interscholastic athletic competition or engaging in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team. Such medical evaluation can only be administered by a practitioner licensed under the provisions of chapter 458, chapter 459, chapter 460, or s. 464.012, and in good standing with the practitioner's regulatory board. The bylaws shall establish requirements for eliciting a student's medical history and performing the medical evaluation required under this paragraph, which shall include minimum standards for the physical capabilities necessary for participation in interscholastic athletic competition as contained in a uniform preparticipation physical evaluation form. The evaluation form shall provide a place for the signature of the practitioner performing the evaluation with an attestation that each examination procedure listed on the form was performed by the practitioner or by someone under the direct supervision of the practitioner. The form shall also contain a place for the practitioner to indicate if a referral to another practitioner was made in lieu of completion of a certain examination procedure. The form shall provide a place for the practitioner to whom the student was referred to complete the remaining sections and attest to that portion of the examination. The preparticipation physical evaluation form shall advise students to complete a cardiovascular assessment and shall include information concerning alternative cardiovascular evaluation and diagnostic tests. Practitioners administering medical evaluations pursuant to this subsection must know the minimum standards established by the organization and certify that the student meets the standards. If the practitioner determines that there are any abnormal findings in the cardiovascular system, the student may not participate unless a subsequent EKG or other cardiovascular assessment indicates that the abnormality will not place the student at risk during such participation. Results of such medical evaluation must be provided to the school. No student shall be eligible to participate in any interscholastic athletic competition or engage in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team until the results

of the medical evaluation verifying that the student has satisfactorily passed the evaluation have been received and approved by the school.

(d) Notwithstanding the provisions of paragraph (c), a student may participate in interscholastic athletic competition or be a candidate for an interscholastic athletic team if the parent of the student objects in writing to the student undergoing a medical evaluation because such evaluation is contrary to his or her religious tenets or practices. However, in such case, there shall be no liability on the part of any person or entity in a position to otherwise rely on the results of such medical evaluation for any damages resulting from the student's injury or death arising directly from the student's participation in interscholastic athletics where an undisclosed medical condition that would have been revealed in the medical evaluation is a proximate cause of the injury or death.

(3) GOVERNING STRUCTURE OF THE ORGANIZATION.--

(a) The organization shall operate as a representative democracy in which the sovereign authority is within its member schools. Except as provided in this section, the organization shall govern its affairs through its bylaws.

(b) Each member school, on its annual application for membership, shall name its official representative to the organization. This representative must be either the school principal or his or her designee. That designee must either be an assistant principal or athletic director housed within that same school.

(c) The organization's membership shall be divided along existing county lines into four contiguous and compact administrative regions, each containing an equal or nearly equal number of member schools to ensure equitable representation on the organization's board of directors, representative assembly, and committee on appeals.

(4) BOARD OF DIRECTORS.--

(a) The executive authority of the organization shall be vested in its board of directors. The board of directors shall be composed of 15 persons, as follows:

1. Four public member school representatives, one elected from among its public school representative members within each of the four administrative regions.
2. Four nonpublic member school representatives, one elected from among its nonpublic school representative members within each of the four administrative regions.
3. Two representatives appointed by the commissioner, one appointed from the two northernmost administrative regions and one appointed from the two southernmost administrative regions.
4. Two district school superintendents, one elected from the two northernmost administrative regions by the members in those regions and one elected from the two southernmost administrative regions by the members in those regions.
5. Two district school board members, one elected from the two northernmost administrative regions by the members in those regions and one elected from the two southernmost administrative regions by the members in those regions.
6. The commissioner or his or her designee from the department executive staff.

(b) A quorum of the board of directors shall consist of nine members.

(c) The board of directors shall elect a president and a vice president from among its members. These officers shall also serve as officers of the organization.

(d) Members of the board of directors shall serve terms of 3 years and are eligible to succeed themselves only once. A member of the board of directors, other than the commissioner or his or her designee, may serve a maximum of 6 consecutive years. The organization's bylaws shall establish a rotation of terms to ensure that a majority of the members' terms do not expire concurrently.

(e) The authority and duties of the board of directors, acting as a body and in accordance with the organization's bylaws, are as follows:

1. To act as the incorporated organization's board of directors and to fulfill its obligations as required by the organization's charter and articles of incorporation.
2. To establish such guidelines, regulations, policies, and procedures as are authorized by the bylaws.
3. To provide an organization commissioner, who shall have the authority to waive the bylaws of the organization in order to comply with statutory changes.

4. To levy annual dues and other fees and to set the percentage of contest receipts to be collected by the organization.

5. To approve the budget of the organization.

6. To organize and conduct statewide interscholastic competitions, which may or may not lead to state championships, and to establish the terms and conditions for these competitions.

7. To act as an administrative board in the interpretation of, and final decision on, all questions and appeals arising from the directing of interscholastic athletics of member schools.

(5) REPRESENTATIVE ASSEMBLY.--

(a) The legislative authority of the organization is vested in its representative assembly.

(b) The representative assembly shall be composed of

the following:

1. An equal number of member school representatives from each of the four administrative regions.

2. Four district school superintendents, one elected from each of the four administrative regions by the district school superintendents in their respective administrative regions.

3. Four district school board members, one elected from each of the four administrative regions by the district school board members in their respective administrative regions.

4. The commissioner or his or her designee from the department executive staff.

(c) The organization's bylaws shall establish the number of member school representatives to serve in the representative assembly from each of the four administrative regions and shall establish the method for their selection.

(d) No member of the board of directors other than the commissioner or his or her designee can serve in the representative assembly.

(e) The representative assembly shall elect a chairperson and a vice chairperson from among its members.

(f) Elected members of the representative assembly shall serve terms of 2 years and are eligible to succeed themselves for two additional terms. An elected member, other than the commissioner or his or her designee, may serve a maximum of 6 consecutive years in the representative assembly.

(g) A quorum of the representative assembly consists of one more than half of its members.

(h) The authority of the representative assembly is limited to its sole duty, which is to consider, adopt, or reject any proposed amendments to the organization's bylaws.

(i) The representative assembly shall meet as a body annually. A two-thirds majority of the votes cast by members present is required for passage of any proposal.

(6) PUBLIC LIAISON ADVISORY COMMITTEE.--

(a) The organization shall establish, sustain, fund, and provide staff support to a public liaison advisory committee composed of the following:

1. The commissioner or his or her designee.

2. A member public school principal.

3. A member private school principal.

4. A member school principal who is a member of a racial minority.

5. An active athletic director.

6. An active coach, who is employed full time by a member school.

7. A student athlete.

8. A district school superintendent.

9. A district school board member.

10. A member of the Florida House of Representatives.

11. A member of the Florida Senate.

12. A parent of a high school student.

13. A member of a home education association.

14. A representative of the business community.

15. A representative of the news media.

(b) No member of the board of directors, committee on appeals, or representative assembly is eligible to serve on the public liaison advisory committee.

(c) The public liaison advisory committee shall elect a chairperson and vice chairperson from among its members.

(d) The authority and duties of the public liaison advisory committee are as follows:

1. To act as a conduit through which the general public may have input into the decisionmaking process of the organization and to assist the organization in the development of procedures regarding the receipt of public input and disposition of complaints related to high school athletic and competition programs.

2. To conduct public hearings annually in each of the four administrative regions during which interested parties may address issues regarding the effectiveness of the rules, operation, and management of the organization.

3. To conduct an annual evaluation of the organization as a whole and present a report of its findings, conclusion, and recommendations to the board of directors, to the commissioner, and to the respective education committees of the Florida Senate and the Florida House of Representatives.

The recommendations must delineate policies and procedures that will improve the implementation and oversight of high school athletic programs by the organization.

(e) The public liaison advisory committee shall meet four times annually. Additional meetings may be called by the committee chairperson, the organization president, or the organization commissioner.

(7) APPEALS.-- (a) The organization shall establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete. The initial appeal shall be made to a committee on appeals within the administrative region in which the student lives. The organization's bylaws shall establish the number, size, and composition of the committee on appeals.

(b) No member of the board of directors is eligible to serve on the committee on appeals.

(c) Members of the committee on appeals shall serve terms of 3 years and are eligible to succeed themselves only once. A member of the committee on appeals may serve a maximum of 6 consecutive years. The organization's bylaws shall establish a rotation of terms to ensure that a majority of the members' terms do not expire concurrently.

(d) The authority and duties of the committee on appeals shall be to consider requests by member schools seeking exceptions to bylaws and regulations, to hear undue hardship eligibility cases filed by member schools on behalf of student athletes, and to hear appeals filed by member schools.

(e) A student athlete or member school that receives an unfavorable ruling from a committee on appeals shall be entitled to appeal that decision to the board of directors at its next regularly scheduled meeting or called meeting. The board of directors shall have the authority to uphold, reverse, or amend the decision of the committee on appeals. In all such cases, the decision of the board of directors shall be final.

(8) AMENDMENT OF BYLAWS.--Each member school representative, the board of directors acting as a whole or members acting individually, any advisory committee acting as a whole to be established by the organization, and the organization's commissioner are empowered to propose amendments to the bylaws. Any other individual may propose an amendment by securing the sponsorship of any of the aforementioned individuals or bodies. All proposed amendments must be submitted directly to the representative assembly for its consideration. The representative assembly, while empowered to adopt, reject, or revise proposed amendments, may not, in and of itself, as a body be allowed to propose any amendment for its own consideration.

(9) RULES ADOPTION.--The bylaws of the organization shall require member schools to adopt rules for sports, which have been established by a nationally recognized sanctioning body, unless waived by at least a two-thirds vote of the board of directors.

(10) EXAMINATION; CRITERIA; REPORT.--The board of directors of the Florida High School Activities Association shall undertake an examination of the following:

(a) Alternative criteria for establishing administrative regions to include, but not be limited to, population.

(b) Procedures to ensure appropriate diversity in the membership of the board of directors.

- (c) Opportunities to secure corporate financial support for high school athletic programs.

The board of directors shall submit to the commissioner, the President of the Senate, and the Speaker of the House of Representatives not later than March 1, 2003, a report on the actions taken in the examination of each of the three topics listed in this subsection, the findings, and the actions to be taken to implement the findings and the target date for implementation.

Part I.f. Instructional Materials for K-12 Public Education

1006.41 Disposal of instructional materials.--

(1) Instructional materials that have become unserviceable or surplus or are no longer on state contract may be disposed of, under adopted rule of the district school board, by:

(a) Giving or lending the materials to other public education programs within the district or state, to the teachers to use in developing supplementary teaching materials, to students or others, or to any charitable organization, governmental agency, home education students, private school, or state.

Chapter 1007 Articulation and Access

Part II Articulation

1007.261 State universities; admissions of students.—

Each university board of trustees is authorized to adopt rules governing the admission of students, subject to this section and rules of the State Board of Education.

(1) Minimum academic standards for undergraduate admission to a university include:

(a) Each student must have received a high school diploma pursuant to s. 1003.43, or its equivalent, except as provided in s. 1007.271(2)-(5) or completed a home education program according to s. 1002.41.

(b) Each student must have successfully completed a college-preparatory curriculum of 19 credits, as defined in rules of the State Board of Education, including at least 2 credits of sequential foreign language at the secondary level or the equivalent of such instruction at the postsecondary level. A student who completes a home education program according to s. 1002.41 is not required to document completion of the 19 credits required by this paragraph....

1007.263 Community colleges; admissions of students.--

Each community college board of trustees is authorized to adopt rules governing admissions of students subject to this section and rules of the State Board of Education. These rules shall include the following:

(2) Admission to associate degree programs is subject to minimum standards adopted by the State Board of Education and shall require:

(a) A standard high school diploma, a high school equivalency diploma as prescribed in s. 1003.435, previously demonstrated competency in college credit postsecondary coursework, or, in the case of a student who is home educated, a signed affidavit submitted by the student's parent or legal guardian attesting that the student has completed a home education program pursuant to the requirements of s. 1002.41.

1007.27 Articulated accelerated mechanisms –

4) It is the intent of the Legislature to provide articulated acceleration mechanisms for students who are in home education programs, as defined in s. 1003.01(11), consistent with the educational opportunities available to

public and private secondary school students. Home education students may participate in dual enrollment, career and technical dual enrollment, early admission, and credit by examination. Credit earned by home education students through dual enrollment shall apply toward the completion of a home education program that meets the requirements of s. 1002.41.

(5) Early admission shall be a form of dual enrollment through which eligible secondary students enroll in a postsecondary institution on a full-time basis in courses that are creditable toward the high school diploma and the associate or baccalaureate degree. Students enrolled pursuant to this subsection shall be exempt from the payment of registration, tuition, and laboratory fees.

(6) Advanced placement shall be the enrollment of an eligible secondary student in a course offered through the Advanced Placement Program administered by the College Board. Postsecondary credit for an advanced placement course shall be limited to students who score a minimum of 3, on a 5-point scale, on the corresponding Advanced Placement Examination. The specific courses for which students receive such credit shall be determined by the department. Students of Florida public secondary schools enrolled pursuant to this subsection shall be exempt from the payment of any fees for administration of the examination regardless of whether or not the student achieves a passing score on the examination.

(7) Credit by examination shall be the program through which secondary and postsecondary students generate postsecondary credit based on the receipt of a specified minimum score on nationally standardized general or subject-area examinations. For the purpose of statewide application, such examinations and the corresponding minimum scores required for an award of credit shall be delineated by the State Board of Education in the statewide articulation agreement. The maximum credit generated by a student pursuant to this subsection shall be mitigated by any related postsecondary credit earned by the student prior to the administration of the examination. This subsection shall not preclude community colleges and universities from awarding credit by examination based on student performance on examinations developed within and recognized by the individual postsecondary institutions.

1007.271 Dual enrollment programs.--

(1) The dual enrollment program is the enrollment of an eligible secondary student or home education student in a postsecondary course creditable toward a career and technical certificate or an associate or baccalaureate degree.

(10)(a) Dual enrollment program for home education students consists of the enrollment of an eligible home education secondary student in a postsecondary course creditable toward an associate degree, a career or technical certificate, or a baccalaureate degree. To participate in the dual enrollment program, an eligible home education secondary student must:

1. Provide proof of enrollment in a home education program pursuant to s. 1002.41.
2. Be responsible for his or her own instructional materials and transportation unless provided for otherwise.

(b) Each technical center, community college, and state university shall:

1. Delineate courses and programs for dually enrolled home education students. Courses and programs may be added, revised, or deleted at any time.
2. Identify eligibility criteria for home education student participation, not to exceed those required of other dually enrolled students.

(14) Instructional materials assigned for use within dual enrollment courses shall be made available to dual enrollment students from Florida public high schools free of charge. This subsection shall not be construed to prohibit a community college from providing instructional materials at no cost to a home education student or student from a private school. Students enrolled in postsecondary instruction not creditable toward a high school diploma shall not be considered dual enrollments and shall be required to assume the cost of instructional materials necessary for such instruction.

Chapter 1008 Assessment and Accountability
Part III Accountability, K-20

1008.386 Social security numbers used as student identification numbers.—

Each district school board shall request that each student enrolled in a public school in this state provide his or her social security number. Each school district shall use social security numbers as student identification numbers in the management information system maintained by the school district. However, a student is not required to provide his or her social security number as a condition for enrollment or graduation. A student satisfies this requirement by presenting to school enrollment officials his or her social security card or a copy of the card. The school district shall include the social security number in the student's permanent records and shall indicate if the student identification number is not a social security number.

The Commissioner of Education shall provide assistance to school districts to assure that the assignment of student identification numbers other than social security numbers is kept to a minimum and to avoid duplication of any student identification number.

Chapter 1009 Educational Scholarships, Fees, and Financial Assistance
Part II Postsecondary Student Fees

1009.25 Fee exemptions.—

(2) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides postsecondary career and technical programs, community college, or state university:

(a) A student enrolled in a dual enrollment or early admission program pursuant to s. 1007.27 or s. 1007.271.

Part III.b. Scholarships, Grants, and Other Aid--

1009.53 Florida Bright Futures Scholarship Program.--

(1) The Florida Bright Futures Scholarship Program is created to establish a lottery-funded scholarship program to reward any Florida high school graduate who merits recognition of high academic achievement and who enrolls in a degree program, certificate program, or applied technology program at an eligible Florida public or private postsecondary education institution within 3 years of graduation from high school.

(2) The Bright Futures Scholarship Program consists of three types of awards: the Florida Academic Scholarship, the Florida Medallion Scholarship, and the Florida Gold Seal Vocational Scholarship.

(3) The Department of Education shall administer the Bright Futures Scholarship Program according to rules and procedures established by the State Board of Education. A single application must be sufficient for a student to apply for any of the three types of awards. The department must advertise the availability of the scholarship program and must notify students, teachers, parents, guidance counselors, and principals or other relevant school administrators of the criteria and application procedures. The department must begin this process of notification no later than January 1 of each year.

(4) Funding for the Bright Futures Scholarship Program must be allocated from the Education Enhancement Trust Fund and must be provided before allocations from that fund are calculated for disbursement to other educational entities.

(a) If funds appropriated are not adequate to provide the maximum allowable award to each eligible applicant, awards in all three components of the program must be prorated using the same percentage reduction.

(b) Notwithstanding s. 216.301, if all funds allocated to the Bright Futures Scholarship Program are not used in any fiscal year, up to 10 percent of the total allocation may be carried forward and used for awards in the following year.

(5) The department shall issue awards from the scholarship program annually. Annual awards may be for up to 45 semester credit hours or the equivalent. Before the registration period each semester, the department shall transmit payment for each award to the president or director of the postsecondary education institution, or his or her representative, except that the department may withhold payment if the receiving institution fails to report or to make refunds to the department as required in this section.

(a) Within 30 days after the end of regular registration each semester, the educational institution shall certify to the department the eligibility status of each student who receives an award. After the end of the drop and add period, an institution is not required to reevaluate or revise a student's eligibility status, but must make a refund to the department if a student who receives an award disbursement terminates enrollment for any reason during an academic term and a refund is permitted by the institution's refund policy.

(b) An institution that receives funds from the program shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 60 days after the end of regular registration.

(c) Each institution that receives moneys through this program shall prepare an annual report that includes an annual financial audit, conducted by an independent certified public accountant or the Auditor General. The report shall include an audit of the institution's administration of the program and a complete accounting of the moneys for the program. This report must be submitted to the department annually by March 1. The department may conduct its own annual audit of an institution's administration of the program. The department may request a refund of any moneys overpaid to the institution for the program. The department may suspend or revoke an institution's eligibility to receive future moneys for the program if the department finds that an institution has not complied with this section. The institution must remit within 60 days any refund requested in accordance with this subsection.

(6) A student enrolled in 6 to 8 semester credit hours may receive up to one-half of the maximum award; a student enrolled in 9 to 11 credit hours may receive up to three-fourths of the maximum award; and a student enrolled in 12 or more credit hours may receive up to the full award.

(7) A student may receive only one type of award from the Florida Bright Futures Scholarship Program at a time, but may transfer from one type of award to another through the renewal application process, if the student's eligibility status changes. However, a student is not eligible to transfer from a Florida Medallion Scholarship or a Florida Gold Seal Vocational Scholarship to a Florida Academic Scholarship. A student who receives an award from the program may also receive a federal family education loan or a federal direct loan, and the value of the award must be considered in the certification or calculation of the student's loan eligibility.

(8) If a recipient transfers from one eligible institution to another and continues to meet eligibility requirements, the award must be transferred with the student.

(9) A student may use an award for summer term enrollment if funds are available.

(10) Funds from any scholarship within the Florida Bright Futures Scholarship Program may not be used to pay for remedial or college-preparatory coursework.

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.--

(1) To be eligible for an initial award from any of the three types of scholarships under the Florida Bright Futures Scholarship Program, a student must:

(a) Be a Florida resident as defined in s. 1009.40 and rules of the State Board of Education.

(b) Earn a standard Florida high school diploma or its equivalent as described in s. 1003.43 or s. 1003.45 unless:

1. The student is enrolled full time in the early admission program of an eligible postsecondary education institution or completes a home education program according to s. 1002.41; or 2. The student earns a high school diploma from a non-Florida school while living with a parent or guardian who is on military or public service assignment away from Florida.

(c) Be accepted by and enroll in an eligible Florida public or independent postsecondary education institution.

(d) Be enrolled for at least 6 semester credit hours or the equivalent in quarter hours or clock hours.

(e) Not have been found guilty of, or plead nolo contendere to, a felony charge, unless the student has been granted clemency by the Governor and Cabinet sitting as the Executive Office of Clemency.

(f) Apply for a scholarship from the program by high school graduation.

(2) A student is eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 7 years following high school graduation. A student who applies for an award by high school graduation and who meets all other eligibility requirements, but who does not accept his or her award, may reapply during subsequent application periods up to 3 years after high school graduation.

(3) For purposes of calculating the grade point average to be used in determining initial eligibility for a Florida Bright Futures scholarship, the department shall assign additional weights to grades earned in the following courses:

(a) Courses identified in the course code directory as Advanced Placement, pre-International Baccalaureate, or International Baccalaureate.

(b) Courses designated as academic dual enrollment courses in the statewide course numbering system.

The department may assign additional weights to courses, other than those described in paragraphs (a) and (b), that are identified by the Department of Education as containing rigorous academic curriculum and performance standards. additional weight assigned to a course pursuant to this subsection shall not exceed 0.5 per course. The weighted system shall be developed and distributed to all high schools in the state prior to January 1, 1998. The department may determine a student's eligibility status during the senior year before graduation and may inform the student of the award at that time.

(4) Each school district shall annually provide to each high school student a complete and accurate Florida Bright Futures Scholarship Evaluation Report and Key. The report shall be disseminated at the beginning of each school year. The report must include all high school coursework attempted, the number of credits earned toward each type of award, and the calculation of the grade point average for each award. The report must also identify all requirements not met per award, including the grade point average requirement, as well as identify the awards for which the student has met the academic requirements. The student report cards must contain a disclosure that the grade point average calculated for purposes of the Florida Bright Futures Scholarship Program may differ from the grade point average on the report card.

(5) A student who wishes to qualify for a particular award within the Florida Bright Futures Scholarship Program, but who does not meet all of the requirements for that level of award, may, nevertheless, receive the award if the principal of the student's school or the district superintendent verifies that the deficiency is caused by the fact that school district personnel provided inaccurate or incomplete information to the student. The school district must provide a means for the student to correct the deficiencies and the student must correct them, either by completing comparable work at the postsecondary institution or by completing a directed individualized study program developed and administered by the school district. If the student does not complete the requirements by December 31 immediately following high school graduation, the student is ineligible to participate in the program.

1009.532 Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards.--

(1) To be eligible to renew a scholarship from any of the three types of scholarships under the Florida Bright Futures Scholarship Program, a student must:

(a) Complete at least 12 semester credit hours or the equivalent in the last academic year in which the student earned a scholarship.

(b) Maintain the cumulative grade point average required by the scholarship program, except that:

1. If a recipient's grades fall beneath the average required to renew a Florida Academic Scholarship, but are sufficient to renew a Florida Medallion Scholarship or a Florida Gold Seal Vocational Scholarship, the Department of Education may grant a renewal from one of those other scholarship programs, if the student meets the renewal eligibility requirements; or

2. If, at any time during the eligibility period, a student's grades are insufficient to renew the scholarship, the student may restore eligibility by improving the grade point average to the required level. A student is eligible for such a reinstatement only once. The Legislature encourages education institutions to assist students to calculate whether or not it is possible to raise the grade point average during the summer term. If the institution determines that it is possible, the education institution may so inform the department, which may reserve the student's award if funds are available. The renewal, however, must not be granted until the student achieves the required cumulative grade point average. If the summer term is not sufficient to raise the grade point average to the required renewal level, the student's next opportunity for renewal is the fall semester of the following academic year.

(2) A student who is enrolled in a program that terminates in an associate degree or a baccalaureate degree may receive an award for a maximum of 110 percent of the number of credit hours required to complete the program. A student who is enrolled in a program that terminates in a technical certificate may receive an award for a maximum of 110 percent of the credit hours or clock hours required to complete the program up to 90 credit hours. A student who transfers from one of these program levels to another becomes eligible for the higher of the two credit hour limits.

1009.533 Florida Bright Futures Scholarship Program; eligible postsecondary education institutions.—

A student is eligible for an award or the renewal of an award from the Florida Bright Futures Scholarship Program if the student meets the requirements for the program as described in this act and is enrolled in a postsecondary education institution that meets the description in any one of the following subsections:

(1) A Florida public university, community college, or technical center.

(2) An independent Florida college or university that is accredited by an accrediting association whose standards are comparable to the minimum standards required to operate an institution at that level in Florida, as determined by rules of the Commission for Independent Education, and which has operated in the state for at least 3 years.

(3) An independent Florida postsecondary education institution that is licensed by the Commission for Independent Education and that:

- (a) Is authorized to grant degrees;
- (b) Shows evidence of sound financial condition; and
- (c) Has operated in the state for at least 3 years

without having its approval, accreditation, or license placed on probation.

(4) A Florida independent postsecondary education institution that offers a nursing diploma approved by the Board of Nursing.

(5) A Florida independent postsecondary education institution that is licensed by the Commission for Independent Education and which:

- (a) Is authorized to award certificates, diplomas, or credentials other than degrees;
- (b) Has a program completion and placement rate of at least the rate required by the current

Florida Statutes, the Florida Administrative Code, or the Department of Education for an institution at its level; and

(c) Shows evidence of sound financial condition; and either:

1. Is accredited at the institutional level by an accrediting agency recognized by the United States Department of Education and has operated in the state for at least 4 years during which there has been no complaint for which probable cause has been found; or

2. Has operated in Florida for 5 years during which there has been no complaint for which probable cause has been found.

1009.534 Florida Academic Scholars award.--

(1) A student is eligible for a Florida Academic Scholars award if the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Has achieved a 3.5 weighted grade point average as calculated pursuant to s. 1009.531, or its equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses; and has attained at least the score identified by rules of the State Board of Education on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program; or

(b) Has attended a home education program according to s. 1002.41 during grades 11 and 12 or has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma, and has attained at least the score identified by rules of the Department of Education on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program; or

(c) Has been awarded an International Baccalaureate Diploma from the International Baccalaureate Office; or

(d) Has been recognized by the merit or achievement programs of the National Merit Scholarship Corporation as a scholar or finalist; or

(e) Has been recognized by the National Hispanic Recognition Program as a scholar recipient.

A student must complete a program of community service work, as approved by the district school board or the administrators of a nonpublic school, which shall include a minimum of 75 hours of service work and require the student to identify a social problem that interests him or her, develop a plan for his or her personal involvement in addressing the problem, and, through papers or other presentations, evaluate and reflect upon his or her experience.

(2) A Florida Academic Scholar who is enrolled in a public postsecondary education institution is eligible for an award equal to the amount required to pay tuition, fees, and \$600 for college-related expenses annually. A student who is enrolled in a nonpublic postsecondary education institution is eligible for an award equal to the amount that would be required to pay for the average tuition and fees of a public postsecondary education institution at the comparable level, plus the annual \$600.

(3) To be eligible for a renewal award as a Florida Academic Scholar, a student must maintain the equivalent of a cumulative grade point average of 3.0 on a 4.0 scale with an opportunity for one reinstatement as provided in this chapter.

(4) In each school district, the Florida Academic Scholar with the highest academic ranking shall receive an additional award of \$1,500 for college-related expenses. This award must be funded from the Florida Bright Futures Scholarship Program.

1009.535 Florida Medallion Scholars award.--

(1) A student is eligible for a Florida Medallion Scholars award if the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Has achieved a weighted grade point average of 3.0 as calculated pursuant to s. 1009.531, or the equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses; and has attained at least the score identified by rules of the State Board of Education on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program; or

(b) Has attended a home education program according to s. 1002.41 during grades 11 and 12 or has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma, and has attained at least the score identified by rules of the Department of Education on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program; or

(c) Has been recognized by the merit or achievement program of the National Merit Scholarship Corporation as a scholar or finalist but has not completed a program of community service as provided in s. 1009.534; or

(d) Has been recognized by the National Hispanic Recognition Program as a scholar, but has not completed a program of community service as provided in s. 1009.534.

(2) A Florida Medallion Scholar is eligible for an award equal to the amount required to pay 75 percent of tuition and fees, if the student is enrolled in a public postsecondary education institution. A student who is enrolled in a nonpublic postsecondary education institution is eligible for an award equal to the amount that would be required to pay 75 percent of the tuition and fees of a public postsecondary education institution at the comparable level.

(3) To be eligible for a renewal award as a Florida Medallion Scholar, a student must maintain the equivalent of a cumulative grade point average of 2.75 on a 4.0 scale with an opportunity for reinstatement one time as provided in this chapter.

1009.537 Eligibility for the Florida Bright Futures Scholarship Program; transition.--

(1) A student who graduates from high school in 1997 or earlier and who is eligible for the Florida Undergraduate Scholar's Program pursuant to former s. 240.402 is eligible for the Florida Academic Scholars award as provided in this act. A student who graduates from high school in 1998 or 1999 is eligible for the Florida Academic Scholars award if the student meets the criteria in s. 1009.534. However, in lieu of satisfying the requirements set forth in s. 1009.534(1)(a), a student may meet the following criteria:

(a) Complete a program of at least 24 credits in advanced-level studies as prescribed by the State Board of Education, including as a minimum:

1. Four years of progressively advanced instruction in language arts, including courses in English composition and literature.

2. Four years of progressively advanced instruction in science, including laboratory courses in biology, chemistry, and physics where laboratory facilities are available.

3. Four years of progressively advanced instruction in mathematics, including courses in algebra, geometry, and calculus or trigonometry.

4. Two years of sequential foreign language.

5. One year of instruction in art and music or in either art or music.

6. Three years of instruction in social studies, including courses in American history and government, world history, and comparative political and economic systems.

7. One year of instruction in health and physical education to include assessment, improvement, and maintenance of personal fitness.

(b) Obtain at least the equivalent of an unweighted grade point average of 3.0 on a 4.0 scale for all courses taken for which high school credit may be granted.

(c) Achieve a score of 1180 on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program or an equivalent program.

(d) Complete a program of community service work, as approved by the district school board or the administrators of a nonpublic school, which shall include a minimum of 75 hours of service work and require the student to identify a social problem that interests him or her, develop a plan for his or her personal involvement in addressing the problem, and, through papers or other presentations, evaluate and reflect upon his or her experience.

(3) Effective for the 1997-1998 academic year, a student is eligible for an initial award of a Florida Merit Scholarship if the student:

(a)1. Is scheduled to graduate from high school in 1997;

2. Completes, or is enrolled in all courses required to complete, the high school college-preparatory coursework required in this act;

3. Achieves an unweighted grade point average of 3.0 on a 4.0 scale, or the equivalent, in high school courses that are adopted by the Board of Regents and recommended by the State Board of Community Colleges as college-preparatory academic courses; and

4. Earns a score of 970 or above on the combined verbal and quantitative parts of the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program; or

(b) Has completed a college-preparatory curriculum in 1997 through an approved home school program and has attained a score of 970 on the combined verbal and quantitative parts of the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program. Eligibility shall be determined in the same manner as for public school students. For students whose parents are unable to document a college-preparatory curriculum, a score of 1070 on the SAT, or equivalent score on the ACT, shall be required for award eligibility.

1009.538 Bright Futures Scholarship recipients attending nonpublic institutions; calculation of awards.—

Notwithstanding ss. 1009.53, 1009.534, 1009.535, and 1009.536, a student who receives any award under the Florida Bright Futures Scholarship Program, who is enrolled in a nonpublic postsecondary education institution, and who is assessed tuition and fees that are the same as those of a full-time student at that institution, shall receive a fixed award calculated by using the average tuition and fee calculation as prescribed by the Department of Education for full-time attendance at a public postsecondary education institution at the comparable level. If the student is enrolled part-time and is assessed tuition and fees at a reduced level, the award shall be either one-half of the maximum award or three-fourths of the maximum award, depending on the level of fees assessed.

1009.5385 Use of certain scholarship funds by children of deceased or disabled veterans.-- The criteria for the use of scholarship funds which apply to students under the Florida Bright Futures Scholarship Program shall also apply to the children of deceased or disabled veterans who receive scholarships under chapter 295.

1009.539 Florida Bright Futures Scholarship Testing Program.--

(1) The State Board of Education shall identify the minimum scores, maximum credit, and course or courses for which credit is to be awarded for each College Level Examination Program (CLEP) general examination, CLEP subject examination, College Board Advanced Placement Program examination, and International Baccalaureate examination. In addition, the State Board of Education shall identify such courses in the general education core curriculum of each state university and community college.

(2) Each community college and state university must award credit for specific courses for which competency has been demonstrated by successful passage of one of these examinations unless the award of credit duplicates credit already awarded. Community colleges and universities may not exempt students from courses without the award of credit if competencies have been so demonstrated. If a student achieves a passing score as identified by the State Board of Education on an examination required by this section, the student shall receive credit equivalent to successfully completing the equivalent course as identified by the State Board of Education in a state university or community college, provided that such credit is not duplicative of credit already earned by the student.

(3) Students eligible for a Florida Academic Scholars award or a Florida Medallion Scholars award who are admitted to and enroll in a community college or state university shall, prior to registering for courses that may be earned through a CLEP examination and no later than registration for their second term, complete at least five examinations from those specified in subsection (1) in the following areas: English; humanities; mathematics; natural sciences; and social sciences. Successful completion of dual enrollment courses, Advanced Placement examinations, and International Baccalaureate examinations taken prior to high school graduation satisfy this requirement. The State Board of Education shall identify the examinations that satisfy each component of this requirement.

(4) Each community college and state university shall pay for the CLEP examinations required pursuant to this section from the funds appropriated from the Educational Enhancement Trust Fund. Institutions shall pay no more than

\$46 per examination for the program, which shall include access to a student guide to prepare for the test. The Department of Education shall negotiate with the College Board for a reduced rate for the examinations. The institution shall not charge the student for preparation and administration of the test, access to a student guide to prepare for the test, or recordkeeping and reporting of each student's test results to the department.

(5) The credit awarded pursuant to this section shall apply toward the 120 hours of college credit required pursuant to s. 1007.25(7).

(6) The Department of Education shall track and annually report on the effectiveness of the program, and include information on the number of students participating in the program; the CLEP examinations taken and the passage rate of Florida Academic Scholars and Florida Medallion Scholars award recipients; the use of Advanced Placement and International Baccalaureate examinations and dual enrollment courses to satisfy the requirements of the program; and the course credit provided.