

CHAMBER ACTION

1 The PreK-12 Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the public school grading system;  
7 amending s. 1008.34, F.S.; adding feeder pattern schools  
8 to list of schools receiving a school grade; prescribing  
9 circumstances in which a feeder pattern exists; amending  
10 s. 1002.38, F.S.; allowing students served by feeder  
11 pattern schools to participate in the Opportunity  
12 Scholarship Program; amending s. 1008.36, F.S.; allowing  
13 feeder pattern schools to participate in the Florida  
14 School Recognition Program; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Subsection (3) of section 1008.34, Florida  
19 Statutes, is amended to read:

20 1008.34 School grading system; district performance  
21 grade.--

22 (3) DESIGNATION OF SCHOOL PERFORMANCE GRADE CATEGORIES.--A  
23 school that serves any combination of students in kindergarten

24 through grade 3 that does not receive a school grade because its  
 25 students are not tested and included in the school grading  
 26 system shall receive the school grade designation of a feeder  
 27 pattern school identified by the Department of Education and  
 28 verified by the school district. A school feeder pattern exists  
 29 if at least 60 percent of the students in the school serving a  
 30 combination of students in kindergarten through grade 3 are  
 31 scheduled to be assigned to the graded school. School  
 32 performance grade category designations itemized in subsection  
 33 (2) shall be based on the following:

34 (a) Timeframes.--

35 1. School performance grade category designations shall be  
 36 based on the school's current year performance and the school's  
 37 annual learning gains.

38 2. A school's performance grade category designation shall  
 39 be based on a combination of student achievement scores, student  
 40 learning gains as measured by annual FCAT assessments in grades  
 41 3 through 10, and improvement of the lowest 25th percentile of  
 42 students in the school in reading, math, or writing on the FCAT,  
 43 unless these students are performing above satisfactory  
 44 performance.

45 (b) Student assessment data.--Student assessment data used  
 46 in determining school performance grade categories shall  
 47 include:

48 1. The aggregate scores of all eligible students enrolled  
 49 in the school who have been assessed on the FCAT.

50 2. The aggregate scores of all eligible students enrolled  
 51 in the school who have been assessed on the FCAT, including

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52 Florida Writes, and who have scored at or in the lowest 25th  
53 percentile of students in the school in reading, math, or  
54 writing, unless these students are performing above satisfactory  
55 performance.

56  
57 The Department of Education shall study the effects of mobility  
58 on the performance of highly mobile students and recommend  
59 programs to improve the performance of such students. The State  
60 Board of Education shall adopt appropriate criteria for each  
61 school performance grade category. The criteria must also give  
62 added weight to student achievement in reading. Schools  
63 designated as performance grade category "C," making  
64 satisfactory progress, shall be required to demonstrate that  
65 adequate progress has been made by students in the school who  
66 are in the lowest 25th percentile in reading, math, or writing  
67 on the FCAT, including Florida Writes, unless these students are  
68 performing above satisfactory performance.

69 Section 2. Paragraph (a) of subsection (2) of section  
70 1002.38, Florida Statutes, is amended to read:

71 1002.38 Opportunity Scholarship Program.--

72 (2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.--A public school  
73 student's parent may request and receive from the state an  
74 opportunity scholarship for the student to enroll in and attend  
75 a private school in accordance with the provisions of this  
76 section if:

77 (a)1. By assigned school attendance area or by special  
78 assignment, the student has spent the prior school year in  
79 attendance at a public school, including a feeder pattern

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80 school, that has been designated pursuant to s. 1008.34 as  
81 performance grade category "F," failing to make adequate  
82 progress, and that has had 2 school years in a 4-year period of  
83 such low performance, and the student's attendance occurred  
84 during a school year in which such designation was in effect;

85 2. The student has been in attendance elsewhere in the  
86 public school system and has been assigned to such school for  
87 the next school year; or

88 3. The student is entering kindergarten or first grade and  
89 has been notified that the student has been assigned to such  
90 school for the next school year.

91  
92 The provisions of this section shall not apply to a student who  
93 is enrolled in a school operating for the purpose of providing  
94 educational services to youth in Department of Juvenile Justice  
95 commitment programs. For purposes of continuity of educational  
96 choice, the opportunity scholarship shall remain in force until  
97 the student returns to a public school or, if the student  
98 chooses to attend a private school the highest grade of which is  
99 grade 8, until the student matriculates to high school and the  
100 public high school to which the student is assigned is an  
101 accredited school with a performance grade category designation  
102 of "C" or better. However, at any time upon reasonable notice to  
103 the Department of Education and the school district, the  
104 student's parent may remove the student from the private school  
105 and place the student in a public school, as provided in  
106 subparagraph (3)(a)2.

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107 Section 3. Subsection (3) of section 1008.36, Florida  
108 Statutes, is amended to read:

109 1008.36 Florida School Recognition Program.--

110 (3) All public schools, including charter schools and  
111 feeder pattern schools, that receive a school grade pursuant to  
112 s. 1008.34 are eligible to participate in the program.

113

114 Notwithstanding statutory provisions to the contrary, incentive  
115 awards are not subject to collective bargaining.

116 Section 4. This act shall take effect July 1, 2006.