

By the Committees on Education Pre-K - 12 Appropriations;  
Education Pre-K - 12; and Senator Gaetz

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1                   A bill to be entitled  
2           An act relating to education; amending s. 1000.21, F.S.;  
3           providing and revising definitions; amending s. 1001.03,  
4           F.S.; requiring the State Board of Education to  
5           periodically review and revise state curriculum standards;  
6           eliminating provisions requiring that the state board  
7           report proposed revisions to the Governor and the  
8           Legislature; amending s. 1001.452, F.S.; revising  
9           provisions relating to membership of school advisory  
10          councils; amending s. 1003.41, F.S.; requiring that the  
11          State Board of Education replace the Sunshine State  
12          Standards with the Next Generation Sunshine State  
13          Standards; providing for application of the Sunshine State  
14          Standards pending adoption of the Next Generation Sunshine  
15          State Standards; providing requirements concerning the  
16          content and organization of the Next Generation Sunshine  
17          State Standards; requiring that the Next Generation  
18          Sunshine State Standards establish core curricular content  
19          in specified areas for certain grades or grade clusters;  
20          requiring that the state board establish schedules for the  
21          adoption and revision of the Next Generation Sunshine  
22          State Standards; requiring that the state board adopt the  
23          Next Generation Sunshine State Standards by a specified  
24          date; requiring the Commissioner of Education to provide  
25          proposed Next Generation Sunshine State Standards or  
26          proposed revisions of such standards to the state board;  
27          providing requirements concerning the commissioner's  
28          development of the proposed standards or revisions;  
29          requiring consultation with certain experts; requiring

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30 distribution of a proposal developed by the commissioner  
31 for review and comment by certain experts; requiring a  
32 written evaluation of the proposal developed by the  
33 commissioner by a research institution meeting specified  
34 criteria; requiring provision of the commissioner's  
35 proposed standards and the written evaluation and comments  
36 to the Governor, the President of the Senate, and the  
37 Speaker of the House of Representatives; authorizing  
38 rulemaking by the State Board of Education; amending s.  
39 1003.413, F.S.; requiring policies of each district school  
40 board to address an annual review of student education  
41 plans; amending s. 1003.428, F.S.; revising courses that  
42 are acceptable for high school graduation; conforming a  
43 cross-reference; creating s. 1003.4285, F.S.; providing  
44 for high school diploma designations; amending ss.  
45 1003.429, 1003.43, and 1003.433, F.S.; conforming cross-  
46 references; amending s. 1003.63, F.S.; revising the type  
47 of assessment tests reported to the Governor and the  
48 Legislature relating to the deregulated public schools  
49 pilot program; amending s. 1004.85, F.S.; conforming  
50 cross-references; amending s. 1004.99, F.S.; providing  
51 designations of Florida Ready to Work credentials;  
52 amending s. 1007.21, F.S., relating to postsecondary  
53 placement tests for high school students; authorizing the  
54 common placement test to be administered to high school  
55 students and not just second semester sophomores; amending  
56 s. 1007.235, F.S.; revising the components for the  
57 district interinstitutional articulation agreement to  
58 include secondary school and postsecondary institution

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59 | responsibilities for calculation of grades; amending s.  
60 | 1008.22, F.S.; revising provisions governing application  
61 | of testing requirements for high school graduation;  
62 | providing criteria concerning the testing and scores  
63 | required for a continuously enrolled student to earn a  
64 | standard high school diploma; authorizing the commissioner  
65 | to administer comprehensive end-of-course assessments;  
66 | providing requirements for comprehensive and end-of-course  
67 | assessments; authorizing the commissioner to select a  
68 | nationally developed comprehensive examination for use as  
69 | an end-of-course assessment; revising the design of the  
70 | testing program; authorizing the commissioner to  
71 | collaborate with the American Diploma Project to develop  
72 | end-of-course assessments; authorizing the commissioner to  
73 | discontinue administration of an outdated assessment under  
74 | certain conditions; requiring the commissioner to  
75 | establish schedules for the administration of statewide  
76 | assessments and the reporting of student test results;  
77 | providing requirements for the testing and reporting  
78 | schedules; requiring district school boards to prohibit  
79 | public schools from suspending a program of curricula for  
80 | the administration of practice tests; authorizing a  
81 | district school board to permit a school to engage in  
82 | certain test-preparation activities; revising the  
83 | applicability of testing standards under certain  
84 | conditions; revising the requirements contained in the  
85 | annual report by the department to the Governor and the  
86 | Legislature; amending s. 1008.31, F.S.; declaring the  
87 | legislative intent that the K-20 education system comply

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88 | with the Individuals with Disabilities Education Act;  
89 | amending s. 1008.34, F.S.; revising the exceptions for a  
90 | school to receive a school grade; revising the student  
91 | assessment data used in determining school grades;  
92 | requiring a school district that fails to assign FCAT  
93 | scores back to students' schools to forfeit school  
94 | recognition funds for a specified time; requiring the  
95 | collaboration between a home school and alternative school  
96 | to be between the principals of each school in order to  
97 | promote student success; authorizing the state board to  
98 | adopt rules; amending s. 1008.341, F.S.; revising  
99 | provisions for a school improvement rating for an  
100 | alternative school; authorizing the state board to adopt  
101 | rules; amending s. 1012.56, F.S.; requiring teacher  
102 | certification exams to be aligned to revised curriculum  
103 | standards; amending ss. 1012.57 and 1012.586, F.S.;  
104 | conforming cross-reference; amending s. 1012.71, F.S.;  
105 | providing definitions; revising requirements for the use  
106 | of program funds by classroom teachers; providing for the  
107 | disbursement of funds to school districts; specifying the  
108 | means for providing a classroom teacher with his or her  
109 | proportionate share of program funds; providing that funds  
110 | received are not subject to competitive bidding  
111 | requirements or collective bargaining; requiring each  
112 | classroom teacher to sign a statement acknowledging  
113 | receipt of funds; providing requirements for accounting of  
114 | expenditures and reimbursement of funds under certain  
115 | conditions; amending s. 1013.12, F.S.; requiring that a  
116 | school cafeteria post certain information concerning its

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117 sanitation certificate and inspection; providing effective  
118 dates.

119

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

121

122 Section 1. Subsection (7) of section 1000.21, Florida  
123 Statutes, is amended to read:

124 1000.21 Systemwide definitions.--As used in the Florida K-  
125 20 Education Code:

126 (7) "Sunshine State Standards" or the "Next Generation  
127 Sunshine State Standards" means the state's public K-12  
128 curricular are standards established under s. 1003.41. The term  
129 includes the Sunshine State Standards that are in place for a  
130 subject until the standards for that subject are replaced under  
131 s. 1003.41 by the Next Generation Sunshine State Standards. that  
132 identify what public school students should know and be able to  
133 do. These standards delineate the academic achievement of  
134 students for which the state will hold its public schools  
135 accountable in grades K-2, 3-5, 6-8, and 9-12, in the subjects of  
136 language arts, mathematics, science, social studies, the arts,  
137 health and physical education, foreign languages, reading,  
138 writing, history, government, geography, economics, and computer  
139 literacy.

140 Section 2. Subsection (1) of section 1001.03, Florida  
141 Statutes, is amended to read:

142 1001.03 Specific powers of State Board of Education.--

143 (1) PUBLIC K-12 CURRICULAR STUDENT PERFORMANCE  
144 STANDARDS.--The State Board of Education shall adopt and  
145 periodically review and revise ~~approve the student performance~~

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146 ~~standards known as the Sunshine State Standards in accordance~~  
147 ~~with s. 1003.41 key academic subject areas and grade levels. The~~  
148 ~~state board shall establish a schedule to facilitate the periodic~~  
149 ~~review of the standards to ensure adequate rigor, relevance,~~  
150 ~~logical student progression, and integration of reading, writing,~~  
151 ~~and mathematics across all subject areas. The standards review by~~  
152 ~~subject area must include participation of curriculum leaders in~~  
153 ~~other content areas, including the arts, to ensure valid content~~  
154 ~~area integration and to address the instructional requirements of~~  
155 ~~different learning styles. The process for review and proposed~~  
156 ~~revisions must include leadership and input from the state's~~  
157 ~~classroom teachers, school administrators, and community colleges~~  
158 ~~and universities, and from representatives from business and~~  
159 ~~industry who are identified by local education foundations. A~~  
160 ~~report including proposed revisions must be submitted to the~~  
161 ~~Governor, the President of the Senate, and the Speaker of the~~  
162 ~~House of Representatives annually to coincide with the~~  
163 ~~established review schedule. The review schedule and an annual~~  
164 ~~status report must be submitted to the Governor, the President of~~  
165 ~~the Senate, and the Speaker of the House of Representatives~~  
166 ~~annually not later than January 1.~~

167 Section 3. Paragraph (a) of subsection (1) of section  
168 1001.452, Florida Statutes, is amended to read:

169 1001.452 District and school advisory councils.--

170 (1) ESTABLISHMENT.--

171 (a) The district school board shall establish an advisory  
172 council for each school in the district and shall develop  
173 procedures for the election and appointment of advisory council  
174 members. Each school advisory council shall include in its name

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175 the words "school advisory council." The school advisory council  
176 shall be the sole body responsible for final decisionmaking at  
177 the school relating to implementation of the provisions of ss.  
178 1001.42(16) and 1008.345. A majority of the members of each  
179 school advisory council must be persons who are not employed by  
180 the school district. Each advisory council shall be composed of  
181 the principal and an appropriately balanced number of teachers,  
182 education support employees, students, parents, and other  
183 business and community citizens who are representative of the  
184 ethnic, racial, and economic community served by the school.  
185 Career center and high school advisory councils shall include  
186 students, and middle and junior high school advisory councils may  
187 include students. School advisory councils of career centers and  
188 adult education centers are not required to include parents as  
189 members. Council members representing teachers, education support  
190 employees, students, and parents shall be elected by their  
191 respective peer groups at the school in a fair and equitable  
192 manner as follows:

193 1. Teachers shall be elected by teachers.

194 2. Education support employees shall be elected by  
195 education support employees.

196 3. Students shall be elected by students.

197 4. Parents shall be elected by parents.  
198

199 The district school board shall establish procedures for use by  
200 schools in selecting business and community members that include  
201 means of ensuring wide notice of vacancies and of taking input on  
202 possible members from local business, chambers of commerce,  
203 community and civic organizations and groups, and the public at

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204 large. The district school board shall review the membership  
205 composition of each advisory council. If the district school  
206 board determines that the membership elected by the school is not  
207 representative of the ethnic, racial, and economic community  
208 served by the school, the district school board shall appoint  
209 additional members to achieve proper representation. The  
210 commissioner shall determine if schools have maximized their  
211 efforts to include on their advisory councils minority persons  
212 and persons of lower socioeconomic status. Although schools are  
213 strongly encouraged to establish school advisory councils, the  
214 district school board of any school district that has a student  
215 population of 10,000 or fewer may establish a district advisory  
216 council which shall include at least one duly elected teacher  
217 from each school in the district. For the purposes of school  
218 advisory councils and district advisory councils, the term  
219 "teacher" shall include classroom teachers, certified student  
220 services personnel, and media specialists. For purposes of this  
221 paragraph, "education support employee" means any person employed  
222 by a school who is not defined as instructional or administrative  
223 personnel pursuant to s. 1012.01 and whose duties require 20 or  
224 more hours in each normal working week.

225 Section 4. Section 1003.41, Florida Statutes, is amended to  
226 read:

227 1003.41 Sunshine State Standards.--

228 (1) Public K-12 educational instruction in Florida is based  
229 on the "Sunshine State Standards." The State Board of Education  
230 shall review the Sunshine State Standards and replace them with  
231 the Next Generation Sunshine State Standards that establish the  
232 core content of the curricula to be taught in this state and that



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233 specify the core content knowledge and skills that the next  
234 generation of K-12 public school students are expected to  
235 acquire. The Next Generation Sunshine State Standards must, at a  
236 minimum:

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

239 1. Language arts standards must establish specific  
240 curricular content for, at a minimum, the reading process,  
241 literary analysis, the writing process, writing applications,  
242 communication, and information and media literacy. The standards  
243 must include distinct grade-level expectations for the core  
244 content knowledge and skills that a student is expected to have  
245 acquired by each individual grade level from kindergarten through  
246 grade 8. The standards for grades 9-12 may be organized by grade  
247 clusters of more than one grade level or strands within the  
248 content area. The State Board of Education shall, in accordance  
249 with the expedited schedule established under subsection (2),  
250 review and replace the reading and language arts standards  
251 adopted by the state board in 2007 with Next Generation Sunshine  
252 State Standards that comply with this subparagraph.

253 2. Science standards must establish specific curricular  
254 content for, at a minimum, the nature of science, earth and space  
255 science, physical science, and life science. The standards must  
256 include distinct grade-level expectations for the core content  
257 knowledge and skills that a student is expected to have acquired  
258 by each individual grade level from kindergarten through grade 8.  
259 The science standards for grades 9 through 12 may be organized by  
260 grade clusters of more than one grade level.

261 3. Mathematics standards must establish specific curricular

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262 content for, at a minimum, algebra, geometry, probability,  
263 statistics, calculus, discrete mathematics, financial literacy,  
264 and trigonometry. The standards must include distinct grade-level  
265 expectations for the core content knowledge and skills that a  
266 student is expected to have acquired by each individual grade  
267 level from kindergarten through grade 8. The mathematics  
268 standards for grades 9 through 12 may be organized by grade  
269 clusters of more than one grade level.

270 4. Social studies standards must establish specific  
271 curricular content for, at a minimum, geography, United States  
272 and world history, government, civics, economics, and humanities.  
273 The standards must include distinct grade-level expectations for  
274 the core content knowledge and skills that a student is expected  
275 to have acquired by each individual grade level from kindergarten  
276 through grade 8. The social studies standards for grades 9  
277 through 12 may be organized by grade clusters of more than one  
278 grade level.

279 (b) Establish the core curricular content for visual and  
280 performing arts, physical education, health, and foreign  
281 languages. Standards for these subjects must establish specific  
282 curricular content and include distinct grade-level expectations  
283 for the core content knowledge and skills that a student is  
284 expected to have acquired by each individual grade level from  
285 kindergarten through grade 5. The standards for grades 6 through  
286 12 may be organized by grade clusters of more than one grade  
287 level.

288 (c) Identify the core curricular content that a student is  
289 expected to learn for each subject at each individual grade level  
290 in order to acquire the broad background knowledge needed for

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291 reading comprehension.

292 (d) Be rigorous and relevant and provide for the logical,  
293 sequential progression of core curricular content that  
294 incrementally increases a student's core content knowledge and  
295 skills over time.

296 (e) Integrate critical-thinking and problem-solving skills;  
297 communication, reading, and writing skills; mathematics skills;  
298 collaboration skills; contextual and applied-learning skills;  
299 technology-literacy skills; information and media-literacy  
300 skills; and civic-engagement skills.

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

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

307 (2) By December 31, 2008, the State Board of Education  
308 shall establish an expedited schedule for adoption of the Next  
309 Generation Sunshine State Standards and shall establish by rule a  
310 schedule for the periodic review and revision of the standards.  
311 The state board shall adopt the Next Generation Sunshine State  
312 Standards for each subject by December 31, 2011.

313 (3) (a) The Commissioner of Education shall develop and  
314 submit to the State Board of Education proposed Next Generation  
315 Sunshine State Standards, and periodically submit proposed  
316 revisions to the standards, for adoption by the state board  
317 according to the schedules established under subsection (2). The  
318 commissioner, in developing the proposed standards, shall consult  
319 with renowned experts on K-12 curricular standards and content in

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320 each subject listed in paragraphs (1)(a) and (b) and shall  
321 consider standards that are implemented by other states or  
322 nations and regarded as exceptionally rigorous by the curricular  
323 and content experts. The commissioner may also consult with  
324 curricular and content experts in other subjects.

325 (b) The commissioner shall submit the proposed standards  
326 for review and comment by state educators, school administrators,  
327 representatives of community colleges and state universities who  
328 have expertise in the content knowledge and skills necessary to  
329 prepare a student for postsecondary education, and leaders in  
330 business and industry. The commissioner, after considering any  
331 comments and making any revisions to the proposed standards,  
332 shall submit the standards for written evaluation by renowned  
333 experts on K-12 curricular standards and content.

334 (c) The commissioner, upon finalizing the proposed  
335 standards, shall submit the standards and evaluations by the  
336 curricular and content experts to the Governor, the President of  
337 the Senate, and the Speaker of the House of Representatives at  
338 least 21 days before the State Board of Education considers  
339 adoption of the proposed standards.

340 (4) The State Board of Education may adopt rules under ss.  
341 120.536(1) and 120.54 to administer this section. These standards  
342 have been adopted by the State Board of Education and delineate  
343 the academic achievement of students, for which the state will  
344 hold schools accountable, in grades K-2, 3-5, 6-8, and 9-12 in  
345 the subjects of language arts, mathematics, science, social  
346 studies, the arts, health and physical education, and foreign  
347 languages. They include standards in reading, writing, history,  
348 government, geography, economics, and computer literacy.

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349 Section 5. Paragraph (i) of subsection (3) of section  
350 1003.413, Florida Statutes, is amended to read:

351 1003.413 Florida Secondary School Redesign Act.--

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

355 (i) An annual review of each high school student's  
356 electronic personal education plan pursuant to s. 1003.4156 and  
357 procedures for high school students who have not prepared an  
358 electronic personal education plan pursuant to s. 1003.4156 to  
359 prepare such plan.

360 Section 6. Paragraph (a) of subsection (2) and paragraph  
361 (b) of subsection (4) of section 1003.428, Florida Statutes, are  
362 amended to read:

363 1003.428 General requirements for high school graduation;  
364 revised.--

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

368 (a) Sixteen core curriculum credits:

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

371 2. Four credits in mathematics, one of which must be  
372 Algebra I, a series of courses equivalent to Algebra I, or a  
373 higher-level mathematics course. School districts are encouraged  
374 to set specific goals to increase enrollments in, and successful  
375 completion of, geometry and Algebra II.

376 3. Three credits in science, two of which must have a  
377 laboratory component.

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378 4. Three credits in social studies as follows: one credit  
379 in American history; one credit in world history; one-half credit  
380 in economics; and one-half credit in American government.

381 5. One credit in fine or performing arts, which may include  
382 speech and debate or practical arts.

383 6. One credit in physical education to include integration  
384 of health. Participation in an interscholastic sport at the  
385 junior varsity or varsity level for two full seasons shall  
386 satisfy the one-credit requirement in physical education if the  
387 student passes a competency test on personal fitness with a score  
388 of "C" or better. The competency test on personal fitness must be  
389 developed by the Department of Education. A district school board  
390 may not require that the one credit in physical education be  
391 taken during the 9th grade year. Completion of one semester with  
392 a grade of "C" or better in a marching band class, in a physical  
393 activity class that requires participation in marching band  
394 activities as an extracurricular activity, or in a dance class  
395 shall satisfy one-half credit in physical education or one-half  
396 credit in performing arts. This credit may not be used to satisfy  
397 the personal fitness requirement or the requirement for adaptive  
398 physical education under an individual education plan (IEP) or  
399 504 plan. Completion of 2 years in a Reserve Officer Training  
400 Corps (R.O.T.C.) class, a significant component of which is  
401 drills, shall satisfy the one-credit requirement in physical  
402 education and the one-credit requirement in performing arts. This  
403 credit may not be used to satisfy the personal fitness  
404 requirement or the requirement for adaptive physical education  
405 under an individual education plan (IEP) or 504 plan.

406 (4) Each district school board shall establish standards

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407 | for graduation from its schools, which must include:

408 |       (b) Earning passing scores on the FCAT, as defined in s.  
409 | 1008.22(3)(c), or scores on a standardized test that are  
410 | concordant with passing scores on the FCAT as defined in s.  
411 | 1008.22(10) ~~s. 1008.22(9)~~.

412 |

413 | Each district school board shall adopt policies designed to  
414 | assist students in meeting the requirements of this subsection.  
415 | These policies may include, but are not limited to: forgiveness  
416 | policies, summer school or before or after school attendance,  
417 | special counseling, volunteers or peer tutors, school-sponsored  
418 | help sessions, homework hotlines, and study skills classes.  
419 | Forgiveness policies for required courses shall be limited to  
420 | replacing a grade of "D" or "F," or the equivalent of a grade of  
421 | "D" or "F," with a grade of "C" or higher, or the equivalent of a  
422 | grade of "C" or higher, earned subsequently in the same or  
423 | comparable course. Forgiveness policies for elective courses  
424 | shall be limited to replacing a grade of "D" or "F," or the  
425 | equivalent of a grade of "D" or "F," with a grade of "C" or  
426 | higher, or the equivalent of a grade of "C" or higher, earned  
427 | subsequently in another course. The only exception to these  
428 | forgiveness policies shall be made for a student in the middle  
429 | grades who takes any high school course for high school credit  
430 | and earns a grade of "C," "D," or "F" or the equivalent of a  
431 | grade of "C," "D," or "F." In such case, the district forgiveness  
432 | policy must allow the replacement of the grade with a grade of  
433 | "C" or higher, or the equivalent of a grade of "C" or higher,  
434 | earned subsequently in the same or comparable course. In all  
435 | cases of grade forgiveness, only the new grade shall be used in

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436 the calculation of the student's grade point average. Any course  
437 grade not replaced according to a district school board  
438 forgiveness policy shall be included in the calculation of the  
439 cumulative grade point average required for graduation.

440 Section 7. Section 1003.4285, Florida Statutes, is created  
441 to read:

442 1003.4285 Standard high school diploma designations.--By  
443 the 2008-2009 school year, each standard high school diploma  
444 shall include, as applicable:

445 (1) A designation of the student's major area of interest  
446 pursuant to the student's completion of credits as provided in s.  
447 1003.428.

448 (2) A designation reflecting completion of accelerated  
449 college credit courses if the student is eligible for college  
450 credit pursuant to s. 1007.27 in four or more advanced placement,  
451 International Baccalaureate, Advanced International Certificate  
452 of Education, or dual enrollment courses. The Commissioner of  
453 Education shall establish guidelines for successful passage of  
454 examinations or coursework in each of the accelerated college  
455 credit options for purposes of this subsection.

456 (3) A designation reflecting career education certification  
457 in accordance with s. 1003.431.

458 (4) A designation reflecting Florida Ready to Work  
459 Certification in accordance with s. 1004.99.

460 Section 8. Paragraph (a) of subsection (6) of section  
461 1003.429, Florida Statutes, is amended to read:

462 1003.429 Accelerated high school graduation options.--

463 (6) Students pursuing accelerated 3-year high school  
464 graduation options pursuant to paragraph (1) (b) or paragraph



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465 (1) (c) are required to:

466 (a) Earn passing scores on the FCAT as defined in s.  
467 1008.22(3)(c) or scores on a standardized test that are  
468 concordant with passing scores on the FCAT as defined in s.  
469 1008.22(10) ~~s. 1008.22(9)~~.

470

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

475 Section 9. Paragraph (a) of subsection (5) of section  
476 1003.43, Florida Statutes, is amended to read:

477 1003.43 General requirements for high school graduation.--

478 (5) Each district school board shall establish standards  
479 for graduation from its schools, and these standards must  
480 include:

481 (a) Earning passing scores on the FCAT, as defined in s.  
482 1008.22(3)(c), or scores on a standardized test that are  
483 concordant with passing scores on the FCAT as defined in s.  
484 1008.22(10) ~~s. 1008.22(9)~~.

485

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

489 Section 10. Subsection (1) of section 1003.433, Florida  
490 Statutes, is amended to read:

491 1003.433 Learning opportunities for out-of-state and out-  
492 of-country transfer students and students needing additional  
493 instruction to meet high school graduation requirements.--

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494 (1) Students who enter a Florida public school at the  
495 eleventh or twelfth grade from out of state or from a foreign  
496 country shall not be required to spend additional time in a  
497 Florida public school in order to meet the high school course  
498 requirements if the student has met all requirements of the  
499 school district, state, or country from which he or she is  
500 transferring. Such students who are not proficient in English  
501 should receive immediate and intensive instruction in English  
502 language acquisition. However, to receive a standard high school  
503 diploma, a transfer student must earn a 2.0 grade point average  
504 and pass the grade 10 FCAT required in s. 1008.22(3) or an  
505 alternate assessment as described in s. 1008.22(10) ~~s.~~  
506 ~~1008.22(9)~~.

507 Section 11. Paragraph (d) of subsection (6) of section  
508 1003.63, Florida Statutes, is amended to read:

509 1003.63 Deregulated public schools pilot program.--

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

513 (d) Upon receipt of the annual report required by paragraph  
514 (b), the Department of Education shall provide the State Board of  
515 Education, the Commissioner of Education, the President of the  
516 Senate, and the Speaker of the House of Representatives with a  
517 copy of each report and an analysis and comparison of the overall  
518 performance of students, to include all students in deregulated  
519 public schools whose scores are counted as part of the statewide  
520 assessment tests, versus comparable public school students in the  
521 district as determined by statewide assessments administered  
522 under s. 1008.22(3) FCAT and district assessment tests and, ~~as~~

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523 ~~appropriate, the Florida Writes Assessment Test, and other~~  
524 ~~assessments administered pursuant to s. 1008.22(3).~~

525 Section 12. Paragraphs (c) and (d) of subsection (3) of  
526 section 1004.85, Florida Statutes, are amended to read:

527 1004.85 Postsecondary educator preparation institutes.--

528 (3) Educator preparation institutes approved pursuant to  
529 this section may offer alternative certification programs  
530 specifically designed for noneducation major baccalaureate degree  
531 holders to enable program participants to meet the educator  
532 certification requirements of s. 1012.56. Such programs shall be  
533 competency-based educator certification preparation programs that  
534 prepare educators through an alternative route. An educator  
535 preparation institute choosing to offer an alternative  
536 certification program pursuant to the provisions of this section  
537 must implement a program previously approved by the Department of  
538 Education for this purpose or a program developed by the  
539 institute and approved by the department for this purpose.  
540 Approved programs shall be available for use by other approved  
541 educator preparation institutes.

542 (c) Upon completion of an alternative certification program  
543 approved pursuant to this subsection, a participant shall receive  
544 a credential from the sponsoring institution signifying  
545 satisfaction of the requirements of s. 1012.56(6) ~~s. 1012.56(5)~~  
546 relating to mastery of professional preparation and education  
547 competence. A participant shall be eligible for educator  
548 certification through the Department of Education upon  
549 satisfaction of all requirements for certification set forth in  
550 s. 1012.56(2), including demonstration of mastery of general  
551 knowledge, subject area knowledge, and professional preparation

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552 and education competence, through testing or other statutorily  
553 authorized means.

554 (d) If an institution offers an alternative certification  
555 program approved pursuant to this subsection, such program may be  
556 used by the school district or districts served by that  
557 institution in addition to the alternative certification program  
558 as required in s. 1012.56(8) ~~s. 1012.56(7)~~.

559 Section 13. Paragraph (d) of subsection (3) of section  
560 1004.99, Florida Statutes, is amended, present subsection (4) of  
561 that section is renumbered as subsection (5), and a new  
562 subsection (4) is added to that section, to read:

563 1004.99 Florida Ready to Work Certification Program.--

564 (3) The Florida Ready to Work Certification Program shall  
565 be composed of:

566 (d) A Florida Ready to Work Credential ~~certificate~~ and  
567 portfolio awarded to students upon successful completion of the  
568 instruction. Each portfolio must delineate the skills  
569 demonstrated by the student as evidence of the student's  
570 preparation for employment.

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

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

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

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

583        Section 14. Paragraph (c) of subsection (2) of section  
584 1007.21, Florida Statutes, is amended to read:

585        1007.21 Readiness for postsecondary education and the  
586 workplace.--

587        (2)

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

594        Section 15. Paragraph (b) of subsection (2) of section  
595 1007.235, Florida Statutes, is amended to read:

596        1007.235 District interinstitutional articulation  
597 agreements.--

598        (2) The district interinstitutional articulation agreement  
599 for each school year must be completed before high school  
600 registration for the fall term of the following school year. The  
601 agreement must include, but is not limited to, the following  
602 components:

603        (b)1. A delineation of courses and programs available to  
604 students eligible to participate in dual enrollment. This  
605 delineation must include a plan for the community college to  
606 provide guidance services to participating students on the  
607 selection of courses in the dual enrollment program. The process  
608 of community college guidance should make maximum use of the  
609 automated advisement system for community colleges. The plan must

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610 assure that each dual enrollment student is encouraged to  
611 identify a postsecondary education objective with which to guide  
612 the course selection. At a minimum, each student's plan should  
613 include a list of courses that will result in an Applied  
614 Technology Diploma, an Associate in Science degree, or an  
615 Associate in Arts degree. If the student identifies a  
616 baccalaureate degree as the objective, the plan must include  
617 courses that will meet the general education requirements and any  
618 prerequisite requirements for entrance into a selected  
619 baccalaureate degree program.

620         2. A delineation of the process by which students and their  
621 parents are informed about opportunities to participate in  
622 articulated acceleration programs.

623         3. A delineation of the process by which students and their  
624 parents exercise their option to participate in an articulated  
625 acceleration program.

626         4. A delineation of high school credits earned for  
627 completion of each dual enrollment course.

628         5. Provision for postsecondary courses that meet the  
629 criteria for inclusion in a district articulated acceleration  
630 program to be counted toward meeting the graduation requirements  
631 of s. 1003.43.

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

634         7. A delineation of institutional responsibilities  
635 regarding student screening prior to enrollment and monitoring  
636 student performance subsequent to enrollment in dual enrollment  
637 courses and programs.

638         8. An identification of the criteria by which the quality

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639 of dual enrollment courses and programs are to be judged and a  
640 delineation of institutional responsibilities for the maintenance  
641 of instructional quality.

642 9. A delineation of institutional responsibilities for  
643 assuming the cost of dual enrollment courses and programs that  
644 includes such responsibilities for student instructional  
645 materials.

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

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

654 12. An identification of the responsibility of the  
655 postsecondary educational institution for assigning letter grades  
656 for dual enrollment courses and the responsibility of school  
657 districts for posting dual enrollment course grades to the high  
658 school transcript as assigned by the postsecondary institution  
659 awarding the credit.

660 Section 16. Paragraphs (a) and (c) of subsection (3),  
661 subsections (4) and (5), paragraph (c) of subsection (6), and  
662 subsections (7), (8), (9), (10), and (11) of section 1008.22,  
663 Florida Statutes, are amended to read:

664 1008.22 Student assessment program for public schools.--

665 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall  
666 design and implement a statewide program of educational  
667 assessment that provides information for the improvement of the

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668 operation and management of the public schools, including schools  
669 operating for the purpose of providing educational services to  
670 youth in Department of Juvenile Justice programs. The  
671 commissioner may enter into contracts for the continued  
672 administration of the assessment, testing, and evaluation  
673 programs authorized and funded by the Legislature. Contracts may  
674 be initiated in 1 fiscal year and continue into the next and may  
675 be paid from the appropriations of either or both fiscal years.  
676 The commissioner is authorized to negotiate for the sale or lease  
677 of tests, scoring protocols, test scoring services, and related  
678 materials developed pursuant to law. Pursuant to the statewide  
679 assessment program, the commissioner shall:

680 (a) Submit proposed Next Generation Sunshine State  
681 Standards to the State Board of Education for adoption and  
682 periodic review and revision under s. 1003.41 ~~a list that~~  
683 ~~specifies student skills and competencies to which the goals for~~  
684 ~~education specified in the state plan apply, including, but not~~  
685 ~~limited to, reading, writing, science, and mathematics. The~~  
686 ~~skills and competencies must include problem-solving and higher-~~  
687 ~~order skills as appropriate and shall be known as the Sunshine~~  
688 ~~State Standards as defined in s. 1000.21. The commissioner shall~~  
689 ~~select such skills and competencies after receiving~~  
690 ~~recommendations from educators, citizens, and members of the~~  
691 ~~business community. The commissioner shall submit to the State~~  
692 ~~Board of Education revisions to the list of student skills and~~  
693 ~~competencies in order to maintain continuous progress toward~~  
694 ~~improvements in student proficiency.~~

695 (c) Develop and implement a student achievement testing  
696 program known as the Florida Comprehensive Assessment Test (FCAT)



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697 as part of the statewide assessment program to measure reading,  
698 writing, science, and mathematics. Other content areas may be  
699 included as directed by the commissioner. The assessment of  
700 reading and mathematics shall be administered annually in grades  
701 3 through 10. The assessment of writing and science shall be  
702 administered at least once at the elementary, middle, and high  
703 school levels. End-of-course assessments may be administered in  
704 addition to the comprehensive assessments required under this  
705 paragraph. An end-of-course assessment must be rigorous,  
706 standardized, and approved by the department. The content  
707 knowledge and skills assessed by comprehensive and end-of-course  
708 assessments must be aligned to the core curricular content  
709 established in the Sunshine State Standards. The Commissioner of  
710 Education may select one or more nationally developed  
711 comprehensive examinations, which may include, but need not be  
712 limited to, examinations for a College Board Advanced Placement  
713 course, International Baccalaureate course, industry-approved  
714 examinations to earn national industry certifications as defined  
715 in s. 1003.492, or Advanced International Certificate of  
716 Education course, for use as end-of-course assessments under this  
717 paragraph, if the Commissioner determines that the content  
718 knowledge and skills assessed by the examinations meet or exceed  
719 the grade-level expectations of the Sunshine State Standards for  
720 the course. The commissioner may collaborate with the American  
721 Diploma Project in the adoption or development of rigorous end-  
722 of-course assessments that are aligned to state curriculum  
723 standards. ~~The commissioner must document the procedures used to~~  
724 ~~ensure that the versions of the FCAT which are taken by students~~  
725 ~~retaking the grade 10 FCAT are equally as challenging and~~

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726 ~~difficult as the tests taken by students in grade 10 which~~  
727 ~~contain performance tasks.~~ The testing program must be designed  
728 as follows so that:

729 1. The tests shall measure student skills and competencies  
730 adopted by the State Board of Education as specified in paragraph  
731 (a). The tests must measure and report student proficiency levels  
732 of all students assessed in reading, writing, mathematics, and  
733 science. The commissioner shall provide for the tests to be  
734 developed or obtained, as appropriate, through contracts and  
735 project agreements with private vendors, public vendors, public  
736 agencies, postsecondary educational institutions, or school  
737 districts. The commissioner shall obtain input with respect to  
738 the design and implementation of the testing program from state  
739 educators, assistive technology experts, and the public.

740 2. The testing program shall be composed ~~will include a~~  
741 ~~combination of norm-referenced and~~ criterion-referenced tests  
742 that shall and include, to the extent determined by the  
743 commissioner, include test items ~~questions~~ that require the  
744 student to produce information or perform tasks in such a way  
745 that the core content knowledge and skills ~~and competencies~~ he or  
746 she uses can be measured.

747 3. Beginning with the 2008-2009 school year, the  
748 commissioner shall discontinue administration of the selected-  
749 response test items on the comprehensive assessments of writing.  
750 Beginning with the 2012-2013 school year, the comprehensive  
751 assessments of writing shall be composed of a combination of  
752 selected-response test items, short-response performance tasks,  
753 and extended-response performance tasks, which shall measure a  
754 student's content knowledge of writing, including, but not

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755 limited to, paragraph and sentence structure, sentence  
756 construction, grammar and usage, punctuation, capitalization,  
757 spelling, parts of speech, verb tense, irregular verbs, subject-  
758 verb agreement, and noun-pronoun agreement. ~~Each testing program,~~  
759 ~~whether at the elementary, middle, or high school level, includes~~  
760 ~~a test of writing in which students are required to produce~~  
761 ~~writings that are then scored by appropriate and timely methods.~~

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

766 5. Except as provided in s. 1003.428(8)(b) or s.  
767 1003.43(11)(b), students must earn a passing score on the grade  
768 10 assessment test described in this paragraph or attain  
769 concordant scores as described in subsection (9) in reading,  
770 writing, and mathematics to qualify for a standard high school  
771 diploma. The State Board of Education shall designate a passing  
772 score for each part of the grade 10 assessment test. In  
773 establishing passing scores, the state board shall consider any  
774 possible negative impact of the test on minority students. The  
775 State Board of Education shall adopt rules which specify the  
776 passing scores for the grade 10 FCAT. Any such rules, which have  
777 the effect of raising the required passing scores, shall ~~only~~  
778 apply only to students taking the grade 10 FCAT for the first  
779 time after such rules are adopted by the State Board of  
780 Education.

781 6. Participation in the testing program is mandatory for  
782 all students attending public school, including students served  
783 in Department of Juvenile Justice programs, except as otherwise

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784 prescribed by the commissioner. If a student does not participate  
785 in the statewide assessment, the district must notify the  
786 student's parent and provide the parent with information  
787 regarding the implications of such nonparticipation. A parent  
788 must provide signed consent for a student to receive classroom  
789 instructional accommodations that would not be available or  
790 permitted on the statewide assessments and must acknowledge in  
791 writing that he or she understands the implications of such  
792 instructional accommodations. The State Board of Education shall  
793 adopt rules, based upon recommendations of the commissioner, for  
794 the provision of test accommodations for students in exceptional  
795 education programs and for students who have limited English  
796 proficiency. Accommodations that negate the validity of a  
797 statewide assessment are not allowable in the administration of  
798 the FCAT. However, instructional accommodations are allowable in  
799 the classroom if included in a student's individual education  
800 plan. Students using instructional accommodations in the  
801 classroom that are not allowable as accommodations on the FCAT  
802 may have the FCAT requirement waived pursuant to the requirements  
803 of s. 1003.428(8)(b) or s. 1003.43(11)(b).

804 7. A student seeking an adult high school diploma must meet  
805 the same testing requirements that a regular high school student  
806 must meet.

807 8. District school boards must provide instruction to  
808 prepare students to demonstrate proficiency in the skills and  
809 competencies necessary for successful grade-to-grade progression  
810 and high school graduation. If a student is provided with  
811 instructional accommodations in the classroom that are not  
812 allowable as accommodations in the statewide assessment program,

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813 as described in the test manuals, the district must inform the  
814 parent in writing and must provide the parent with information  
815 regarding the impact on the student's ability to meet expected  
816 proficiency levels in reading, writing, and math. The  
817 commissioner shall conduct studies as necessary to verify that  
818 the required skills and competencies are part of the district  
819 instructional programs.

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

824 10. The Department of Education must develop, or select,  
825 and implement a common battery of assessment tools that will be  
826 used in all juvenile justice programs in the state. These tools  
827 must accurately measure the skills and competencies established  
828 in the Sunshine State Standards.

829 11. For students seeking a special diploma pursuant to s.  
830 1003.438, the Department of Education must develop or select and  
831 implement an alternate assessment tool that accurately measures  
832 the skills and competencies established in the Sunshine State  
833 Standards for students with disabilities under s. 1003.438.

834 12. The Commissioner of Education shall establish schedules  
835 for the administration of statewide assessments and the reporting  
836 of student test results. The commissioner shall, by August 1 of  
837 each year, notify each school district in writing and publish on  
838 the department's Internet website the testing and reporting  
839 schedules for, at a minimum, the school year following the  
840 upcoming school year. The testing and reporting schedules shall  
841 require that:

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842 a. There is the latest possible administration of statewide  
843 assessments and the earliest possible reporting to the school  
844 districts of student test results which is feasible within  
845 available technology and specific appropriations; however, test  
846 results must be made available no later than the final day of the  
847 regular school year for students.

848 b. Beginning with the 2010-2011 school year, a  
849 comprehensive statewide assessment of writing is not administered  
850 earlier than the week of March 1 and a comprehensive statewide  
851 assessment of any other subject is not administered earlier than  
852 the week of April 15.

853 c. The department-approved, end-of-course assessment is  
854 administered within the last 2 weeks of the course.

855  
856 The commissioner may, based on collaboration and input from  
857 school districts, design and implement student testing programs,  
858 for any grade level and subject area, necessary to effectively  
859 monitor educational achievement in the state, including the  
860 measurement of educational achievement of the Sunshine State  
861 Standards for students with disabilities. Development and  
862 refinement of assessments shall include universal design  
863 principles and accessibility standards that will prevent any  
864 unintended obstacles for students with disabilities while  
865 ensuring the validity and reliability of the test. These  
866 principles should be applicable to all technology platforms and  
867 assistive devices available for the assessments. The field  
868 testing process and psychometric analyses for the statewide  
869 assessment program must include an appropriate percentage of  
870 students with disabilities and an evaluation or determination of

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871 the effect of test items on such students.

872 (4) STATEWIDE ASSESSMENT PREPARATION; PROHIBITED  
873 ACTIVITIES.--Beginning with the 2008-2009 school year, a district  
874 school board shall prohibit each public school from suspending a  
875 regular program of curricula for purposes of administering  
876 practice tests or engaging in other test-preparation activities  
877 for a statewide assessment. However, a district school board may  
878 authorize a public school to engage in the following test-  
879 preparation activities for a statewide assessment:

880 (a) Distributing to students the sample test books and  
881 answer keys published by the Department of Education;

882 (b) Providing individualized instruction in test-taking  
883 strategies, without suspending the school's regular program of  
884 curricula, for a student who scores at Level 1 or Level 2 on a  
885 prior administration of the statewide assessment;

886 (c) Providing individualized instruction in the content  
887 knowledge and skills assessed, without suspending the school's  
888 regular program of curricula, for a student who scores at Level 1  
889 or Level 2 on a prior administration of the statewide assessment,  
890 or a student who, through a diagnostic assessment administered by  
891 the school district, is identified as having a deficiency in the  
892 content knowledge and skills assessed;

893 (d) Incorporating test-taking exercises and strategies  
894 into curricula for intensive reading and mathematics intervention  
895 courses; and

896 (e) Administering a practice test or engaging in other  
897 test-preparation activities for the statewide assessment which  
898 are determined necessary to familiarize students with the  
899 organization of the assessment, the format of the test items, and

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900 the test directions, or which are otherwise necessary for the  
901 valid and reliable administration of the assessment, as set forth  
902 in rules adopted by the State Board of Education with specific  
903 reference to this paragraph.

904 (5)~~(4)~~ DISTRICT TESTING PROGRAMS.--Each district school  
905 board shall periodically assess student performance and  
906 achievement within each school of the district. The assessment  
907 programs must be based upon local goals and objectives that are  
908 compatible with the state plan for education and that supplement  
909 the skills and competencies adopted by the State Board of  
910 Education. All school districts must participate in the statewide  
911 assessment program designed to measure annual student learning  
912 and school performance. All district school boards shall report  
913 assessment results as required by the state management  
914 information system.

915 (6)~~(5)~~ SCHOOL TESTING PROGRAMS.--Each public school shall  
916 participate in the statewide assessment program, unless  
917 specifically exempted by state board rule based on serving a  
918 specialized population for which standardized testing is not  
919 appropriate. Student performance data shall be analyzed and  
920 reported to parents, the community, and the state. Student  
921 performance data shall be used in developing objectives of the  
922 school improvement plan, evaluation of instructional personnel,  
923 evaluation of administrative personnel, assignment of staff,  
924 allocation of resources, acquisition of instructional materials  
925 and technology, performance-based budgeting, and promotion and  
926 assignment of students into educational programs. The analysis of  
927 student performance data also must identify strengths and needs  
928 in the educational program and trends over time. The analysis



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929 must be used in conjunction with the budgetary planning processes  
930 developed pursuant to s. 1008.385 and the development of the  
931 programs of remediation.

932 (7)~~(6)~~ REQUIRED ANALYSES.--The commissioner shall provide,  
933 at a minimum, for the following analyses of data produced by the  
934 student achievement testing program:

935 (c) The annual testing program shall be administered to  
936 provide for valid statewide comparisons of learning gains to be  
937 made for purposes of accountability and recognition. ~~The~~  
938 ~~commissioner shall establish a schedule for the administration of~~  
939 ~~the statewide assessments. In establishing such schedule, the~~  
940 ~~commissioner is charged with the duty to accomplish the latest~~  
941 ~~possible administration of the statewide assessments and the~~  
942 ~~earliest possible provision of the results to the school~~  
943 ~~districts feasible within available technology and specific~~  
944 ~~appropriation.~~ District school boards shall not establish school  
945 calendars that jeopardize or limit the valid testing and  
946 comparison of student learning gains.

947 (8)~~(7)~~ LOCAL ASSESSMENTS.--Measurement of the learning  
948 gains of students in all subjects and grade levels other than  
949 subjects and grade levels required for the state student  
950 achievement testing program is the responsibility of the school  
951 districts.

952 (9)~~(8)~~ APPLICABILITY OF TESTING STANDARDS.--

953 (a) If the Commissioner of Education revises a statewide  
954 assessment and the revisions require the State Board of Education  
955 to modify the assessment's proficiency levels or modify the  
956 passing scores required for a standard high school diploma, until  
957 the state board adopts the modifications by rule the commissioner

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958 shall use calculations for scoring the assessment which adjust  
959 student scores on the revised assessment for statistical  
960 equivalence to student scores on the former assessment.

961 (b) A student must attain ~~meet~~ the passing scores on the  
962 statewide assessment required ~~testing requirements~~ for a standard  
963 high school diploma which are ~~graduation that were~~ in effect at  
964 the time the student enters ~~entered 9th grade 9~~ if, ~~provided~~ the  
965 student's enrollment is ~~was~~ continuous.

966 (c) If the commissioner revises a statewide assessment and  
967 the revisions require the State Board of Education to modify the  
968 passing scores required for a standard high school diploma, the  
969 commissioner may, with approval of the state board, discontinue  
970 administration of the former assessment upon the graduation,  
971 based on normal student progression, of students participating in  
972 the final regular administration of the former assessment. The  
973 state board shall adopt by rule passing scores for the revised  
974 assessment which are statistically equivalent to passing scores  
975 on the discontinued assessment for a student required under  
976 paragraph (b) to attain passing scores on the discontinued  
977 assessment.

978 (10) ~~(9)~~ CONCORDANT SCORES FOR THE FCAT.--

979 (a) The State Board of Education shall analyze the content  
980 and concordant data sets for widely used high school achievement  
981 tests, including, but not limited to, the PSAT, PLAN, SAT, ACT,  
982 and College Placement Test, to assess if concordant scores for  
983 FCAT scores can be determined for high school graduation, college  
984 placement, and scholarship awards. In cases where content  
985 alignment and concordant scores can be determined, the  
986 Commissioner of Education shall adopt those scores as meeting the

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987 graduation requirement in lieu of achieving the FCAT passing  
988 score and may adopt those scores as being sufficient to achieve  
989 additional purposes as determined by rule. Each time that test  
990 content or scoring procedures change ~~are changed~~ for the FCAT or  
991 for a high school achievement test for which a concordant score  
992 is determined ~~one of the identified tests~~, new concordant scores  
993 must be determined.

994 (b) In order to use a concordant subject area score  
995 pursuant to this subsection to satisfy the assessment requirement  
996 for a standard high school diploma as provided in s.  
997 1003.429(6) (a), s. 1003.43(5) (a), or s. 1003.428, a student must  
998 take each subject area of the grade 10 FCAT a total of three  
999 times without earning a passing score. The requirements of this  
1000 paragraph shall not apply to a new student who enters the Florida  
1001 public school system in grade 12, who may either achieve a  
1002 passing score on the FCAT or use an approved subject area  
1003 concordant score to fulfill the graduation requirement.

1004 (c) The State Board of Education may define by rule the  
1005 allowable uses, other than to satisfy the high school graduation  
1006 requirement, for concordant scores as described in this  
1007 subsection. Such uses may include, but need not be limited to,  
1008 achieving appropriate standardized test scores required for the  
1009 awarding of Florida Bright Futures Scholarships and college  
1010 placement.

1011 (11) ~~(10)~~ REPORTS.--The Department of Education shall  
1012 annually provide a report to the Governor, the President of the  
1013 Senate, and the Speaker of the House of Representatives on the  
1014 following:

1015 (a) Longitudinal performance of students in mathematics and

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1016 reading.

1017 (b) Longitudinal performance of students by grade level in  
1018 mathematics and reading.

1019 (c) Longitudinal performance regarding efforts to close the  
1020 achievement gap.

1021 ~~(d) Longitudinal performance of students on the norm-~~  
1022 ~~referenced component of the FCAT.~~

1023 (d)~~(e)~~ Other student performance data based on national  
1024 norm-referenced and criterion-referenced tests, when available,  
1025 and numbers of students who after 8th grade enroll in adult  
1026 education rather than other secondary education.

1027 (12)~~(11)~~ RULES.--The State Board of Education shall adopt  
1028 rules pursuant to ss. 120.536(1) and 120.54 to implement the  
1029 provisions of this section.

1030 Section 17. Paragraph (c) of subsection (1) of section  
1031 1008.31, Florida Statutes, is amended to read:

1032 1008.31 Florida's K-20 education performance accountability  
1033 system; legislative intent; mission, goals, and systemwide  
1034 measures; data quality improvements.--

1035 (1) LEGISLATIVE INTENT.--It is the intent of the  
1036 Legislature that:

1037 (c) The K-20 education performance accountability system  
1038 comply with the ~~accountability~~ requirements of the "No Child Left  
1039 Behind Act of 2001," Pub. L. No. 107-110, and the Individuals  
1040 with Disabilities Education Act (IDEA).

1041 Section 18. Subsection (3) of section 1008.34, Florida  
1042 Statutes, is amended, and subsection (8) is added to that  
1043 section, to read:

1044 1008.34 School grading system; school report cards;

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1045 district grade.--

1046 (3) DESIGNATION OF SCHOOL GRADES.--

1047 (a) Schools receiving a school grade.--Each school that has  
1048 students who are tested and included in the school grading  
1049 system, ~~except an alternative school that receives a school~~  
1050 ~~improvement rating pursuant to s. 1008.341,~~ shall receive a  
1051 school grade, except as follows:

1052 1. A school shall not receive a school grade if the number  
1053 of its students tested and included in the school grading system  
1054 are fewer than the minimum sample size necessary, based on  
1055 accepted professional practice, for statistical reliability and  
1056 prevention of the unlawful release of personally identifiable  
1057 student data under s. 1002.22 or 20 U.S.C. s. 1232g. ~~however,~~

1058 2. An alternative school may choose to receive a school  
1059 grade under this section or ~~in lieu of~~ a school improvement  
1060 rating under s. 1008.341.

1061 3. ~~Additionally,~~ A school that serves any combination of  
1062 students in kindergarten through grade 3 which does not receive a  
1063 school grade because its students are not tested and included in  
1064 the school grading system shall receive the school grade  
1065 designation of a K-3 feeder pattern school identified by the  
1066 Department of Education and verified by the school district. A  
1067 school feeder pattern exists if at least 60 percent of the  
1068 students in the school serving a combination of students in  
1069 kindergarten through grade 3 are scheduled to be assigned to the  
1070 graded school. ~~School grades itemized in subsection (2) shall be~~  
1071 ~~based on the following:~~

1072 (b) ~~(a)~~ Criteria.--A school's grade shall be based on a  
1073 combination of:

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1074 1. Student achievement scores, including achievement scores  
1075 for students seeking a special diploma.

1076 2. Student learning gains as measured by annual FCAT  
1077 assessments in grades 3 through 10; learning gains for students  
1078 seeking a special diploma, as measured by an alternate assessment  
1079 tool, shall be included not later than the 2009-2010 school year.

1080 3. Improvement of the lowest 25th percentile of students in  
1081 the school in reading, math, or writing on the FCAT, unless these  
1082 students are exhibiting satisfactory performance.

1083 (c) ~~(b)~~ Student assessment data.--Student assessment data  
1084 used in determining school grades shall include:

1085 1. The aggregate scores of all eligible students enrolled  
1086 in the school who have been assessed on the FCAT.

1087 2. The aggregate scores of all eligible students enrolled  
1088 in the school who have been assessed on the FCAT, ~~including~~  
1089 ~~Florida Writes~~, and who have scored at or in the lowest 25th  
1090 percentile of students in the school in reading, math, or  
1091 writing, unless these students are exhibiting satisfactory  
1092 performance.

1093 3. Effective with the 2005-2006 school year, the  
1094 achievement scores and learning gains of eligible students  
1095 attending alternative schools that provide dropout prevention and  
1096 academic intervention services pursuant to s. 1003.53. The term  
1097 "eligible students" in this subparagraph does not include  
1098 students attending an alternative school who are subject to  
1099 district school board policies for expulsion for repeated or  
1100 serious offenses, who are in dropout retrieval programs serving  
1101 students who have officially been designated as dropouts, or who  
1102 are in programs operated or contracted by the Department of

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1103 Juvenile Justice. The student performance data for eligible  
1104 students identified in this subparagraph shall be included in the  
1105 calculation of the home school's grade. As used in ~~For purposes~~  
1106 ~~of~~ this section and s. 1008.341, the term "home school" means the  
1107 school to which the student would be assigned if the student were  
1108 not was attending when assigned to an alternative school. If an  
1109 alternative school chooses to be graded under ~~pursuant to~~ this  
1110 section, student performance data for eligible students  
1111 identified in this subparagraph shall not be included in the home  
1112 school's grade but shall be included only in the calculation of  
1113 the alternative school's grade. A school district that fails to  
1114 assign the FCAT scores of all students back to their home school  
1115 or to the alternative school that receives a grade shall forfeit  
1116 school recognition funds for 1 fiscal year. School districts must  
1117 require collaboration between the home school and the alternative  
1118 school in order to promote student success. This collaboration  
1119 must include an annual discussion between the principal of the  
1120 alternative school and the principal of each student's home  
1121 school concerning the most appropriate school assignment of the  
1122 student.

1123  
1124 The State Board of Education shall adopt appropriate criteria for  
1125 each school grade. The criteria must also give added weight to  
1126 student achievement in reading. Schools designated with a grade  
1127 of "C," making satisfactory progress, shall be required to  
1128 demonstrate that adequate progress has been made by students in  
1129 the school who are in the lowest 25th percentile in reading,  
1130 math, or writing on the FCAT, including Florida Writes, unless  
1131 these students are exhibiting satisfactory performance.

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1132       (8) RULES.--The State Board of Education shall adopt rules  
1133 under ss. 120.536(1) and 120.54 to administer this section.

1134       Section 19. Subsections (2) and (3) of section 1008.341,  
1135 Florida Statutes, are amended, and subsection (6) is added to  
1136 that section, to read:

1137       1008.341 School improvement rating for alternative  
1138 schools.--

1139       (2) SCHOOL IMPROVEMENT RATING.--An alternative school  
1140 schools that provides ~~provide~~ dropout prevention and academic  
1141 intervention services pursuant to s. 1003.53 shall receive a  
1142 school improvement rating pursuant to this section. However, an  
1143 alternative school shall not receive a school improvement rating  
1144 if the number of its students for whom student performance data  
1145 is available for the current year and previous year are fewer  
1146 than the minimum sample size necessary, based on acceptable  
1147 professional practice, for statistical reliability and prevention  
1148 of the unlawful release of personally identifiable student data  
1149 under s. 1002.22 or 20 U.S.C. s. 1232g. The school improvement  
1150 rating shall identify an alternative school ~~schools~~ as having one  
1151 of the following ratings defined according to rules of the State  
1152 Board of Education:

1153       (a) "Improving" means the schools with students attending  
1154 the school are making more academic progress than when the  
1155 students were served in their home schools.

1156       (b) "Maintaining" means the schools with students attending  
1157 the school are making progress equivalent to the progress made  
1158 when the students were served in their home schools.

1159       (c) "Declining" means the schools with students attending  
1160 the school are making less academic progress than when the



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1161 students were served in their home schools.

1162

1163 The school improvement rating shall be based on a comparison of  
1164 student performance data for the current year and previous year.  
1165 Schools that improve at least one level or maintain an  
1166 "improving" rating pursuant to this section are eligible for  
1167 school recognition awards pursuant to s. 1008.36.

1168 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.--Student data  
1169 used in determining an alternative school's school improvement  
1170 rating shall include:

1171 (a) The aggregate scores of all eligible students who were  
1172 assigned to and enrolled in the school during the October or  
1173 February FTE count, who have been assessed on the FCAT, and who  
1174 have FCAT or comparable scores for the preceding school year.

1175 (b) The aggregate scores of all eligible students who were  
1176 assigned to and enrolled in the school during the October or  
1177 February FTE count, who have been assessed on the FCAT, ~~including~~  
1178 ~~Florida Writes~~, and who have scored in the lowest 25th percentile  
1179 of students in the state on FCAT Reading.

1180

1181 The assessment scores of students who are subject to district  
1182 school board policies for expulsion for repeated or serious  
1183 offenses, who are in dropout retrieval programs serving students  
1184 who have officially been designated as dropouts, or who are in  
1185 programs operated or contracted by the Department of Juvenile  
1186 Justice may not be included in an alternative school's school  
1187 improvement rating.

1188 (6) RULES.--The State Board of Education shall adopt rules  
1189 under ss. 120.536(1) and 120.54 to administer this section.

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1190 Section 20. Present subsections (4) through (16) of section  
1191 1012.56, Florida Statutes, are renumbered as subsections (5)  
1192 through (17), respectively, and a new subsection (4) is added to  
1193 that section, to read:

1194 1012.56 Educator certification requirements.--

1195 (4) ALIGNMENT OF SUBJECT AREAS.--As the Sunshine State  
1196 Standards are replaced by the Next Generation Sunshine State  
1197 Standards under s.1001.03, the State Board of Education shall  
1198 align the subject area examinations to the Next Generation  
1199 Sunshine State Standards.

1200 Section 21. Subsection (1) of section 1012.57, Florida  
1201 Statutes, is amended to read:

1202 1012.57 Certification of adjunct educators.--

1203 (1) Notwithstanding the provisions of ss. 1012.32, 1012.55,  
1204 and 1012.56, or any other provision of law or rule to the  
1205 contrary, district school boards shall adopt rules to allow for  
1206 the issuance of an adjunct teaching certificate to any applicant  
1207 who fulfills the requirements of s. 1012.56(2)(a)-(f) and (10)  
1208 ~~(9)~~ and who has expertise in the subject area to be taught. An  
1209 applicant shall be considered to have expertise in the subject  
1210 area to be taught if the applicant demonstrates sufficient  
1211 subject area mastery through passage of a subject area test. The  
1212 adjunct teaching certificate shall be used for part-time teaching  
1213 positions. The intent of this provision is to allow school  
1214 districts to tap the wealth of talent and expertise represented  
1215 in Florida's citizens who may wish to teach part-time in a  
1216 Florida public school by permitting school districts to issue  
1217 adjunct certificates to qualified applicants. Adjunct  
1218 certificateholders should be used as a strategy to reduce the

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1219 teacher shortage; thus, adjunct certificateholders should  
1220 supplement a school's instructional staff, not supplant it. Each  
1221 school principal shall assign an experienced peer mentor to  
1222 assist the adjunct teaching certificateholder during the  
1223 certificateholder's first year of teaching, and an adjunct  
1224 certificateholder may participate in a district's new teacher  
1225 training program. District school boards shall provide the  
1226 adjunct teaching certificateholder an orientation in classroom  
1227 management prior to assigning the certificateholder to a school.  
1228 Each adjunct teaching certificate is valid for 5 school years and  
1229 is renewable if the applicant has received satisfactory  
1230 performance evaluations during each year of teaching under  
1231 adjunct teaching certification.

1232 Section 22. Subsection (1) of section 1012.586, Florida  
1233 Statutes, is amended to read:

1234 1012.586 Additions or changes to certificates; duplicate  
1235 certificates.--A school district may process via a Department of  
1236 Education website certificates for the following applications of  
1237 public school employees:

1238 (1) Addition of a subject coverage or endorsement to a  
1239 valid Florida certificate on the basis of the completion of the  
1240 appropriate subject area testing requirements of s. 1012.56(5)(a)  
1241 ~~s. 1012.56(4)(a)~~ or the completion of the requirements of an  
1242 approved school district program or the inservice components for  
1243 an endorsement.

1244  
1245 The employing school district shall charge the employee a fee not  
1246 to exceed the amount charged by the Department of Education for  
1247 such services. Each district school board shall retain a portion

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1248 of the fee as defined in the rules of the State Board of  
1249 Education. The portion sent to the department shall be used for  
1250 maintenance of the technology system, the web application, and  
1251 posting and mailing of the certificate.

1252 Section 23. Effective upon this act becoming a law, section  
1253 1012.71, Florida Statutes, is amended to read:

1254 (Substantial rewording of section. See  
1255 s. 1012.71, F.S., for present text.)

1256 1012.71 The Florida Teachers Lead Program.--

1257 (1) For purposes of the Florida Teachers Lead Program, the  
1258 term "classroom teacher" means a certified teacher employed by a  
1259 public school district or a public charter school in that  
1260 district on or before September 1 of each year whose full-time or  
1261 job-share responsibility is the classroom instruction of students  
1262 in prekindergarten through grade 12, including full-time media  
1263 specialists and guidance counselors serving students in  
1264 prekindergarten through grade 12, who are funded through the  
1265 Florida Education Finance Program. A "job-share classroom  
1266 teacher" is one of two teachers whose combined full-time  
1267 equivalent employment for the same teaching assignment equals one  
1268 full-time classroom teacher.

1269 (2) The Legislature, in the General Appropriations Act,  
1270 shall determine funding for the Florida Teachers Lead Program.  
1271 The funds appropriated are for classroom teachers to purchase, on  
1272 behalf of the school district or charter school, classroom  
1273 materials and supplies for the public school students assigned to  
1274 them and may not be used to purchase equipment. The funds  
1275 appropriated shall be used to supplement the materials and  
1276 supplies otherwise available to classroom teachers. From the

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1277 funds appropriated for the Florida Teachers Lead Program, the  
1278 Commissioner of Education shall calculate an amount for each  
1279 school district based upon each school district's proportionate  
1280 share of the state's total unweighted FTE student enrollment and  
1281 shall disburse the funds to the school districts by July 15.

1282 (3) From the funds allocated to each school district for  
1283 the Florida Teachers Lead Program, the district school board  
1284 shall calculate an identical amount for each classroom teacher,  
1285 which is that teacher's proportionate share of the total amount  
1286 allocated to the district. A job-share classroom teacher may  
1287 receive a prorated share of the amount provided to a full-time  
1288 classroom teacher. The district school board and each charter  
1289 school board shall provide each classroom teacher with his or her  
1290 total proportionate share by September 30 of each year by any  
1291 means determined appropriate by the district school board or  
1292 charter school board, including, but not limited to, direct  
1293 deposit, check, debit card, or purchasing card, notwithstanding  
1294 any law to the contrary. Expenditures under the program are not  
1295 subject to state or local competitive bidding requirements. Funds  
1296 received by a classroom teacher do not affect wages, hours, or  
1297 terms and conditions of employment and, therefore, are not  
1298 subject to collective bargaining. Any classroom teacher may  
1299 decline receipt of or return the funds without explanation or  
1300 cause. This subsection applies retroactively to July 1, 2007.

1301 (4) Each classroom teacher must sign a statement  
1302 acknowledging receipt of the funds, keep receipts for no less  
1303 than 4 years to show that funds expended meet the requirements of  
1304 this section, and return any unused funds to the district school  
1305 board at the end of the regular school year. Any unused funds

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1306 that are returned to the district school board shall be deposited  
1307 into the school advisory council account of the school at which  
1308 the classroom teacher returning the funds was employed when that  
1309 teacher received the funds or shall be deposited into the Florida  
1310 Teachers Lead Program account of the school district in which a  
1311 charter school is sponsored, as applicable.

1312 (5) The statement must be signed and dated by each  
1313 classroom teacher before receipt of the Florida Teachers Lead  
1314 Program funds and shall include the wording: "I, (name of  
1315 teacher) , am employed by the County District School Board  
1316 or by the Charter School as a full-time classroom teacher. I  
1317 acknowledge that Florida Teachers Lead Program funds are  
1318 appropriated by the Legislature for the sole purpose of  
1319 purchasing classroom materials and supplies to be used in the  
1320 instruction of students assigned to me. In accepting custody of  
1321 these funds, I agree to keep the receipts for all expenditures  
1322 for no less than 4 years. I understand that if I do not keep the  
1323 receipts, it will be my personal responsibility to pay any  
1324 federal taxes due on these funds. I also agree to return any  
1325 unexpended funds to the district school board at the end of the  
1326 regular school year for deposit into the school advisory council  
1327 account of the school where I was employed at the time I received  
1328 the funds or for deposit into the Florida Teachers Lead Program  
1329 account of the school district in which the charter school is  
1330 sponsored, as applicable."

1331 Section 24. Present paragraphs (b) and (c) of subsection  
1332 (2) of section 1013.12, Florida Statutes, are redesignated as  
1333 paragraphs (c) and (d), respectively, and a new paragraph (b) is  
1334 added to that subsection, to read:

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1335 1013.12 Casualty, safety, sanitation, and firesafety  
1336 standards and inspection of property.--

1337 (2) PERIODIC INSPECTION OF PROPERTY BY DISTRICT SCHOOL  
1338 BOARDS.--

1339 (b) Each school cafeteria must post in a visible location  
1340 and on the school website the school's semiannual sanitation  
1341 certificate and a copy of its most recent sanitation inspection  
1342 report.

1343 Section 25. Except as otherwise expressly provided in this  
1344 act and except for this section, which shall take effect upon  
1345 becoming a law, this act shall take effect July 1, 2008.