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1 A bill to be entitled

2 An act relating to class size reduction; amending s.  
3 1003.03, F.S.; revising provisions relating to  
4 determination of class size averages; providing for  
5 reversal of class size reduction operating categorical  
6 transfers under certain circumstances; amending s.  
7 1003.429, F.S.; revising course requirements in the  
8 college preparatory accelerated high school graduation  
9 program; revising course requirements in the career  
10 preparatory accelerated high school graduation program;  
11 providing students already participating in an accelerated  
12 graduation program the right to continue in the current  
13 program; establishing requirements for selection of  
14 accelerated graduation options; requiring districts to  
15 establish a policy for extending the deadline for certain  
16 students to choose an accelerated graduation option;  
17 authorizing use of alternate assessments; revising  
18 requirements for grades that must be earned to participate  
19 in the accelerated graduation program; requiring schools  
20 to provide specific notices to students and parents if, at  
21 the end of the grade 10, the student is not on track to  
22 graduate; specifying certain situations in which a student  
23 shall be moved from a 3-year to a 4-year graduation  
24 program; amending s. 1003.43, F.S., relating to general  
25 requirements for high school graduation; authorizing use  
26 of alternate assessments; amending s. 1008.22, F.S.;  
27 authorizing the SAT and the ACT as alternate assessments  
28 for the grade 10 FCAT for students entering a Florida  
29 public school in grade 11 or grade 12 and for students who

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30 have exhausted all attempts to pass the grade 10 FCAT;  
 31 deleting obsolete language; amending s. 1013.735, F.S.;  
 32 modifying the formula for the allocation of funds from the  
 33 Classrooms for Kids appropriation; providing an effective  
 34 date.

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

38 Section 1. Paragraph (c) of subsection (2) and paragraph  
 39 (a) of subsection (4) of section 1003.03, Florida Statutes, are  
 40 amended to read:

41 1003.03 Maximum class size.--

42 (2) IMPLEMENTATION.--

43 (c) The Department of Education shall annually calculate  
 44 each of the three average class size measures defined in  
 45 paragraphs (a) and (b) based upon the October student membership  
 46 survey. For purposes of determining the baseline from which each  
 47 district's average class size must be reduced for the 2003-2004  
 48 school year, the department shall use data from the February  
 49 2003 student membership survey updated to include classroom  
 50 identification numbers as required by the department. Beginning  
 51 in the 2004-2005 school year, if the actual student membership  
 52 in the October survey exceeds the student membership estimate  
 53 included in the Florida Education Finance Program first  
 54 calculation, the maximum student membership enrollment used in  
 55 determining the October class size averages shall be the student  
 56 membership estimate included in the Florida Education Finance  
 57 Program first calculation.

58 (4) ACCOUNTABILITY.--

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59 (a) Beginning in the 2003-2004 fiscal year, if the  
60 department determines for any year that a school district has  
61 not reduced average class size as required in subsection (2) at  
62 the time of the third FEFP calculation, the department shall  
63 calculate an amount from the class size reduction operating  
64 categorical which is proportionate to the amount of class size  
65 reduction not accomplished. Upon verification of the  
66 department's calculation by the Florida Education Finance  
67 Program Appropriation Allocation Conference, the Executive  
68 Office of the Governor shall transfer undistributed funds  
69 equivalent to the calculated amount from the district's class  
70 size reduction operating categorical to an approved fixed  
71 capital outlay appropriation for class size reduction in the  
72 affected district pursuant to s. 216.292(13). The amount of  
73 funds transferred shall be the lesser of the amount verified by  
74 the Florida Education Finance Program Appropriation Allocation  
75 Conference or the undistributed balance of the district's class  
76 size reduction operating categorical. However, based upon a  
77 recommendation by the Commissioner of Education that the State  
78 Board of Education has reviewed evidence indicating that a  
79 district has been unable to meet class size reduction  
80 requirements despite appropriate effort to do so, the  
81 Legislative Budget Commission may approve an alternative amount  
82 of funds to be transferred from the district's class size  
83 reduction operating categorical to its approved fixed capital  
84 outlay account for class size reduction. Beginning in the 2004-  
85 2005 school year, a district that fully achieves the required  
86 class size averages when compared to the February 2003 baseline  
87 student membership survey shall be eligible for a reversal of

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88 the prior year class size reduction operating categorical  
 89 transfer that resulted from its inability to achieve the  
 90 required class size averages as required in subsection (2).

91 Section 2. Section 1003.429, Florida Statutes, is amended  
 92 to read:

93 1003.429 Accelerated high school graduation options.--

94 (1) Students who enter grade 9 in the 2004-2005 school  
 95 year ~~Beginning with the 2003-2004 school year, all students~~  
 96 ~~scheduled to graduate in 2004~~ and thereafter may select one of  
 97 the following three high school graduation options:

98 (a) Completion of the general requirements for high school  
 99 graduation pursuant to s. 1003.43;

100 (b) Completion of a 3-year standard college preparatory  
 101 program requiring successful completion of a minimum of 18  
 102 academic credits in grades 9 through 12. At least 6 of the 18  
 103 credits required for completion of this program must be received  
 104 in classes that are honors, dual enrollment, advanced placement,  
 105 International Baccalaureate, Advanced International Certificate  
 106 of Education, specifically listed or identified by the  
 107 Department of Education as rigorous pursuant to s. 1009.531(3),  
 108 or weighted by the district school board for class ranking  
 109 purposes. The 18 credits required for completion of this program  
 110 shall be primary requirements and shall be distributed as  
 111 follows:

112 1. Four credits in English, with major concentration in  
 113 composition and literature;

114 2. Three credits in mathematics at the Algebra I level or  
 115 higher from the list of courses that qualify for state  
 116 university admission;

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117 3. Three credits in natural science, two of which must  
118 have a laboratory component;

119 4. Three credits in social sciences, which must include  
120 one credit in American history, one credit in world history,  
121 one-half credit in American government, and one-half credit in  
122 economics;

123 5. Two credits in the same second language unless the  
124 student is a native speaker of or can otherwise demonstrate  
125 competency in a language other than English. If the student  
126 demonstrates competency in another language, the student may  
127 replace the language requirement with two credits in other  
128 academic courses; and

129 6. Three credits in electives; or

130 (c) Completion of a 3-year career preparatory program  
131 requiring successful completion of a minimum of 18 academic  
132 credits in grades 9 through 12. The 18 credits shall be primary  
133 requirements and shall be distributed as follows:

134 1. Four credits in English, with major concentration in  
135 composition and literature;

136 2. Three credits in mathematics, one of which must be  
137 Algebra I;

138 3. Three credits in natural science, two of which must  
139 have a laboratory component;

140 4. Three credits in social sciences, which must include  
141 one credit in American history, one credit in world history,  
142 one-half credit in American government, and one-half credit in  
143 economics;

144 5. Three ~~Two~~ credits in a single vocational or career  
145 education program, three credits in career and technical

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146 certificate dual enrollment courses, or five credits in  
 147 vocational or career education courses ~~the same second language~~  
 148 ~~unless the student is a native speaker of or can otherwise~~  
 149 ~~demonstrate competency in a language other than English. If the~~  
 150 ~~student demonstrates competency in another language, the student~~  
 151 ~~may replace the language requirement with two credits in other~~  
 152 ~~academic courses; and~~

153 6. Two ~~Three~~ credits in electives unless five credits are  
 154 earned pursuant to subparagraph 5.

155  
 156 Any student who selected an accelerated graduation program  
 157 before July 1, 2004, may continue that program, and all  
 158 statutory program requirements that were applicable when the  
 159 student made the program choice shall remain applicable to the  
 160 student as long as the student continues that program.

161 (2) Prior to selecting a program described in paragraph  
 162 (1)(b) or paragraph (1)(c), the following requirements must be  
 163 met:

164 (a) Designated school personnel shall meet with the  
 165 student and student's parent to give an explanation of the  
 166 relative requirements, advantages, and disadvantages of each  
 167 graduation option.

168 (b) The student shall submit to the high school principal  
 169 and guidance counselor a signed parental consent to enter the 3-  
 170 year accelerated graduation program.

171 (c) The student shall have achieved at least an FCAT  
 172 reading achievement level of 3, an FCAT mathematics achievement  
 173 level of 3, and an FCAT Writing score of 3 on the most recent  
 174 assessments taken by the student.

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175 (3)~~(2)~~ Beginning with the 2004-2005 ~~2003-2004~~ school year,  
 176 each district school board shall provide each student in grades  
 177 6 through 9 ~~12~~ and their parents with information concerning the  
 178 3-year and 4-year high school graduation options listed in  
 179 subsection (1), including the respective curriculum requirements  
 180 for those options, so that ~~with curriculum for~~ the students and  
 181 their parents may ~~to~~ select the postsecondary education or  
 182 career plan that best fits their needs. The information ~~options~~  
 183 shall include a timeframe for achieving each graduation option.

184 (4)~~(3)~~ Selection of one of the graduation options listed  
 185 in subsection (1) must be completed by the student prior to the  
 186 end of grade 9 and is exclusively up to the student and parent,  
 187 subject to the requirements in subsection (2). Each district  
 188 school board shall establish policies for extending this  
 189 deadline to the end of a student's first semester of grade 10  
 190 for a student who entered a Florida public school after grade 9  
 191 upon transfer from a private school or another state or who was  
 192 prevented from choosing a graduation option due to illness  
 193 during grade 9. If the student and parent fail to select a  
 194 graduation option, the student shall be considered to have  
 195 selected the general requirements for high school graduation  
 196 pursuant to paragraph (1)(a).

197 (5)~~(4)~~ District school boards shall not establish  
 198 requirements for accelerated 3-year high school graduation  
 199 options in excess of the requirements in paragraphs (1)(b) and  
 200 (c).

201 (6)~~(5)~~ Students pursuing accelerated 3-year high school  
 202 graduation options pursuant to paragraph (1)(b) or paragraph  
 203 (1)(c) are required to:

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204 (a) Earn passing scores on the FCAT as defined in s.  
 205 1008.22(3)(c) or scores on a standardized test that are  
 206 concordant with passing scores on the FCAT as defined in s.  
 207 1008.22(9).

208 (b)1. Achieve a cumulative weighted grade point average of  
 209 3.0 ~~2.0~~ on a 4.0 scale, or its equivalent, in the courses  
 210 required for the college preparatory by the chosen accelerated  
 211 3-year high school graduation option pursuant to paragraph  
 212 (1)(b); or

213 2. Achieve a cumulative weighted grade point average of  
 214 2.5 on a 4.0 scale, or its equivalent, in the courses required  
 215 for the career preparatory accelerated 3-year high school  
 216 graduation option pursuant to paragraph (1)(c).

217 (c) Receive a weighted or unweighted grade that earns at  
 218 least 3.0 points, or its equivalent, to earn course credit  
 219 toward the 18 credits required for the college preparatory  
 220 accelerated 3-year high school graduation option pursuant to  
 221 paragraph (1)(b).

222 (d) Receive a weighted or unweighted grade that earns at  
 223 least 2.0 points, or its equivalent, to earn course credit  
 224 toward the 18 credits required for the career preparatory  
 225 accelerated 3-year high school graduation option pursuant to  
 226 paragraph (1)(c).

227  
 228 Weighted grades referred to in paragraphs (b), (c), and (d)  
 229 shall be applied to those courses specifically listed or  
 230 identified by the department as rigorous pursuant to s.  
 231 1009.531(3) or weighted by the district school board for class  
 232 ranking purposes.



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233 (7) If, at the end of grade 10, a student is not on track  
 234 to meet the credit, assessment, or grade-point-average  
 235 requirements of the accelerated graduation option selected, the  
 236 school shall notify the student and parent of the following:

237 (a) The requirements that the student is not currently  
 238 meeting.

239 (b) The specific performance necessary in grade 11 for the  
 240 student to meet the accelerated graduation requirements.

241 (c) The right of the student to change to the 4-year  
 242 program set forth in s. 1003.43.

243 (8) A student who selected one of the accelerated 3-year  
 244 graduation options shall automatically move to the 4-year  
 245 program set forth in s. 1003.43 if the student:

246 (a) Exercises his or her right to change to the 4-year  
 247 program;

248 (b) Fails to earn 5 credits by the end of grade 9 or fails  
 249 to earn 11 credits by the end of grade 10;

250 (c) Does not achieve a score of 3 or higher on the grade  
 251 10 FCAT Writing assessment; or

252 (d) By the end of grade 11 does not meet the requirements  
 253 of subsections (1) and (6).

254 (9)+6) A student who meets all requirements prescribed in  
 255 subsections (1) and (6)+5) shall be awarded a standard diploma  
 256 in a form prescribed by the State Board of Education.

257 Section 3. Paragraph (a) of subsection (5) of section  
 258 1003.43, Florida Statutes, is amended to read:

259 1003.43 General requirements for high school graduation.--

260 (5) Each district school board shall establish standards  
 261 for graduation from its schools, and these standards must

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262 include:

263 (a) Earning passing scores on the FCAT, as defined in s.  
 264 1008.22(3)(c) or scores on a standardized test that are  
 265 concordant with passing scores on the FCAT as defined in s.  
 266 1008.22(9).

267  
 268 The standards required in this subsection, and any subsequent  
 269 modifications, shall be reprinted in the Florida Administrative  
 270 Code even though not defined as "rules."

271 Section 4. Subsection (9) of section 1008.22, Florida  
 272 Statutes, is amended to read:

273 1008.22 Student assessment program for public schools.--

274 (9) EQUIVALENCIES FOR STANDARDIZED TESTS.--Any student who  
 275 enters a Florida public school at the eleventh grade or the  
 276 twelfth grade or any student who has exhausted all of his or her  
 277 attempts to pass the grade 10 FCAT and ~~The Commissioner of~~  
 278 ~~Education shall determine the comparable validity of other~~  
 279 ~~available standardized tests, including the SAT, ACT, College~~  
 280 ~~Placement Test, PSAT, PLAN, and tests used for entry into the~~  
 281 ~~military. If such tests are deemed to be valid and reliable~~  
 282 ~~measures, the commissioner shall approve the use of such tests~~  
 283 ~~as alternate assessments to the grade 10 FCAT for the 2002-2003~~  
 284 ~~school year. Students who~~ attains attain scores on the SAT or  
 285 the ACT that are concordant with ~~equate to~~ the passing scores on  
 286 the grade 10 FCAT for purposes of high school graduation ~~on any~~  
 287 ~~of the approved alternative assessments~~ shall satisfy the  
 288 assessment requirement for a standard high school diploma as  
 289 provided in s. 1003.429(6)(a) or s. 1003.43(5)(a) ~~for the 2002-~~  
 290 ~~2003 school year graduating class. Prior to the application of~~

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291 ~~these alternative assessments in subsequent school years, the~~  
 292 ~~Legislature shall review the continued use of these alternative~~  
 293 ~~tests.~~

294 Section 5. Subsection (1) of section 1013.735, Florida  
 295 Statutes, is amended to read:

296 1013.735 Classrooms for Kids Program.--

297 (1) ALLOCATION.--The department shall allocate funds  
 298 appropriated for the Classrooms for Kids Program. It is the  
 299 intent of the Legislature that this program be administered as  
 300 nearly as practicable in the same manner as the capital outlay  
 301 program authorized under s. 9(a), Art. XII of the State  
 302 Constitution. Each district school board's share of the annual  
 303 appropriation for the Classrooms for Kids Program must be  
 304 calculated according to the following formula:

305 (a) Twenty-five percent of the appropriation shall be  
 306 prorated to the districts based on each district's percentage of  
 307 K-12 base capital outlay full-time equivalent membership, and 65  
 308 percent shall be based on each district's percentage of K-12  
 309 growth capital outlay full-time equivalent membership as  
 310 specified for the allocation of funds from the Public Education  
 311 Capital Outlay and Debt Service Trust Fund by s. 1013.64(3).

312 (b) Ten percent of the appropriation must be allocated  
 313 among district school boards according to the allocation formula  
 314 in s. 1013.64(1)(a), excluding adult vocational technical  
 315 facilities.

316 Section 6. This act shall take effect July 1, 2004.