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1                   A bill to be entitled  
2           An act relating to education; amending s. 1003.41, F.S.;  
3           requiring that the State Board of Education replace the  
4           Sunshine State Standards with the Next Generation Sunshine  
5           State Standards; providing requirements for the content  
6           and organization of the standards; requiring that the  
7           standards establish core curricular content in specified  
8           areas for certain grades or grade clusters; requiring that  
9           the state board establish schedules for the adoption and  
10          revision of the Next Generation Sunshine State Standards;  
11          requiring that the state board adopt the standards by a  
12          specified date; requiring the Commissioner of Education to  
13          provide proposed Next Generation Sunshine State Standards  
14          or proposed revisions of such standards to the state  
15          board; providing requirements for the commissioner's  
16          development of the proposed standards or revisions;  
17          requiring consultation with certain experts; requiring  
18          distribution of a proposal developed by the commissioner  
19          for review and comment by certain experts; requiring a  
20          written evaluation of the proposal developed by the  
21          commissioner by certain experts; requiring provision of  
22          the commissioner's proposed standards and the written  
23          evaluation and comments to the Governor, the President of  
24          the Senate, and the Speaker of the House of  
25          Representatives; authorizing rulemaking by the State Board  
26          of Education; amending s. 220.187, F.S.; revising  
27          requirements for the selection of norm-referenced tests  
28          administered by private schools for purposes of the  
29          Corporate Income Tax Credit Scholarship Program; amending

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30 s. 1000.21, F.S.; providing and revising definitions;  
31 providing for application of the Sunshine State Standards  
32 pending adoption of the Next Generation Sunshine State  
33 Standards; amending s. 1001.03, F.S.; requiring the State  
34 Board of Education to periodically review and revise state  
35 curriculum standards; eliminating provisions requiring  
36 that the state board report proposed revisions to the  
37 Governor and the Legislature; amending s. 1001.452, F.S.;  
38 revising provisions relating to membership of school  
39 advisory councils; amending s. 1003.413, F.S.; requiring  
40 policies of each district school board to address an  
41 annual review of student education plans; amending s.  
42 1003.428, F.S.; revising courses that are acceptable for  
43 high school graduation; conforming provisions and a cross-  
44 reference; creating s. 1003.4285, F.S.; providing for high  
45 school diploma designations; amending ss. 1003.429,  
46 1003.43, and 1003.433, F.S.; conforming provisions and  
47 cross-references; amending s. 1003.63, F.S.; revising the  
48 type of assessment tests reported to the Governor and the  
49 Legislature relating to the deregulated public schools  
50 pilot program; amending s. 1004.85, F.S.; conforming  
51 cross-references; amending s. 1004.91, F.S.; providing an  
52 exemption relating to career-preparatory instruction;  
53 amending s. 1004.99, F.S.; providing designations of  
54 Florida Ready to Work credentials; amending s. 1007.21,  
55 F.S., relating to postsecondary placement tests for high  
56 school students; authorizing the common placement test to  
57 be administered to high school students meeting certain  
58 criteria; amending s. 1007.235, F.S.; requiring district

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59 interinstitutional articulation agreements to include  
60 responsibility for assignment of grades for dual  
61 enrollment courses; amending s. 1008.22, F.S.; revising  
62 provisions governing application of testing requirements  
63 for high school graduation; providing criteria concerning  
64 the testing and scores required for a continuously  
65 enrolled student to earn a standard high school diploma;  
66 authorizing the commissioner to administer end-of-course  
67 assessments; providing requirements for comprehensive  
68 assessments and end-of-course assessments; authorizing the  
69 commissioner to select a nationally developed  
70 comprehensive examination for use as an end-of-course  
71 assessment; revising the design of the testing program;  
72 authorizing the commissioner to collaborate with the  
73 American Diploma Project to develop end-of-course  
74 assessments; deleting requirements for norm-referenced  
75 tests; revising assessments of writing; requiring the  
76 commissioner to establish schedules for the administration  
77 of statewide assessments and the reporting of student test  
78 results; providing requirements for the testing and  
79 reporting schedules; requiring district school boards to  
80 prohibit public schools from suspending a program of  
81 curricula for the administration of practice tests or  
82 certain test-preparation activities; authorizing a  
83 district school board to permit a school to engage in  
84 certain test-preparation activities; requiring public  
85 schools to comply with statewide assessment and reporting  
86 schedules; revising the applicability of testing standards  
87 under certain conditions; establishing requirements for

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88 calculating student scores on revised statewide  
89 assessments; authorizing the commissioner to discontinue  
90 administration of an outdated assessment under certain  
91 circumstances; requiring the state board to adopt rules  
92 establishing passing scores on revised assessments  
93 required for a standard high school diploma; clarifying  
94 determination of concordant scores for the FCAT; revising  
95 the requirements contained in the annual report by the  
96 department to the Governor and the Legislature; amending  
97 s. 1008.30, F.S.; revising provisions relating to  
98 administration and use of the results of the common  
99 placement test; requiring the State Board of Education to  
100 adopt rules requiring high school evaluation of student  
101 college readiness and establishing minimum test scores for  
102 such readiness; authorizing the purchase or development of  
103 assessments; providing for remedial instruction; amending  
104 s. 1008.31, F.S.; declaring the legislative intent that  
105 the K-20 education system comply with the Individuals with  
106 Disabilities Education Act; amending s. 1008.34, F.S.;  
107 revising the exceptions for a school to receive a school  
108 grade; providing for a revised high school grading system  
109 beginning with the 2009-2010 school year which includes  
110 the statewide standardized assessment, graduation rates,  
111 performance and participation in certain courses,  
112 postsecondary readiness as measured by certain  
113 examinations, and the change in these factors from year to  
114 year; specifying the data components to be used in  
115 determining the revised high school grading system;  
116 requiring that the criteria for school grades give added

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117 weight to the graduation rate of all eligible at-risk  
118 students; revising the student assessment data used in  
119 determining school grades; requiring a school district  
120 that fails to assign FCAT scores to students' schools to  
121 forfeit Florida School Recognition Program funds for a  
122 specified time; requiring the collaboration between a home  
123 school and alternative school to be between the principals  
124 of each school in order to promote student success;  
125 authorizing the state board to adopt rules; amending s.  
126 1008.341, F.S.; revising provisions for a school  
127 improvement rating for an alternative school; authorizing  
128 the state board to adopt rules; amending s. 1008.345,  
129 F.S.; conforming provisions; amending s. 1008.36, F.S.;  
130 revising criteria for financial awards under the Florida  
131 School Recognition Program; amending s. 1012.56, F.S.;  
132 requiring teacher certification examinations to be aligned  
133 to the Next Generation Sunshine State Standards; revising  
134 provisions relating to the means for demonstrating mastery  
135 of subject area knowledge; specifying world languages for  
136 which subject area examinations may be required by State  
137 Board of Education rule; authorizing degree completion and  
138 attainment of foreign language proficiency on specified  
139 national tests; amending ss. 1012.57 and 1012.586, F.S.;  
140 conforming cross-reference; amending s. 1012.71, F.S.,  
141 relating to the Florida Teachers Lead Program; revising  
142 requirements for use of program funds by classroom  
143 teachers; providing for disbursement of funds to school  
144 districts; specifying means for providing a classroom  
145 teacher with his or her proportionate share of program

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146 funds and providing that funds received are not subject to  
147 collective bargaining; providing for retroactive effect;  
148 providing requirements for accounting of expenditures;  
149 amending s. 1013.12, F.S.; requiring that a school  
150 cafeteria post certain information concerning its  
151 sanitation certificate and inspection; providing effective  
152 dates.

153  
154 Be It Enacted by the Legislature of the State of Florida:

155  
156 Section 1. Section 1003.41, Florida Statutes, is amended to  
157 read:

158 1003.41 Sunshine State Standards.--

159 (1) Public K-12 educational instruction in Florida is based  
160 on the "Sunshine State Standards." The State Board of Education  
161 shall review the Sunshine State Standards and replace them with  
162 the Next Generation Sunshine State Standards that establish the  
163 core content of the curricula to be taught in this state and that  
164 specify the core content knowledge and skills that K-12 public  
165 school students are expected to acquire. The Next Generation  
166 Sunshine State Standards must, at a minimum:

167 (a) Establish the core curricular content for language  
168 arts, science, mathematics, and social studies, as follows:

169 1. Language arts standards must establish specific  
170 curricular content for, at a minimum, the reading process,  
171 literary analysis, the writing process, writing applications,  
172 communication, and information and media literacy. The standards  
173 must include distinct grade-level expectations for the core  
174 content knowledge and skills that a student is expected to have

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175 acquired by each individual grade level from kindergarten through  
176 grade 8. The language arts standards for grades 9 through 12 may  
177 be organized by grade clusters of more than one grade level. The  
178 language arts standards must also identify significant literary  
179 genres and authors that encompass a comprehensive range of  
180 historical periods. The State Board of Education shall, in  
181 accordance with the expedited schedule established under  
182 subsection (2), review and replace the language arts standards  
183 adopted by the state board in 2007 with Next Generation Sunshine  
184 State Standards that comply with this subparagraph.

185 2. Science standards must establish specific curricular  
186 content for, at a minimum, the nature of science, earth and space  
187 science, physical science, and life science. The standards must  
188 include distinct grade-level expectations for the core content  
189 knowledge and skills that a student is expected to have acquired  
190 by each individual grade level from kindergarten through grade 8.  
191 The science standards for grades 9 through 12 may be organized by  
192 grade clusters of more than one grade level.

193 3. Mathematics standards must establish specific curricular  
194 content for, at a minimum, algebra, geometry, probability,  
195 statistics, calculus, discrete mathematics, financial literacy,  
196 and trigonometry. The standards must include distinct grade-level  
197 expectations for the core content knowledge and skills that a  
198 student is expected to have acquired by each individual grade  
199 level from kindergarten through grade 8. The mathematics  
200 standards for grades 9 through 12 may be organized by grade  
201 clusters of more than one grade level.

202 4. Social studies standards must establish specific  
203 curricular content for, at a minimum, geography, United States

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204 and world history, government, civics, economics, and humanities.  
205 The standards must include distinct grade-level expectations for  
206 the core content knowledge and skills that a student is expected  
207 to have acquired by each individual grade level from kindergarten  
208 through grade 8. The social studies standards for grades 9  
209 through 12 may be organized by grade clusters of more than one  
210 grade level.

211 (b) Establish the core curricular content for visual and  
212 performing arts, physical education, health, and foreign  
213 languages. Standards for these subjects must establish specific  
214 curricular content and include distinct grade-level expectations  
215 for the core content knowledge and skills that a student is  
216 expected to have acquired by each individual grade level from  
217 kindergarten through grade 5. The standards for grades 6 through  
218 12 may be organized by grade clusters of more than one grade  
219 level.

220 (c) Identify the core curricular content that a student is  
221 expected to learn for each subject at each individual grade level  
222 in order to acquire the broad background knowledge needed for  
223 reading comprehension.

224 (d) Be rigorous and relevant and provide for the logical,  
225 sequential progression of core curricular content that  
226 incrementally increases a student's core content knowledge and  
227 skills over time.

228 (e) Integrate critical-thinking and problem-solving skills;  
229 communication, reading, and writing skills; mathematics skills;  
230 collaboration skills; contextual and applied-learning skills;  
231 technology-literacy skills; information and media-literacy  
232 skills; and civic-engagement skills.



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233 (f) Be organized according to a uniform structure and  
234 format that is consistent for each subject. The Next Generation  
235 Sunshine State Standards shall, for each subject and grade level,  
236 use the same alphanumeric coding system.

237 (g) Be aligned to expectations for success in postsecondary  
238 education and high-skill, high-wage employment.

239 (2) By December 31, 2008, the State Board of Education  
240 shall establish an expedited schedule for adoption of the Next  
241 Generation Sunshine State Standards and shall establish by rule a  
242 schedule for the periodic review and revision of the standards.  
243 The state board shall adopt the Next Generation Sunshine State  
244 Standards for each subject by December 31, 2011.

245 (3) (a) The Commissioner of Education shall develop and  
246 submit to the State Board of Education proposed Next Generation  
247 Sunshine State Standards, and periodically submit proposed  
248 revisions to the standards, for adoption by the state board  
249 according to the schedules established under subsection (2). The  
250 commissioner, in developing the proposed standards, shall consult  
251 with renowned experts on K-12 curricular standards and content in  
252 each subject listed in paragraphs (1) (a) and (b) and shall  
253 consider standards that are implemented by other states or  
254 nations and regarded as exceptionally rigorous by the curricular  
255 and content experts. The commissioner may also consult with  
256 curricular and content experts in other subjects.

257 (b) The commissioner shall submit the proposed standards  
258 for review and comment by Florida educators, school  
259 administrators, representatives of community colleges and state  
260 universities who have expertise in the content knowledge and  
261 skills necessary to prepare a student for postsecondary

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262 education, and leaders in business and industry. The  
263 commissioner, after considering any comments and making any  
264 revisions to the proposed standards, shall submit the standards  
265 for written evaluation by renowned experts on K-12 curricular  
266 standards and content.

267 (c) The commissioner, upon finalizing the proposed  
268 standards, shall submit the standards and evaluations by the  
269 curricular and content experts to the Governor, the President of  
270 the Senate, and the Speaker of the House of Representatives at  
271 least 21 days before the State Board of Education considers  
272 adoption of the proposed standards.

273 (4) The State Board of Education may adopt rules under ss.  
274 120.536(1) and 120.54 to administer this section. ~~These standards~~  
275 ~~have been adopted by the State Board of Education and delineate~~  
276 ~~the academic achievement of students, for which the state will~~  
277 ~~hold schools accountable, in grades K-2, 3-5, 6-8, and 9-12 in~~  
278 ~~the subjects of language arts, mathematics, science, social~~  
279 ~~studies, the arts, health and physical education, and foreign~~  
280 ~~languages. They include standards in reading, writing, history,~~  
281 ~~government, geography, economics, and computer literacy.~~

282 Section 2. Paragraph (i) of subsection (9) of section  
283 220.187, Florida Statutes, is amended to read:

284 220.187 Credits for contributions to nonprofit scholarship-  
285 funding organizations.--

286 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.--The Department of  
287 Education shall:

288 (i) Maintain a list of ~~In accordance with State Board of~~  
289 ~~Education rule, identify and select the nationally norm-~~  
290 ~~referenced tests~~ identified for purposes of satisfying the

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291 testing requirement in subparagraph (8)(c)2. The tests must meet  
292 ~~that are comparable to the norm-referenced provisions of the~~  
293 ~~Florida Comprehensive Assessment Test (FCAT) provided that the~~  
294 ~~FCAT may be one of the tests selected. However, the Department of~~  
295 ~~Education may approve the use of an additional assessment by the~~  
296 ~~school if the assessment meets industry standards of quality in~~  
297 accordance with State Board of Education rule and comparability.

298 Section 3. Subsection (7) of section 1000.21, Florida  
299 Statutes, is amended to read:

300 1000.21 Systemwide definitions.--As used in the Florida K-  
301 20 Education Code:

302 (7) "Sunshine State Standards" or the "Next Generation  
303 Sunshine State Standards" means the state's public K-12  
304 curricular are standards adopted under s. 1003.41. The term  
305 includes the Sunshine State Standards that are in place for a  
306 subject until the standards for that subject are replaced under  
307 s. 1003.41 by the Next Generation Sunshine State Standards. that  
308 ~~identify what public school students should know and be able to~~  
309 ~~do. These standards delineate the academic achievement of~~  
310 ~~students for which the state will hold its public schools~~  
311 ~~accountable in grades K-2, 3-5, 6-8, and 9-12, in the subjects of~~  
312 ~~language arts, mathematics, science, social studies, the arts,~~  
313 ~~health and physical education, foreign languages, reading,~~  
314 ~~writing, history, government, geography, economics, and computer~~  
315 ~~literacy.~~

316 Section 4. Subsection (1) of section 1001.03, Florida  
317 Statutes, is amended to read:

318 1001.03 Specific powers of State Board of Education.--

319 (1) PUBLIC K-12 CURRICULAR ~~STUDENT PERFORMANCE~~

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320 STANDARDS.--The State Board of Education shall adopt and  
321 periodically review and revise ~~approve the student performance~~  
322 ~~standards known as the Sunshine State Standards in accordance~~  
323 with s. 1003.41 ~~key academic subject areas and grade levels. The~~  
324 ~~state board shall establish a schedule to facilitate the periodic~~  
325 ~~review of the standards to ensure adequate rigor, relevance,~~  
326 ~~logical student progression, and integration of reading, writing,~~  
327 ~~and mathematics across all subject areas. The standards review by~~  
328 ~~subject area must include participation of curriculum leaders in~~  
329 ~~other content areas, including the arts, to ensure valid content~~  
330 ~~area integration and to address the instructional requirements of~~  
331 ~~different learning styles. The process for review and proposed~~  
332 ~~revisions must include leadership and input from the state's~~  
333 ~~classroom teachers, school administrators, and community colleges~~  
334 ~~and universities, and from representatives from business and~~  
335 ~~industry who are identified by local education foundations. A~~  
336 ~~report including proposed revisions must be submitted to the~~  
337 ~~Governor, the President of the Senate, and the Speaker of the~~  
338 ~~House of Representatives annually to coincide with the~~  
339 ~~established review schedule. The review schedule and an annual~~  
340 ~~status report must be submitted to the Governor, the President of~~  
341 ~~the Senate, and the Speaker of the House of Representatives~~  
342 ~~annually not later than January 1.~~

343 Section 5. Paragraph (a) of subsection (1) of section  
344 1001.452, Florida Statutes, is amended to read:

345 1001.452 District and school advisory councils.--

346 (1) ESTABLISHMENT.--

347 (a) The district school board shall establish an advisory  
348 council for each school in the district and shall develop

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349 procedures for the election and appointment of advisory council  
350 members. Each school advisory council shall include in its name  
351 the words "school advisory council." The school advisory council  
352 shall be the sole body responsible for final decisionmaking at  
353 the school relating to implementation of the provisions of ss.  
354 1001.42(16) and 1008.345. A majority of the members of each  
355 school advisory council must be persons who are not employed by  
356 the school district. Each advisory council shall be composed of  
357 the principal and an appropriately balanced number of teachers,  
358 education support employees, students, parents, and other  
359 business and community citizens who are representative of the  
360 ethnic, racial, and economic community served by the school.  
361 Career center and high school advisory councils shall include  
362 students, and middle and junior high school advisory councils may  
363 include students. School advisory councils of career centers and  
364 adult education centers are not required to include parents as  
365 members. Council members representing teachers, education support  
366 employees, students, and parents shall be elected by their  
367 respective peer groups at the school in a fair and equitable  
368 manner as follows:

- 369 1. Teachers shall be elected by teachers.
- 370 2. Education support employees shall be elected by  
371 education support employees.
- 372 3. Students shall be elected by students.
- 373 4. Parents shall be elected by parents.

374  
375 The district school board shall establish procedures for use by  
376 schools in selecting business and community members that include  
377 means of ensuring wide notice of vacancies and of taking input on

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378 possible members from local business, chambers of commerce,  
379 community and civic organizations and groups, and the public at  
380 large. The district school board shall review the membership  
381 composition of each advisory council. If the district school  
382 board determines that the membership elected by the school is not  
383 representative of the ethnic, racial, and economic community  
384 served by the school, the district school board shall appoint  
385 additional members to achieve proper representation. The  
386 commissioner shall determine if schools have maximized their  
387 efforts to include on their advisory councils minority persons  
388 and persons of lower socioeconomic status. Although schools are  
389 strongly encouraged to establish school advisory councils, the  
390 district school board of any school district that has a student  
391 population of 10,000 or fewer may establish a district advisory  
392 council which shall include at least one duly elected teacher  
393 from each school in the district. For the purposes of school  
394 advisory councils and district advisory councils, the term  
395 "teacher" shall include classroom teachers, certified student  
396 services personnel, and media specialists. For purposes of this  
397 paragraph, "education support employee" means any person employed  
398 by a school who is not defined as instructional or administrative  
399 personnel pursuant to s. 1012.01 and whose duties require 20 or  
400 more hours in each normal working week.

401 Section 6. Paragraph (i) of subsection (3) of section  
402 1003.413, Florida Statutes, is amended to read:

403 1003.413 Florida Secondary School Redesign Act.--

404 (3) Based on these guiding principles, district school  
405 boards shall establish policies to implement the requirements of  
406 ss. 1003.4156, 1003.428, and 1003.493. The policies must address:

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407 (i) An annual review of each high school student's  
408 electronic personal education plan created pursuant to s.  
409 1003.4156 and procedures for high school students who have not  
410 prepared an electronic personal education plan pursuant to s.  
411 1003.4156 to prepare such plan.

412 Section 7. Paragraph (a) of subsection (2), paragraph (b)  
413 of subsection (4), and paragraph (a) of subsection (8) of section  
414 1003.428, Florida Statutes, are amended to read:

415 1003.428 General requirements for high school graduation;  
416 revised.--

417 (2) The 24 credits may be earned through applied,  
418 integrated, and combined courses approved by the Department of  
419 Education and shall be distributed as follows:

420 (a) Sixteen core curriculum credits:

421 1. Four credits in English, with major concentration in  
422 composition, reading for information, and literature.

423 2. Four credits in mathematics, one of which must be  
424 Algebra I, a series of courses equivalent to Algebra I, or a  
425 higher-level mathematics course. School districts are encouraged  
426 to set specific goals to increase enrollments in, and successful  
427 completion of, geometry and Algebra II.

428 3. Three credits in science, two of which must have a  
429 laboratory component.

430 4. Three credits in social studies as follows: one credit  
431 in American history; one credit in world history; one-half credit  
432 in economics; and one-half credit in American government.

433 5. One credit in fine or performing arts, ~~which may include~~  
434 speech and debate, or a practical arts course that incorporates  
435 artistic content and techniques of creativity, interpretation,

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436 and imagination. Eligible practical arts courses shall be  
437 identified through the Course Code Directory.

438 6. One credit in physical education to include integration  
439 of health. Participation in an interscholastic sport at the  
440 junior varsity or varsity level for two full seasons shall  
441 satisfy the one-credit requirement in physical education if the  
442 student passes a competency test on personal fitness with a score  
443 of "C" or better. The competency test on personal fitness must be  
444 developed by the Department of Education. A district school board  
445 may not require that the one credit in physical education be  
446 taken during the 9th grade year. Completion of one semester with  
447 a grade of "C" or better in a marching band class, in a physical  
448 activity class that requires participation in marching band  
449 activities as an extracurricular activity, or in a dance class  
450 shall satisfy one-half credit in physical education or one-half  
451 credit in performing arts. This credit may not be used to satisfy  
452 the personal fitness requirement or the requirement for adaptive  
453 physical education under an individual education plan (IEP) or  
454 504 plan. Completion of 2 years in a Reserve Officer Training  
455 Corps (R.O.T.C.) class, a significant component of which is  
456 drills, shall satisfy the one-credit requirement in physical  
457 education and the one-credit requirement in performing arts. This  
458 credit may not be used to satisfy the personal fitness  
459 requirement or the requirement for adaptive physical education  
460 under an individual education plan (IEP) or 504 plan.

461 (4) Each district school board shall establish standards  
462 for graduation from its schools, which must include:

463 (b) Earning passing scores on the FCAT, as defined in s.  
464 1008.22(3)(c), or scores on a standardized test that are



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465 concordant with passing scores on the FCAT as defined in s.  
466 1008.22(10) ~~s. 1008.22(9)~~.

467  
468 Each district school board shall adopt policies designed to  
469 assist students in meeting the requirements of this subsection.  
470 These policies may include, but are not limited to: forgiveness  
471 policies, summer school or before or after school attendance,  
472 special counseling, volunteers or peer tutors, school-sponsored  
473 help sessions, homework hotlines, and study skills classes.  
474 Forgiveness policies for required courses shall be limited to  
475 replacing a grade of "D" or "F," or the equivalent of a grade of  
476 "D" or "F," with a grade of "C" or higher, or the equivalent of a  
477 grade of "C" or higher, earned subsequently in the same or  
478 comparable course. Forgiveness policies for elective courses  
479 shall be limited to replacing a grade of "D" or "F," or the  
480 equivalent of a grade of "D" or "F," with a grade of "C" or  
481 higher, or the equivalent of a grade of "C" or higher, earned  
482 subsequently in another course. The only exception to these  
483 forgiveness policies shall be made for a student in the middle  
484 grades who takes any high school course for high school credit  
485 and earns a grade of "C," "D," or "F" or the equivalent of a  
486 grade of "C," "D," or "F." In such case, the district forgiveness  
487 policy must allow the replacement of the grade with a grade of  
488 "C" or higher, or the equivalent of a grade of "C" or higher,  
489 earned subsequently in the same or comparable course. In all  
490 cases of grade forgiveness, only the new grade shall be used in  
491 the calculation of the student's grade point average. Any course  
492 grade not replaced according to a district school board  
493 forgiveness policy shall be included in the calculation of the

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494 cumulative grade point average required for graduation.

495 (8) (a) Each district school board must provide instruction  
496 to prepare students with disabilities to demonstrate proficiency  
497 in the core content knowledge and skills ~~and competencies~~  
498 necessary for successful grade-to-grade progression and high  
499 school graduation.

500 Section 8. Section 1003.4285, Florida Statutes, is created  
501 to read:

502 1003.4285 Standard high school diploma designations.--By  
503 the 2008-2009 school year, each standard high school diploma  
504 shall include, as applicable:

505 (1) A designation of the student's major area of interest  
506 pursuant to the student's completion of credits as provided in s.  
507 1003.428.

508 (2) A designation reflecting completion of four or more  
509 accelerated college credit courses if the student is eligible for  
510 college credit pursuant to s. 1007.27 or s. 1007.271 in Advanced  
511 Placement, International Baccalaureate, Advanced International  
512 Certificate of Education, or dual enrollment courses. The  
513 Commissioner of Education shall establish guidelines for  
514 successful passage of examinations or coursework in each of the  
515 accelerated college credit options for purposes of this  
516 subsection.

517 (3) A designation reflecting career education certification  
518 in accordance with s. 1003.431.

519 (4) A designation reflecting a Florida Ready to Work  
520 Credential in accordance with s. 1004.99.

521 Section 9. Paragraph (a) of subsection (6) of section  
522 1003.429, Florida Statutes, is amended to read:

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523 1003.429 Accelerated high school graduation options.--

524 (6) Students pursuing accelerated 3-year high school  
525 graduation options pursuant to paragraph (1)(b) or paragraph  
526 (1)(c) are required to:

527 (a) Earn passing scores on the FCAT as defined in s.  
528 1008.22(3)(c) or scores on a standardized test that are  
529 concordant with passing scores on the FCAT as defined in s.  
530 1008.22(10) ~~s. 1008.22(9)~~.

531

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

536 Section 10. Paragraph (a) of subsection (5) and paragraph  
537 (a) of subsection (11) of section 1003.43, Florida Statutes, are  
538 amended to read:

539 1003.43 General requirements for high school graduation.--

540 (5) Each district school board shall establish standards  
541 for graduation from its schools, and these standards must  
542 include:

543 (a) Earning passing scores on the FCAT, as defined in s.  
544 1008.22(3)(c), or scores on a standardized test that are  
545 concordant with passing scores on the FCAT as defined in s.  
546 1008.22(10) ~~s. 1008.22(9)~~.

547

548 The standards required in this subsection, and any subsequent  
549 modifications, shall be reprinted in the Florida Administrative  
550 Code even though not defined as "rules."

551 (11)(a) Each district school board must provide instruction

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552 to prepare students with disabilities to demonstrate proficiency  
553 in the core content knowledge and skills ~~and competencies~~  
554 necessary for successful grade-to-grade progression and high  
555 school graduation.

556 Section 11. Subsection (1) of section 1003.433, Florida  
557 Statutes, is amended to read:

558 1003.433 Learning opportunities for out-of-state and out-  
559 of-country transfer students and students needing additional  
560 instruction to meet high school graduation requirements.--

561 (1) Students who enter a Florida public school at the  
562 eleventh or twelfth grade from out of state or from a foreign  
563 country shall not be required to spend additional time in a  
564 Florida public school in order to meet the high school course  
565 requirements if the student has met all requirements of the  
566 school district, state, or country from which he or she is  
567 transferring. Such students who are not proficient in English  
568 should receive immediate and intensive instruction in English  
569 language acquisition. However, to receive a standard high school  
570 diploma, a transfer student must earn a 2.0 grade point average  
571 and pass the grade 10 FCAT required in s. 1008.22(3) or an  
572 alternate assessment as described in s. 1008.22(10) ~~s.~~  
573 ~~1008.22(9)~~.

574 Section 12. Paragraph (d) of subsection (6) of section  
575 1003.63, Florida Statutes, is amended to read:

576 1003.63 Deregulated public schools pilot program.--

577 (6) ELEMENTS OF THE PROPOSAL.--The major issues involving  
578 the operation of a deregulated public school shall be considered  
579 in advance and written into the proposal.

580 (d) Upon receipt of the annual report required by paragraph

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581 (b), the Department of Education shall provide the State Board of  
582 Education, the Commissioner of Education, the President of the  
583 Senate, and the Speaker of the House of Representatives with a  
584 copy of each report and an analysis and comparison of the overall  
585 performance of students, to include all students in deregulated  
586 public schools whose scores are counted as part of the statewide  
587 assessment tests, versus comparable public school students in the  
588 district as determined by statewide assessments administered  
589 under s. 1008.22(3) FCAT and district assessment tests ~~and, as~~  
590 ~~appropriate, the Florida Writes Assessment Test, and other~~  
591 ~~assessments administered pursuant to s. 1008.22(3).~~

592 Section 13. Paragraphs (c) and (d) of subsection (3) of  
593 section 1004.85, Florida Statutes, are amended to read:

594 1004.85 Postsecondary educator preparation institutes.--

595 (3) Educator preparation institutes approved pursuant to  
596 this section may offer alternative certification programs  
597 specifically designed for noneducation major baccalaureate degree  
598 holders to enable program participants to meet the educator  
599 certification requirements of s. 1012.56. Such programs shall be  
600 competency-based educator certification preparation programs that  
601 prepare educators through an alternative route. An educator  
602 preparation institute choosing to offer an alternative  
603 certification program pursuant to the provisions of this section  
604 must implement a program previously approved by the Department of  
605 Education for this purpose or a program developed by the  
606 institute and approved by the department for this purpose.  
607 Approved programs shall be available for use by other approved  
608 educator preparation institutes.

609 (c) Upon completion of an alternative certification program

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610 approved pursuant to this subsection, a participant shall receive  
611 a credential from the sponsoring institution signifying  
612 satisfaction of the requirements of s. 1012.56(6) ~~s. 1012.56(5)~~  
613 relating to mastery of professional preparation and education  
614 competence. A participant shall be eligible for educator  
615 certification through the Department of Education upon  
616 satisfaction of all requirements for certification set forth in  
617 s. 1012.56(2), including demonstration of mastery of general  
618 knowledge, subject area knowledge, and professional preparation  
619 and education competence, through testing or other statutorily  
620 authorized means.

621 (d) If an institution offers an alternative certification  
622 program approved pursuant to this subsection, such program may be  
623 used by the school district or districts served by that  
624 institution in addition to the alternative certification program  
625 as required in s. 1012.56(8) ~~s. 1012.56(7)~~.

626 Section 14. Subsection (3) of section 1004.91, Florida  
627 Statutes, is amended to read:

628 1004.91 Career-preparatory instruction.--

629 (3) An adult student with a disability may be exempted from  
630 the provisions of this section. A student who possesses a college  
631 degree at the associate in applied science level or higher is  
632 exempt from this section. A student who has completed or who is  
633 exempt from the college-level communication and computation  
634 skills examination pursuant to s. 1008.29, or who is exempt from  
635 the college entry-level examination pursuant to s. 1008.29, is  
636 exempt from the provisions of this section. Students who have  
637 passed a state, national, or industry licensure exam are exempt  
638 from this section. An adult student who is enrolled in an

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639 apprenticeship program that is registered with the Department of  
640 Education in accordance with the provisions of chapter 446 is  
641 exempt from the provisions of this section.

642 Section 15. Paragraph (d) of subsection (3) of section  
643 1004.99, Florida Statutes, is amended, present subsection (4) of  
644 that section is renumbered as subsection (5), and a new  
645 subsection (4) is added to that section, to read:

646 1004.99 Florida Ready to Work Certification Program.--

647 (3) The Florida Ready to Work Certification Program shall  
648 be composed of:

649 (d) A Florida Ready to Work Credential ~~certificate~~ and  
650 portfolio awarded to students upon successful completion of the  
651 instruction. Each portfolio must delineate the skills  
652 demonstrated by the student as evidence of the student's  
653 preparation for employment.

654 (4) A Florida Ready to Work Credential shall be awarded to  
655 a student who successfully passes assessments in Reading for  
656 Information, Applied Mathematics, and Locating Information or any  
657 other assessments of comparable rigor. Each assessment shall be  
658 scored on a scale of 3 to 7. The level of the credential each  
659 student receives is based on the following:

660 (a) A bronze-level credential requires a minimum score of 3  
661 or above on each of the assessments.

662 (b) A silver-level credential requires a minimum score of 4  
663 or above on each of the assessments.

664 (c) A gold-level credential requires a minimum score of 5  
665 or above on each of the assessments.

666 Section 16. Paragraph (c) of subsection (2) of section  
667 1007.21, Florida Statutes, is amended to read:

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668 1007.21 Readiness for postsecondary education and the  
669 workplace.--

670 (2)

671 (c) The common placement test authorized in ss. 1001.03(10)  
672 and 1008.30 or a similar test may be administered to ~~all~~ high  
673 school students ~~second semester sophomores~~ who have chosen one of  
674 the four destinations. The results of the placement test shall be  
675 used to target additional instructional needs in reading,  
676 writing, and mathematics prior to graduation.

677 Section 17. Paragraph (b) of subsection (2) of section  
678 1007.235, Florida Statutes, is amended to read:

679 1007.235 District interinstitutional articulation  
680 agreements.--

681 (2) The district interinstitutional articulation agreement  
682 for each school year must be completed before high school  
683 registration for the fall term of the following school year. The  
684 agreement must include, but is not limited to, the following  
685 components:

686 (b)1. A delineation of courses and programs available to  
687 students eligible to participate in dual enrollment. This  
688 delineation must include a plan for the community college to  
689 provide guidance services to participating students on the  
690 selection of courses in the dual enrollment program. The process  
691 of community college guidance should make maximum use of the  
692 automated advisement system for community colleges. The plan must  
693 assure that each dual enrollment student is encouraged to  
694 identify a postsecondary education objective with which to guide  
695 the course selection. At a minimum, each student's plan should  
696 include a list of courses that will result in an Applied



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697 Technology Diploma, an Associate in Science degree, or an  
698 Associate in Arts degree. If the student identifies a  
699 baccalaureate degree as the objective, the plan must include  
700 courses that will meet the general education requirements and any  
701 prerequisite requirements for entrance into a selected  
702 baccalaureate degree program.

703 2. A delineation of the process by which students and their  
704 parents are informed about opportunities to participate in  
705 articulated acceleration programs.

706 3. A delineation of the process by which students and their  
707 parents exercise their option to participate in an articulated  
708 acceleration program.

709 4. A delineation of high school credits earned for  
710 completion of each dual enrollment course.

711 5. Provision for postsecondary courses that meet the  
712 criteria for inclusion in a district articulated acceleration  
713 program to be counted toward meeting the graduation requirements  
714 of s. 1003.43.

715 6. An identification of eligibility criteria for student  
716 participation in dual enrollment courses and programs.

717 7. A delineation of institutional responsibilities  
718 regarding student screening prior to enrollment and monitoring  
719 student performance subsequent to enrollment in dual enrollment  
720 courses and programs.

721 8. An identification of the criteria by which the quality  
722 of dual enrollment courses and programs are to be judged and a  
723 delineation of institutional responsibilities for the maintenance  
724 of instructional quality.

725 9. A delineation of institutional responsibilities for

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726 assuming the cost of dual enrollment courses and programs that  
727 includes such responsibilities for student instructional  
728 materials.

729 10. An identification of responsibility for providing  
730 student transportation if the dual enrollment instruction is  
731 conducted at a facility other than the high school campus.

732 11. A delineation of the process for converting college  
733 credit hours earned through dual enrollment and early admission  
734 programs to high school credit based on mastery of course  
735 outcomes as determined by the Department of Education in  
736 accordance with s. 1007.271(6).

737 12. An identification of the responsibility of the  
738 postsecondary educational institution for assigning letter grades  
739 for dual enrollment courses and the responsibility of school  
740 districts for posting dual enrollment course grades to the high  
741 school transcript as assigned by the postsecondary institution  
742 awarding the credit.

743 Section 18. Section 1008.22, Florida Statutes, is amended  
744 to read:

745 1008.22 Student assessment program for public schools.--

746 (1) PURPOSE.--The primary purposes of the student  
747 assessment program are to provide information needed to improve  
748 the public schools by enhancing the learning gains of all  
749 students and to inform parents of the educational progress of  
750 their public school children. The program must be designed to:

751 (a) Assess the annual learning gains of each student toward  
752 achieving the Sunshine State Standards appropriate for the  
753 student's grade level.

754 (b) Provide data for making decisions regarding school

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755 accountability and recognition.

756 (c) Identify the educational strengths and needs of  
757 students and the readiness of students to be promoted to the next  
758 grade level or to graduate from high school with a standard or  
759 special high school diploma.

760 (d) Assess how well educational goals and curricular  
761 ~~performance~~ standards are met at the school, district, and state  
762 levels.

763 (e) Provide information to aid in the evaluation and  
764 development of educational programs and policies.

765 (f) Provide information on the performance of Florida  
766 students compared with that of other students across the United  
767 States.

768 (2) NATIONAL EDUCATION COMPARISONS.--It is Florida's intent  
769 to participate in the measurement of national educational goals.  
770 The Commissioner of Education shall direct Florida school  
771 districts to participate in the administration of the National  
772 Assessment of Educational Progress, or a similar national  
773 assessment program, both for the national sample and for any  
774 state-by-state comparison programs which may be initiated. The  
775 ~~Such~~ assessments must be conducted using the data collection  
776 procedures, the student surveys, the educator surveys, and other  
777 instruments included in the National Assessment of Educational  
778 Progress or similar program being administered in Florida. The  
779 results of these assessments shall be included in the annual  
780 report of the Commissioner of Education specified in this  
781 section. The administration of the National Assessment of  
782 Educational Progress or similar program shall be in addition to  
783 and separate from the administration of the statewide assessment

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784 program.

785 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall  
786 design and implement a statewide program of educational  
787 assessment that provides information for the improvement of the  
788 operation and management of the public schools, including schools  
789 operating for the purpose of providing educational services to  
790 youth in Department of Juvenile Justice programs. The  
791 commissioner may enter into contracts for the continued  
792 administration of the assessment, testing, and evaluation  
793 programs authorized and funded by the Legislature. Contracts may  
794 be initiated in 1 fiscal year and continue into the next and may  
795 be paid from the appropriations of either or both fiscal years.  
796 The commissioner is authorized to negotiate for the sale or lease  
797 of tests, scoring protocols, test scoring services, and related  
798 materials developed pursuant to law. Pursuant to the statewide  
799 assessment program, the commissioner shall:

800 (a) Submit proposed Next Generation Sunshine State  
801 Standards to the State Board of Education for adoption and  
802 periodic review and revision under s. 1003.41 ~~a list that~~  
803 ~~specifies student skills and competencies to which the goals for~~  
804 ~~education specified in the state plan apply, including, but not~~  
805 ~~limited to, reading, writing, science, and mathematics. The~~  
806 ~~skills and competencies must include problem-solving and higher-~~  
807 ~~order skills as appropriate and shall be known as the Sunshine~~  
808 ~~State Standards as defined in s. 1000.21. The commissioner shall~~  
809 ~~select such skills and competencies after receiving~~  
810 ~~recommendations from educators, citizens, and members of the~~  
811 ~~business community. The commissioner shall submit to the State~~  
812 ~~Board of Education revisions to the list of student skills and~~

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813 ~~competencies in order to maintain continuous progress toward~~  
814 ~~improvements in student proficiency.~~

815 (b) Develop and implement a uniform system of indicators to  
816 describe the performance of public school students and the  
817 characteristics of the public school districts and the public  
818 schools. These indicators must include, without limitation,  
819 information gathered by the comprehensive management information  
820 system created pursuant to s. 1008.385 and student achievement  
821 information obtained pursuant to this section.

822 (c) Develop and implement a student achievement testing  
823 program known as the Florida Comprehensive Assessment Test (FCAT)  
824 as part of the statewide assessment program to measure a  
825 student's content knowledge and skills in reading, writing,  
826 science, and mathematics. Other content areas may be included as  
827 directed by the commissioner. Comprehensive assessments ~~The~~  
828 ~~assessment~~ of reading and mathematics shall be administered  
829 annually in grades 3 through 10. Comprehensive assessments ~~The~~  
830 ~~assessment~~ of writing and science shall be administered at least  
831 once at the elementary, middle, and high school levels. End-of-  
832 course assessments for a subject may be administered in addition  
833 to the comprehensive assessments required for that subject under  
834 this paragraph. An end-of-course assessment must be rigorous,  
835 statewide, standardized, and developed or approved by the  
836 department. The content knowledge and skills assessed by  
837 comprehensive and end-of-course assessments must be aligned to  
838 the core curricular content established in the Sunshine State  
839 Standards. The commissioner may select one or more nationally  
840 developed comprehensive examinations, which may include, but need  
841 not be limited to, examinations for a College Board Advanced

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842 Placement course, International Baccalaureate course, or Advanced  
843 International Certificate of Education course or industry-  
844 approved examinations to earn national industry certifications as  
845 defined in s. 1003.492, for use as end-of-course assessments  
846 under this paragraph, if the commissioner determines that the  
847 content knowledge and skills assessed by the examinations meet or  
848 exceed the grade-level expectations for the core curricular  
849 content established for the course in the Next Generation  
850 Sunshine State Standards. The commissioner may collaborate with  
851 the American Diploma Project in the adoption or development of  
852 rigorous end-of-course assessments that are aligned to the Next  
853 Generation Sunshine State Standards ~~The commissioner must~~  
854 ~~document the procedures used to ensure that the versions of the~~  
855 ~~FCAT which are taken by students retaking the grade 10 FCAT are~~  
856 ~~equally as challenging and difficult as the tests taken by~~  
857 ~~students in grade 10 which contain performance tasks. The testing~~  
858 ~~program must be designed as follows so that:~~

859 1. The tests shall measure student skills and competencies  
860 adopted by the State Board of Education as specified in paragraph  
861 (a). The tests must measure and report student proficiency levels  
862 of all students assessed in reading, writing, mathematics, and  
863 science. The commissioner shall provide for the tests to be  
864 developed or obtained, as appropriate, through contracts and  
865 project agreements with private vendors, public vendors, public  
866 agencies, postsecondary educational institutions, or school  
867 districts. The commissioner shall obtain input with respect to  
868 the design and implementation of the testing program from state  
869 educators, assistive technology experts, and the public.

870 2. The testing program shall be composed ~~will include a~~

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871 ~~combination of norm-referenced and criterion-referenced tests~~  
872 that shall and include, to the extent determined by the  
873 commissioner, include test items ~~questions~~ that require the  
874 student to produce information or perform tasks in such a way  
875 that the core content knowledge and skills ~~and competencies~~ he or  
876 she uses can be measured.

877 3. Beginning with the 2008-2009 school year, the  
878 commissioner shall discontinue administration of the selected-  
879 response test items on the comprehensive assessments of writing.  
880 Beginning with the 2012-2013 school year, the comprehensive  
881 assessments of writing shall be composed of a combination of  
882 selected-response test items, short-response performance tasks,  
883 and extended-response performance tasks, which shall measure a  
884 student's content knowledge of writing, including, but not  
885 limited to, paragraph and sentence structure, sentence  
886 construction, grammar and usage, punctuation, capitalization,  
887 spelling, parts of speech, verb tense, irregular verbs, subject-  
888 verb agreement, and noun-pronoun agreement. ~~Each testing program,~~  
889 ~~whether at the elementary, middle, or high school level, includes~~  
890 ~~a test of writing in which students are required to produce~~  
891 ~~writings that are then scored by appropriate and timely methods.~~

892 4. A score shall be ~~is~~ designated for each subject area  
893 tested, below which score a student's performance is deemed  
894 inadequate. The school districts shall provide appropriate  
895 remedial instruction to students who score below these levels.

896 5. Except as provided in s. 1003.428(8)(b) or s.  
897 1003.43(11)(b), students must earn a passing score on the grade  
898 10 assessment test described in this paragraph or attain  
899 concordant scores as described in subsection (9) in reading,

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900 writing, and mathematics to qualify for a standard high school  
901 diploma. The State Board of Education shall designate a passing  
902 score for each part of the grade 10 assessment test. In  
903 establishing passing scores, the state board shall consider any  
904 possible negative impact of the test on minority students. The  
905 State Board of Education shall adopt rules which specify the  
906 passing scores for the grade 10 FCAT. Any such rules, which have  
907 the effect of raising the required passing scores, shall ~~only~~  
908 apply only to students taking the grade 10 FCAT for the first  
909 time after such rules are adopted by the State Board of  
910 Education.

911         6. Participation in the testing program is mandatory for  
912 all students attending public school, including students served  
913 in Department of Juvenile Justice programs, except as otherwise  
914 prescribed by the commissioner. If a student does not participate  
915 in the statewide assessment, the district must notify the  
916 student's parent and provide the parent with information  
917 regarding the implications of such nonparticipation. A parent  
918 must provide signed consent for a student to receive classroom  
919 instructional accommodations that would not be available or  
920 permitted on the statewide assessments and must acknowledge in  
921 writing that he or she understands the implications of such  
922 instructional accommodations. The State Board of Education shall  
923 adopt rules, based upon recommendations of the commissioner, for  
924 the provision of test accommodations for students in exceptional  
925 education programs and for students who have limited English  
926 proficiency. Accommodations that negate the validity of a  
927 statewide assessment are not allowable in the administration of  
928 the FCAT. However, instructional accommodations are allowable in



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929 the classroom if included in a student's individual education  
930 plan. Students using instructional accommodations in the  
931 classroom that are not allowable as accommodations on the FCAT  
932 may have the FCAT requirement waived pursuant to the requirements  
933 of s. 1003.428(8)(b) or s. 1003.43(11)(b).

934 7. A student seeking an adult high school diploma must meet  
935 the same testing requirements that a regular high school student  
936 must meet.

937 8. District school boards must provide instruction to  
938 prepare students to demonstrate proficiency in the core  
939 curricular content established in the Next Generation Sunshine  
940 State Standards adopted under s. 1003.41, including the core  
941 content knowledge and skills ~~and competencies~~ necessary for  
942 successful grade-to-grade progression and high school graduation.  
943 If a student is provided with instructional accommodations in the  
944 classroom that are not allowable as accommodations in the  
945 statewide assessment program, as described in the test manuals,  
946 the district must inform the parent in writing and must provide  
947 the parent with information regarding the impact on the student's  
948 ability to meet expected proficiency levels in reading, writing,  
949 and mathematics ~~math~~. The commissioner shall conduct studies as  
950 necessary to verify that the required core curricular content is  
951 ~~skills and competencies~~ are part of the district instructional  
952 programs.

953 9. District school boards must provide opportunities for  
954 students to demonstrate an acceptable level of performance on an  
955 alternative standardized assessment approved by the State Board  
956 of Education following enrollment in summer academies.

957 10. The Department of Education must develop, or select,

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958 and implement a common battery of assessment tools that will be  
959 used in all juvenile justice programs in the state. These tools  
960 must accurately measure the core curricular content ~~skills and~~  
961 ~~competencies~~ established in the Sunshine State Standards.

962 11. For students seeking a special diploma pursuant to s.  
963 1003.438, the Department of Education must develop or select and  
964 implement an alternate assessment tool that accurately measures  
965 the core curricular content ~~skills and competencies~~ established  
966 in the Sunshine State Standards for students with disabilities  
967 under s. 1003.438.

968 12. The Commissioner of Education shall establish schedules  
969 for the administration of statewide assessments and the reporting  
970 of student test results. The commissioner shall, by August 1 of  
971 each year, notify each school district in writing and publish on  
972 the department's Internet website the testing and reporting  
973 schedules for, at a minimum, the school year following the  
974 upcoming school year. The testing and reporting schedules shall  
975 require that:

976 a. There is the latest possible administration of statewide  
977 assessments and the earliest possible reporting to the school  
978 districts of student test results which is feasible within  
979 available technology and specific appropriations; however, test  
980 results must be made available no later than the final day of the  
981 regular school year for students.

982 b. Beginning with the 2010-2011 school year, a  
983 comprehensive statewide assessment of writing is not administered  
984 earlier than the week of March 1 and a comprehensive statewide  
985 assessment of any other subject is not administered earlier than  
986 the week of April 15.

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987 c. A statewide standardized end-of-course assessment is  
988 administered within the last 2 weeks of the course.

989  
990 The commissioner may, based on collaboration and input from  
991 school districts, design and implement student testing programs,  
992 for any grade level and subject area, necessary to effectively  
993 monitor educational achievement in the state, including the  
994 measurement of educational achievement of the Sunshine State  
995 Standards for students with disabilities. Development and  
996 refinement of assessments shall include universal design  
997 principles and accessibility standards that will prevent any  
998 unintended obstacles for students with disabilities while  
999 ensuring the validity and reliability of the test. These  
1000 principles should be applicable to all technology platforms and  
1001 assistive devices available for the assessments. The field  
1002 testing process and psychometric analyses for the statewide  
1003 assessment program must include an appropriate percentage of  
1004 students with disabilities and an evaluation or determination of  
1005 the effect of test items on such students.

1006 (d) Conduct ongoing research to develop improved methods of  
1007 assessing student performance, including, without limitation, the  
1008 use of technology to administer tests, score, or report the  
1009 results of, the use of electronic transfer of data, the  
1010 development of work-product assessments, and the development of  
1011 process assessments.

1012 (e) Conduct ongoing research and analysis of student  
1013 achievement data, including, without limitation, monitoring  
1014 trends in student achievement by grade level and overall student  
1015 achievement, identifying school programs that are successful, and

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1016 analyzing correlates of school achievement.

1017 (f) Provide technical assistance to school districts in the  
1018 implementation of state and district testing programs and the use  
1019 of the data produced pursuant to such programs.

1020 (g) Study the cost and student achievement impact of  
1021 secondary end-of-course assessments, including web-based and  
1022 performance formats, and report to the Legislature prior to  
1023 implementation.

1024 (4) STATEWIDE ASSESSMENT PREPARATION; PROHIBITED  
1025 ACTIVITIES.--Beginning with the 2008-2009 school year, a district  
1026 school board shall prohibit each public school from suspending a  
1027 regular program of curricula for purposes of administering  
1028 practice tests or engaging in other test-preparation activities  
1029 for a statewide assessment. However, a district school board may  
1030 authorize a public school to engage in the following test-  
1031 preparation activities for a statewide assessment:

1032 (a) Distributing to students the sample test books and  
1033 answer keys published by the Department of Education.

1034 (b) Providing individualized instruction in test-taking  
1035 strategies, without suspending the school's regular program of  
1036 curricula, for a student who scores at Level 1 or Level 2 on a  
1037 prior administration of the statewide assessment.

1038 (c) Providing individualized instruction in the content  
1039 knowledge and skills assessed, without suspending the school's  
1040 regular program of curricula, for a student who scores at Level 1  
1041 or Level 2 on a prior administration of the statewide assessment  
1042 or a student who, through a diagnostic assessment administered by  
1043 the school district, is identified as having a deficiency in the  
1044 content knowledge and skills assessed.

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1045 (d) Incorporating test-taking exercises and strategies  
1046 into curricula for intensive reading and mathematics intervention  
1047 courses.

1048 (e) Administering a practice test or engaging in other  
1049 test-preparation activities for the statewide assessment which  
1050 are determined necessary to familiarize students with the  
1051 organization of the assessment, the format of the test items, and  
1052 the test directions, or which are otherwise necessary for the  
1053 valid and reliable administration of the assessment, as set forth  
1054 in rules adopted by the State Board of Education with specific  
1055 reference to this paragraph.

1056 (5)(4) DISTRICT TESTING PROGRAMS.--Each district school  
1057 board shall periodically assess student performance and  
1058 achievement within each school of the district. The assessment  
1059 programs must be based on the core curricular content established  
1060 in the Next Generation Sunshine State Standards and any ~~upon~~  
1061 local goals and objectives that are compatible with the state  
1062 plan for education and that supplement the core content knowledge  
1063 and skills necessary for successful grade-to-grade progression  
1064 and high school graduation and ~~competencies adopted by the State~~  
1065 Board of Education. All school districts must participate in the  
1066 statewide assessment program designed to measure annual student  
1067 learning and school performance. All district school boards shall  
1068 report assessment results as required by the state management  
1069 information system.

1070 (6)(5) SCHOOL TESTING PROGRAMS.--Each public school shall  
1071 participate in the statewide assessment program in accordance  
1072 with the testing and reporting schedules published by the  
1073 Commissioner of Education under subparagraph (3)(c)12.7 unless

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1074 specifically exempted by state board rule based on serving a  
1075 specialized population for which standardized testing is not  
1076 appropriate. Student performance data shall be analyzed and  
1077 reported to parents, the community, and the state. Student  
1078 performance data shall be used in developing objectives of the  
1079 school improvement plan, evaluation of instructional personnel,  
1080 evaluation of administrative personnel, assignment of staff,  
1081 allocation of resources, acquisition of instructional materials  
1082 and technology, performance-based budgeting, and promotion and  
1083 assignment of students into educational programs. The analysis of  
1084 student performance data also must identify strengths and needs  
1085 in the educational program and trends over time. The analysis  
1086 must be used in conjunction with the budgetary planning processes  
1087 developed pursuant to s. 1008.385 and the development of the  
1088 programs of remediation.

1089 (7)~~(6)~~ REQUIRED ANALYSES.--The commissioner shall provide,  
1090 at a minimum, for the following analyses of data produced by the  
1091 student achievement testing program:

1092 (a) The statistical system for the annual assessments shall  
1093 use measures of student learning, such as the FCAT, to determine  
1094 teacher, school, and school district statistical distributions,  
1095 which shall be determined using available data from the FCAT, and  
1096 other data collection as deemed appropriate by the Department of  
1097 Education, to measure the differences in student prior year  
1098 achievement compared to the current year achievement for the  
1099 purposes of accountability and recognition.

1100 (b) The statistical system shall provide the best estimates  
1101 of teacher, school, and school district effects on student  
1102 progress. The approach used by the department shall be approved

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1103 by the commissioner before implementation.

1104 (c) The annual testing program shall be administered to  
1105 provide for valid statewide comparisons of learning gains to be  
1106 made for purposes of accountability and recognition. ~~The~~  
1107 ~~commissioner shall establish a schedule for the administration of~~  
1108 ~~the statewide assessments. In establishing such schedule, the~~  
1109 ~~commissioner is charged with the duty to accomplish the latest~~  
1110 ~~possible administration of the statewide assessments and the~~  
1111 ~~earliest possible provision of the results to the school~~  
1112 ~~districts feasible within available technology and specific~~  
1113 ~~appropriation.~~ District school boards shall not establish school  
1114 calendars that jeopardize or limit the valid testing and  
1115 comparison of student learning gains.

1116 (8) ~~(7)~~ LOCAL ASSESSMENTS.--Measurement of the learning  
1117 gains of students in all subjects and grade levels other than  
1118 subjects and grade levels required for the state student  
1119 achievement testing program is the responsibility of the school  
1120 districts.

1121 (9) ~~(8)~~ APPLICABILITY OF TESTING STANDARDS.--

1122 (a) If the Commissioner of Education revises a statewide  
1123 assessment and the revisions require the State Board of Education  
1124 to modify the assessment's proficiency levels or modify the  
1125 passing scores required for a standard high school diploma, until  
1126 the state board adopts the modifications by rule, the  
1127 commissioner shall use calculations for scoring the assessment  
1128 which adjust student scores on the revised assessment for  
1129 statistical equivalence to student scores on the former  
1130 assessment.

1131 (b) A student must attain meet the passing scores on the

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1132 statewide assessment required ~~testing requirements~~ for a standard  
1133 high school diploma which are ~~graduation that were~~ in effect at  
1134 the time the student enters ~~entered~~ 9th grade 9 ~~if,~~ ~~provided~~ the  
1135 student's enrollment is ~~was~~ continuous.

1136 (c) If the commissioner revises a statewide assessment and  
1137 the revisions require the State Board of Education to modify the  
1138 passing scores required for a standard high school diploma, the  
1139 commissioner may, with approval of the state board, discontinue  
1140 administration of the former assessment upon the graduation,  
1141 based on normal student progression, of students participating in  
1142 the final regular administration of the former assessment. The  
1143 state board shall adopt by rule passing scores for the revised  
1144 assessment which are statistically equivalent to passing scores  
1145 on the discontinued assessment for a student required under  
1146 paragraph (b) to attain passing scores on the discontinued  
1147 assessment.

1148 (10) ~~(9)~~ CONCORDANT SCORES FOR THE FCAT.--

1149 (a) The State Board of Education shall analyze the content  
1150 and concordant data sets for widely used high school achievement  
1151 tests, including, but not limited to, the PSAT, PLAN, SAT, ACT,  
1152 and College Placement Test, to assess if concordant scores for  
1153 FCAT scores can be determined for high school graduation, college  
1154 placement, and scholarship awards. In cases where content  
1155 alignment and concordant scores can be determined, the  
1156 Commissioner of Education shall adopt those scores as meeting the  
1157 graduation requirement in lieu of achieving the FCAT passing  
1158 score and may adopt those scores as being sufficient to achieve  
1159 additional purposes as determined by rule. Each time that test  
1160 content or scoring procedures change ~~are changed~~ for the FCAT or



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1161 for a high school achievement test for which a concordant score  
1162 is determined ~~one of the identified tests~~, new concordant scores  
1163 must be determined.

1164 (b) In order to use a concordant subject area score  
1165 pursuant to this subsection to satisfy the assessment requirement  
1166 for a standard high school diploma as provided in s.  
1167 1003.429(6) (a), s. 1003.43(5) (a), or s. 1003.428, a student must  
1168 take each subject area of the grade 10 FCAT a total of three  
1169 times without earning a passing score. The requirements of this  
1170 paragraph shall not apply to a new student who enters the Florida  
1171 public school system in grade 12, who may either achieve a  
1172 passing score on the FCAT or use an approved subject area  
1173 concordant score to fulfill the graduation requirement.

1174 (c) The State Board of Education may define by rule the  
1175 allowable uses, other than to satisfy the high school graduation  
1176 requirement, for concordant scores as described in this  
1177 subsection. Such uses may include, but need not be limited to,  
1178 achieving appropriate standardized test scores required for the  
1179 awarding of Florida Bright Futures Scholarships and college  
1180 placement.

1181 (11)-(10) REPORTS.--The Department of Education shall  
1182 annually provide a report to the Governor, the President of the  
1183 Senate, and the Speaker of the House of Representatives on the  
1184 following:

1185 (a) Longitudinal performance of students in mathematics and  
1186 reading.

1187 (b) Longitudinal performance of students by grade level in  
1188 mathematics and reading.

1189 (c) Longitudinal performance regarding efforts to close the

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1190 achievement gap.

1191 ~~(d) Longitudinal performance of students on the norm-~~  
1192 ~~referenced component of the FCAT.~~

1193 ~~(d)(e)~~ Other student performance data based on national  
1194 norm-referenced and criterion-referenced tests, when available,  
1195 and numbers of students who after 8th grade enroll in adult  
1196 education rather than other secondary education.

1197 ~~(12)(11)~~ RULES.--The State Board of Education shall adopt  
1198 rules pursuant to ss. 120.536(1) and 120.54 to implement the  
1199 provisions of this section.

1200 Section 19. Subsection (3) of section 1008.30, Florida  
1201 Statutes, is amended to read:

1202 1008.30 Common placement testing for public postsecondary  
1203 education.--

1204 (3) The State Board of Education shall adopt rules that  
1205 ~~would~~ require high schools to evaluate before the beginning of  
1206 grade 12 the college readiness of each student who indicates an  
1207 interest in postsecondary education and scores at Level 2 or  
1208 Level 3 on the reading portion of the grade 10 FCAT or Level 2,  
1209 Level 3, or Level 4 on the mathematics portion of the grade 10  
1210 FCAT. High schools shall perform this evaluation using results  
1211 from give the corresponding component of the common placement  
1212 test prescribed in this section, or an equivalent test identified  
1213 by the State Board of Education. The Department of Education  
1214 shall purchase or develop the assessments necessary to perform  
1215 the evaluations required by this subsection and shall work with  
1216 the school districts to administer the assessments. The State  
1217 Board of Education shall establish by rule the minimum test  
1218 scores a student must achieve to demonstrate readiness. Students

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1219 who demonstrate readiness by achieving the minimum test scores  
1220 established by the state board and enroll in a community college  
1221 within 2 years of achieving such scores shall not be required to  
1222 enroll in remediation courses as a condition of acceptance to any  
1223 community college. The high school shall use the results of the  
1224 test to advise the students of any identified deficiencies and to  
1225 the maximum extent practicable provide 12th grade students access  
1226 to appropriate remedial instruction prior to high school  
1227 graduation. The remedial instruction provided under this  
1228 subsection shall be a collaborative effort between secondary and  
1229 postsecondary educational institutions. To the extent courses are  
1230 available, the Florida Virtual School may be used to provided the  
1231 remedial instruction required by this subsection, ~~at the~~  
1232 ~~beginning of the tenth grade year before enrollment in the~~  
1233 ~~eleventh grade year in public high school for the purpose of~~  
1234 ~~obtaining remedial instruction prior to entering public~~  
1235 ~~postsecondary education.~~

1236 Section 20. Paragraph (c) of subsection (1) of section  
1237 1008.31, Florida Statutes, is amended to read:

1238 1008.31 Florida's K-20 education performance accountability  
1239 system; legislative intent; mission, goals, and systemwide  
1240 measures; data quality improvements.--

1241 (1) LEGISLATIVE INTENT.--It is the intent of the  
1242 Legislature that:

1243 (c) The K-20 education performance accountability system  
1244 comply with the ~~accountability~~ requirements of the "No Child Left  
1245 Behind Act of 2001," Pub. L. No. 107-110, and the Individuals  
1246 with Disabilities Education Act (IDEA).

1247 Section 21. Subsection (3) of section 1008.34, Florida

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1248 Statutes, is amended, and subsection (8) is added to that  
1249 section, to read:

1250 1008.34 School grading system; school report cards;  
1251 district grade.--

1252 (3) DESIGNATION OF SCHOOL GRADES.--

1253 (a) Each school that has students who are tested and  
1254 included in the school grading system, ~~except an alternative~~  
1255 ~~school that receives a school improvement rating pursuant to s.~~  
1256 ~~1008.341,~~ shall receive a school grade, except as follows:

1257 1. A school shall not receive a school grade if the number  
1258 of its students tested and included in the school grading system  
1259 are fewer than the minimum sample size necessary, based on  
1260 accepted professional practice, for statistical reliability and  
1261 prevention of the unlawful release of personally identifiable  
1262 student data under s. 1002.22 or 20 U.S.C. s. 1232g.; ~~however,~~

1263 2. An alternative school may choose to receive a school  
1264 grade under this section or in lieu of a school improvement  
1265 rating under s. 1008.341.

1266 3. Additionally, A school that serves any combination of  
1267 students in kindergarten through grade 3 which does not receive a  
1268 school grade because its students are not tested and included in  
1269 the school grading system shall receive the school grade  
1270 designation of a K-3 feeder pattern school identified by the  
1271 Department of Education and verified by the school district. A  
1272 school feeder pattern exists if at least 60 percent of the  
1273 students in the school serving a combination of students in  
1274 kindergarten through grade 3 are scheduled to be assigned to the  
1275 graded school. ~~School grades itemized in subsection (2) shall be~~  
1276 ~~based on the following:~~

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1277 (b)1.(a) Criteria.—A school's grade shall be based on a  
1278 combination of:

1279 a.1. Student achievement scores, including achievement  
1280 scores for students seeking a special diploma.

1281 b.2. Student learning gains as measured by annual FCAT  
1282 assessments in grades 3 through 10; learning gains for students  
1283 seeking a special diploma, as measured by an alternate assessment  
1284 tool, shall be included not later than the 2009-2010 school year.

1285 c.3. Improvement of the lowest 25th percentile of students  
1286 in the school in reading, mathematics ~~math~~, or writing on the  
1287 FCAT, unless these students are exhibiting satisfactory  
1288 performance.

1289 2. Beginning with the 2009-2010 school year for schools  
1290 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
1291 11, and 12, 50 percent of the school grade shall be based on a  
1292 combination of the factors listed in sub-subparagraphs 1.a.-c.  
1293 and the remaining 50 percent on the following factors:

1294 a. The high school graduation rate of the school;

1295 b. As valid data becomes available, the performance and  
1296 participation of the school's students in College Board Advanced  
1297 Placement courses, International Baccalaureate courses, dual  
1298 enrollment courses, and Advanced International Certificate of  
1299 Education courses; and the students' achievement of industry  
1300 certification, as determined by the Agency for Workforce  
1301 Innovation under s. 1003.492(2) in a career and professional  
1302 academy, as described in s. 1003.493;

1303 c. Postsecondary readiness of the school's students as  
1304 measured by the SAT, ACT, or the common placement test;

1305 d. The high school graduation rate of at-risk students who

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1306 scored at Level 2 or lower on the grade 8 FCAT Reading and  
1307 Mathematics examinations;

1308 e. As valid data becomes available, the performance of the  
1309 school's students on statewide standardized end-of-course  
1310 assessments administered under s. 1008.22; and

1311 f. The growth or decline in the components listed in sub-  
1312 subparagraphs a.-e. from year to year.

1313 (c)(b) Student assessment data. Student assessment data  
1314 used in determining school grades shall include:

1315 1. The aggregate scores of all eligible students enrolled  
1316 in the school who have been assessed on the FCAT.

1317 2. The aggregate scores of all eligible students enrolled  
1318 in the school who have been assessed on the FCAT, ~~including~~  
1319 ~~Florida Writes~~, and who have scored at or in the lowest 25th  
1320 percentile of students in the school in reading, mathematics  
1321 ~~math~~, or writing, unless these students are exhibiting  
1322 satisfactory performance.

1323 3. Effective with the 2005-2006 school year, the  
1324 achievement scores and learning gains of eligible students  
1325 attending alternative schools that provide dropout prevention and  
1326 academic intervention services pursuant to s. 1003.53. The term  
1327 "eligible students" in this subparagraph does not include  
1328 students attending an alternative school who are subject to  
1329 district school board policies for expulsion for repeated or  
1330 serious offenses, who are in dropout retrieval programs serving  
1331 students who have officially been designated as dropouts, or who  
1332 are in programs operated or contracted by the Department of  
1333 Juvenile Justice. The student performance data for eligible  
1334 students identified in this subparagraph shall be included in the

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1335 calculation of the home school's grade. As used in ~~For purposes~~  
1336 ~~of~~ this section and s. 1008.341, the term "home school" means the  
1337 school to which the student would be assigned if the student were  
1338 not was attending when assigned to an alternative school. If an  
1339 alternative school chooses to be graded under ~~pursuant to~~ this  
1340 section, student performance data for eligible students  
1341 identified in this subparagraph shall not be included in the home  
1342 school's grade but shall be included only in the calculation of  
1343 the alternative school's grade. A school district that fails to  
1344 assign the FCAT scores of each of its students to his or her home  
1345 school or to the alternative school that receives a grade shall  
1346 forfeit Florida School Recognition Program funds for 1 fiscal  
1347 year. School districts must require collaboration between the  
1348 home school and the alternative school in order to promote  
1349 student success. This collaboration must include an annual  
1350 discussion between the principal of the alternative school and  
1351 the principal of each student's home school concerning the most  
1352 appropriate school assignment of the student.

1353 4. Beginning with the 2009-2010 school year for schools  
1354 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
1355 11, and 12, the data listed in subparagraphs 1.-3. and the  
1356 following data as the Department of Education determines such  
1357 data are valid and available:

1358 a. The high school graduation rate of the school as  
1359 calculated by the Department of Education;

1360 b. The participation rate of all eligible students enrolled  
1361 in the school and enrolled in College Board Advanced Placement  
1362 courses; International Baccalaureate courses; dual enrollment  
1363 courses; Advanced International Certificate of Education courses;

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1364 and courses or sequence of courses leading to industry  
1365 certification, as determined by the Agency for Workforce  
1366 Innovation under s. 1003.492(2) in a career and professional  
1367 academy, as described in s. 1003.493;

1368 c. The aggregate scores of all eligible students enrolled  
1369 in the school in College Board Advanced Placement courses,  
1370 International Baccalaureate courses, and Advanced International  
1371 Certificate of Education courses;

1372 d. Earning of college credit by all eligible students  
1373 enrolled in the school in dual enrollment programs under s.  
1374 1007.271;

1375 e. Earning of an industry certification, as determined by  
1376 the Agency for Workforce Innovation under s. 1003.492(2) in a  
1377 career and professional academy, as described in s. 1003.493;

1378 f. The aggregate scores of all eligible students enrolled  
1379 in the school in reading, mathematics, and other subjects as  
1380 measured by the SAT, the ACT, and the common placement test for  
1381 postsecondary readiness;

1382 g. The high school graduation rate of all eligible at-risk  
1383 students enrolled in the school who scored at Level 2 or lower on  
1384 the grade 8 FCAT Reading and Mathematics examinations;

1385 h. The performance of the school's students on statewide  
1386 standardized end-of-course assessments administered under s.  
1387 1008.22; and

1388 i. The growth or decline in the data components listed in  
1389 sub-subparagraphs a.-h. from year to year.

1391 The State Board of Education shall adopt appropriate criteria for  
1392 each school grade. The criteria must also give added weight to



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1393 student achievement in reading. Schools designated with a grade  
1394 of "C," making satisfactory progress, shall be required to  
1395 demonstrate that adequate progress has been made by students in  
1396 the school who are in the lowest 25th percentile in reading,  
1397 mathematics ~~math~~, or writing on the FCAT, ~~including Florida~~  
1398 ~~Writes~~, unless these students are exhibiting satisfactory  
1399 performance. Beginning with the 2009-2010 school year for schools  
1400 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
1401 11, and 12, the criteria for school grades must also give added  
1402 weight to the graduation rate of all eligible at-risk students,  
1403 as defined in this paragraph. Beginning in the 2009-2010 school  
1404 year, in order for a high school to be designated as having a  
1405 grade of "A," making excellent progress, the school must  
1406 demonstrate that at-risk students, as defined in this paragraph,  
1407 in the school are making adequate progress.

1408 (8) RULES.--The State Board of Education shall adopt rules  
1409 under ss. 120.536(1) and 120.54 to administer this section.

1410 Section 22. Subsection (2) and paragraph (b) of subsection  
1411 (3) of section 1008.341, Florida Statutes, are amended, and  
1412 subsection (6) is added to that section, to read:

1413 1008.341 School improvement rating for alternative  
1414 schools.--

1415 (2) SCHOOL IMPROVEMENT RATING.--An alternative school  
1416 schools that provides provide dropout prevention and academic  
1417 intervention services pursuant to s. 1003.53 shall receive a  
1418 school improvement rating pursuant to this section. However, an  
1419 alternative school shall not receive a school improvement rating  
1420 if the number of its students for whom student performance data  
1421 is available for the current year and previous year are fewer

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1422 than the minimum sample size necessary, based on accepted  
1423 professional practice, for statistical reliability and prevention  
1424 of the unlawful release of personally identifiable student data  
1425 under s. 1002.22 or 20 U.S.C. s. 1232g. The school improvement  
1426 rating shall identify an alternative school ~~schools~~ as having one  
1427 of the following ratings defined according to rules of the State  
1428 Board of Education:

1429 (a) "Improving" means the ~~schools with~~ students attending  
1430 the school are making more academic progress than when the  
1431 students were served in their home schools.

1432 (b) "Maintaining" means the ~~schools with~~ students attending  
1433 the school are making progress equivalent to the progress made  
1434 when the students were served in their home schools.

1435 (c) "Declining" means the ~~schools with~~ students attending  
1436 the school are making less academic progress than when the  
1437 students were served in their home schools.

1438

1439 The school improvement rating shall be based on a comparison of  
1440 student performance data for the current year and previous year.  
1441 Schools that improve at least one level or maintain an  
1442 "improving" rating pursuant to this section are eligible for  
1443 school recognition awards pursuant to s. 1008.36.

1444 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.--Student data  
1445 used in determining an alternative school's school improvement  
1446 rating shall include:

1447 (b) The aggregate scores of all eligible students who were  
1448 assigned to and enrolled in the school during the October or  
1449 February FTE count, who have been assessed on the FCAT, ~~including~~  
1450 ~~Florida Writes,~~ and who have scored in the lowest 25th percentile

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1451 of students in the state on FCAT Reading.

1452

1453 The assessment scores of students who are subject to district  
1454 school board policies for expulsion for repeated or serious  
1455 offenses, who are in dropout retrieval programs serving students  
1456 who have officially been designated as dropouts, or who are in  
1457 programs operated or contracted by the Department of Juvenile  
1458 Justice may not be included in an alternative school's school  
1459 improvement rating.

1460 (6) RULES.--The State Board of Education shall adopt rules  
1461 under ss. 120.536(1) and 120.54 to administer this section.

1462 Section 23. Paragraph (a) of subsection (8) of section  
1463 1008.345, Florida Statutes, is amended to read:

1464 1008.345 Implementation of state system of school  
1465 improvement and education accountability.--

1466 (8) As a part of the system of educational accountability,  
1467 the Department of Education shall:

1468 (a) Develop minimum ~~performance~~ standards for various  
1469 grades and subject areas, as required in ss. 1001.03, 1008.22,  
1470 and 1008.34.

1471 Section 24. Subsection (2) of section 1008.36, Florida  
1472 Statutes, is amended to read:

1473 1008.36 Florida School Recognition Program.--

1474 (2) The Florida School Recognition Program is created to  
1475 provide financial awards to public schools that:

1476 (a) Sustain high performance by receiving a school grade of  
1477 "A," making excellent progress; or

1478 (b) Demonstrate exemplary improvement due to innovation and  
1479 effort by improving at least one a letter grade or by improving

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1480 more than one letter grade and sustaining the improvement the  
1481 following school year.

1482  
1483 Notwithstanding statutory provisions to the contrary, incentive  
1484 awards are not subject to collective bargaining.

1485 Section 25. Subsection (4) of section 1012.56, Florida  
1486 Statutes, is renumbered as subsection (5) and amended, present  
1487 subsections (5) through (16) are renumbered as subsections (6)  
1488 through (17), respectively, and a new subsection (4) is added to  
1489 that section, to read:

1490 1012.56 Educator certification requirements.--

1491 (4) ALIGNMENT OF SUBJECT AREAS.--As the Sunshine State  
1492 Standards are replaced by the Next Generation Sunshine State  
1493 Standards under s. 1003.41, the State Board of Education shall  
1494 align the subject area examinations to the Next Generation  
1495 Sunshine State Standards.

1496 (5)~~(4)~~ MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable means  
1497 of demonstrating mastery of subject area knowledge are:

1498 (a) Achievement of passing scores on subject area  
1499 examinations required by state board rule, which may include, but  
1500 need not be limited to, world languages in Arabic, Chinese,  
1501 Farsi, French, German, Greek, Haitian Creole, Hebrew, Hindi,  
1502 Italian, Japanese, Portuguese, Russian, and Spanish;

1503 (b) Completion of a bachelor's degree or higher and  
1504 verification of the attainment of an oral proficiency interview  
1505 score above the intermediate level and a written proficiency  
1506 score above the intermediate level on a test administered by the  
1507 American Council on the Teaching of Foreign Languages for which  
1508 there is no Florida-developed examination;

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1509        (c) ~~(b)~~ Completion of the subject area specialization  
1510 requirements specified in state board rule and verification of  
1511 the attainment of the essential subject matter competencies by  
1512 the district school superintendent of the employing school  
1513 district or chief administrative officer of the employing state-  
1514 supported or private school for a subject area for which a  
1515 subject area examination has not been developed and required by  
1516 state board rule;

1517        (d) ~~(e)~~ Completion of the subject area specialization  
1518 requirements specified in state board rule for a subject coverage  
1519 requiring a master's or higher degree and achievement of a  
1520 passing score on the subject area examination specified in state  
1521 board rule;

1522        (e) ~~(d)~~ A valid professional standard teaching certificate  
1523 issued by another state; or

1524        (f) ~~(e)~~ A valid certificate issued by the National Board for  
1525 Professional Teaching Standards or a national educator  
1526 credentialing board approved by the State Board of Education.

1527  
1528 School districts are encouraged to provide mechanisms for those  
1529 middle school teachers holding only a K-6 teaching certificate to  
1530 obtain a subject area coverage for middle grades through  
1531 postsecondary coursework or district add-on certification.

1532        Section 26. Subsection (1) of section 1012.57, Florida  
1533 Statutes, is amended to read:

1534        1012.57 Certification of adjunct educators.--

1535        (1) Notwithstanding the provisions of ss. 1012.32, 1012.55,  
1536 and 1012.56, or any other provision of law or rule to the  
1537 contrary, district school boards shall adopt rules to allow for

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1538 the issuance of an adjunct teaching certificate to any applicant  
1539 who fulfills the requirements of s. 1012.56(2)(a)-(f) and (10)  
1540 ~~(9)~~ and who has expertise in the subject area to be taught. An  
1541 applicant shall be considered to have expertise in the subject  
1542 area to be taught if the applicant demonstrates sufficient  
1543 subject area mastery through passage of a subject area test. The  
1544 adjunct teaching certificate shall be used for part-time teaching  
1545 positions. The intent of this provision is to allow school  
1546 districts to tap the wealth of talent and expertise represented  
1547 in Florida's citizens who may wish to teach part-time in a  
1548 Florida public school by permitting school districts to issue  
1549 adjunct certificates to qualified applicants. Adjunct  
1550 certificateholders should be used as a strategy to reduce the  
1551 teacher shortage; thus, adjunct certificateholders should  
1552 supplement a school's instructional staff, not supplant it. Each  
1553 school principal shall assign an experienced peer mentor to  
1554 assist the adjunct teaching certificateholder during the  
1555 certificateholder's first year of teaching, and an adjunct  
1556 certificateholder may participate in a district's new teacher  
1557 training program. District school boards shall provide the  
1558 adjunct teaching certificateholder an orientation in classroom  
1559 management prior to assigning the certificateholder to a school.  
1560 Each adjunct teaching certificate is valid for 5 school years and  
1561 is renewable if the applicant has received satisfactory  
1562 performance evaluations during each year of teaching under  
1563 adjunct teaching certification.

1564 Section 27. Subsection (1) of section 1012.586, Florida  
1565 Statutes, is amended to read:

1566 1012.586 Additions or changes to certificates; duplicate

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1567 certificates.--A school district may process via a Department of  
1568 Education website certificates for the following applications of  
1569 public school employees:

1570 (1) Addition of a subject coverage or endorsement to a  
1571 valid Florida certificate on the basis of the completion of the  
1572 appropriate subject area testing requirements of s. 1012.56(5)(a)  
1573 ~~s. 1012.56(4)(a)~~ or the completion of the requirements of an  
1574 approved school district program or the inservice components for  
1575 an endorsement.

1576  
1577 The employing school district shall charge the employee a fee not  
1578 to exceed the amount charged by the Department of Education for  
1579 such services. Each district school board shall retain a portion  
1580 of the fee as defined in the rules of the State Board of  
1581 Education. The portion sent to the department shall be used for  
1582 maintenance of the technology system, the web application, and  
1583 posting and mailing of the certificate.

1584 Section 28. Effective upon this act becoming a law, section  
1585 1012.71, Florida Statutes, is amended to read:

1586 (Substantial rewording of section. See  
1587 s. 1012.71, F.S., for present text.)

1588 1012.71 The Florida Teachers Lead Program.--

1589 (1) For purposes of the Florida Teachers Lead Program, the  
1590 term "classroom teacher" means a certified teacher employed by a  
1591 public school district or a public charter school in that  
1592 district on or before September 1 of each year whose full-time or  
1593 job-share responsibility is the classroom instruction of students  
1594 in prekindergarten through grade 12, including full-time media  
1595 specialists and guidance counselors serving students in

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1596 prekindergarten through grade 12, who are funded through the  
1597 Florida Education Finance Program. A "job-share" classroom  
1598 teacher is one of two teachers whose combined full-time  
1599 equivalent employment for the same teaching assignment equals one  
1600 full-time classroom teacher.

1601 (2) The Legislature, in the General Appropriations Act,  
1602 shall determine funding for the Florida Teachers Lead Program.  
1603 The funds appropriated are for classroom teachers to purchase, on  
1604 behalf of the school district or charter school, classroom  
1605 materials and supplies for the public school students assigned to  
1606 them and may not be used to purchase equipment. The funds  
1607 appropriated shall be used to supplement the materials and  
1608 supplies otherwise available to classroom teachers. From the  
1609 funds appropriated for the Florida Teachers Lead Program, the  
1610 Commissioner of Education shall calculate an amount for each  
1611 school district based upon each school district's proportionate  
1612 share of the state's total unweighted FTE student enrollment and  
1613 shall disburse the funds to the school districts by July 15.

1614 (3) From the funds allocated to each school district for  
1615 the Florida Teachers Lead Program, the district school board  
1616 shall calculate an identical amount for each classroom teacher,  
1617 which is that teacher's proportionate share of the total amount  
1618 allocated to the district. A job-share classroom teacher may  
1619 receive a prorated share of the amount provided to a full-time  
1620 classroom teacher. The district school board and each charter  
1621 school board shall provide each classroom teacher with his or her  
1622 total proportionate share by September 30 of each year by any  
1623 means determined appropriate by the district school board or  
1624 charter school board, including, but not limited to, direct



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1625 deposit, check, debit card, or purchasing card, notwithstanding  
1626 any law to the contrary. Expenditures under the program are not  
1627 subject to state or local competitive bidding requirements. Funds  
1628 received by a classroom teacher do not affect wages, hours, or  
1629 terms and conditions of employment and, therefore, are not  
1630 subject to collective bargaining. Any classroom teacher may  
1631 decline receipt of or return the funds without explanation or  
1632 cause. This subsection shall apply retroactively to July 1, 2007.

1633 (4) Each classroom teacher must sign a statement  
1634 acknowledging receipt of the funds, keep receipts for no less  
1635 than 4 years to show that funds expended meet the requirements of  
1636 this section, and return any unused funds to the district school  
1637 board at the end of the regular school year. Any unused funds  
1638 that are returned to the district school board shall be deposited  
1639 into the school advisory council account of the school at which  
1640 the classroom teacher returning the funds was employed when that  
1641 teacher received the funds or deposited into the Florida Teachers  
1642 Lead Program account of the school district in which a charter  
1643 school is sponsored, as applicable.

1644 (5) The statement must be signed and dated by each  
1645 classroom teacher before receipt of the Florida Teachers Lead  
1646 Program funds and shall include the wording: "I, (name of  
1647 teacher) , am employed by the County District School Board  
1648 or by the Charter School as a full-time classroom teacher. I  
1649 acknowledge that Florida Teachers Lead Program funds are  
1650 appropriated by the Legislature for the sole purpose of  
1651 purchasing classroom materials and supplies to be used in the  
1652 instruction of students assigned to me. In accepting custody of  
1653 these funds, I agree to keep the receipts for all expenditures

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1654 for no less than 4 years. I understand that if I do not keep the  
1655 receipts, it will be my personal responsibility to pay any  
1656 federal taxes due on these funds. I also agree to return any  
1657 unexpended funds to the district school board at the end of the  
1658 regular school year for deposit into the school advisory council  
1659 account of the school where I was employed at the time I received  
1660 the funds or for deposit into the Florida Teachers Lead Program  
1661 account of the school district in which the charter school is  
1662 sponsored, as applicable."

1663 Section 29. Paragraphs (b) and (c) of subsection (2) of  
1664 section 1013.12, Florida Statutes, are redesignated as paragraphs  
1665 (c) and (d), respectively, and a new paragraph (b) is added to  
1666 that subsection to read:

1667 1013.12 Casualty, safety, sanitation, and firesafety  
1668 standards and inspection of property.--

1669 (2) PERIODIC INSPECTION OF PROPERTY BY DISTRICT SCHOOL  
1670 BOARDS.--

1671 (b) Each school cafeteria must post in a visible location  
1672 and on the school website the school's semiannual sanitation  
1673 certificate and a copy of its most recent sanitation inspection  
1674 report.

1675 Section 30. Except as otherwise expressly provided in this  
1676 act, this act shall take effect July 1, 2008.