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CHAMBER ACTION

Senate

House

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Floor: 1/RE/2R
4/30/2008 10:07 PM

1 Senator Gaetz moved the following amendment:

2
3 Senate Amendment (with title amendment)

4 Delete everything after the enacting clause
5 and insert:

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

8 1000.21 Systemwide definitions.--As used in the Florida K-
9 20 Education Code:

10 (7) "Sunshine State Standards" or the "Next Generation
11 Sunshine State Standards" means the state's public K-12
12 curricular are standards established under s. 1003.41. The term
13 includes the Sunshine State Standards that are in place for a
14 subject until the standards for that subject are replaced under
15 s. 1003.41 by the Next Generation Sunshine State Standards. that
16 identify what public school students should know and be able to
17 do. These standards delineate the academic achievement of



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18 ~~students for which the state will hold its public schools~~
19 ~~accountable in grades K-2, 3-5, 6-8, and 9-12, in the subjects of~~
20 ~~language arts, mathematics, science, social studies, the arts,~~
21 ~~health and physical education, foreign languages, reading,~~
22 ~~writing, history, government, geography, economics, and computer~~
23 ~~literacy.~~

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

26 1001.03 Specific powers of State Board of Education.--

27 (1) PUBLIC K-12 CURRICULAR ~~STUDENT PERFORMANCE~~
28 ~~STANDARDS.~~--The State Board of Education shall adopt and
29 periodically review and revise ~~approve the student performance~~
30 ~~standards known as the Sunshine State Standards in accordance~~
31 with s. 1003.41 ~~key academic subject areas and grade levels.~~ The
32 ~~state board shall establish a schedule to facilitate the periodic~~
33 ~~review of the standards to ensure adequate rigor, relevance,~~
34 ~~logical student progression, and integration of reading, writing,~~
35 ~~and mathematics across all subject areas. The standards review by~~
36 ~~subject area must include participation of curriculum leaders in~~
37 ~~other content areas, including the arts, to ensure valid content~~
38 ~~area integration and to address the instructional requirements of~~
39 ~~different learning styles. The process for review and proposed~~
40 ~~revisions must include leadership and input from the state's~~
41 ~~classroom teachers, school administrators, and community colleges~~
42 ~~and universities, and from representatives from business and~~
43 ~~industry who are identified by local education foundations. A~~
44 ~~report including proposed revisions must be submitted to the~~
45 ~~Governor, the President of the Senate, and the Speaker of the~~
46 ~~House of Representatives annually to coincide with the~~
47 ~~established review schedule. The review schedule and an annual~~



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48 ~~status report must be submitted to the Governor, the President of~~
49 ~~the Senate, and the Speaker of the House of Representatives~~
50 ~~annually not later than January 1.~~

51 Section 3. Subsection (3) of section 1001.41, Florida
52 Statutes, is amended to read:

53 1001.41 General powers of district school board.--The
54 district school board, after considering recommendations
55 submitted by the district school superintendent, shall exercise
56 the following general powers:

57 (3) ~~Prescribe and~~ Adopt standards and policies that to
58 provide each student the opportunity to receive a complete
59 education program, including instruction in the core curricular
60 content established in language arts, mathematics, science,
61 social studies, health, physical education, foreign languages,
62 and the arts, as defined by the Next Generation Sunshine State
63 Standards. The standards and policies must emphasize integration
64 and reinforcement of reading, writing, and mathematics skills
65 across all subjects, including career awareness, career
66 exploration, and Career and technical education standards and
67 policies must integrate with and reinforce the Next Generation
68 Sunshine State Standards.

69 Section 4. Paragraph (a) of subsection (1) of section
70 1001.452, Florida Statutes, is amended to read:

71 1001.452 District and school advisory councils.--

72 (1) ESTABLISHMENT.--

73 (a) The district school board shall establish an advisory
74 council for each school in the district and shall develop
75 procedures for the election and appointment of advisory council
76 members. Each school advisory council shall include in its name
77 the words "school advisory council." The school advisory council



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78 shall be the sole body responsible for final decisionmaking at
79 the school relating to implementation of the provisions of ss.
80 1001.42(16) and 1008.345. A majority of the members of each
81 school advisory council must be persons who are not employed by
82 the school district. Each advisory council shall be composed of
83 the principal and an appropriately balanced number of teachers,
84 education support employees, students, parents, and other
85 business and community citizens who are representative of the
86 ethnic, racial, and economic community served by the school.
87 Career center and high school advisory councils shall include
88 students, and middle and junior high school advisory councils may
89 include students. School advisory councils of career centers and
90 adult education centers are not required to include parents as
91 members. Council members representing teachers, education support
92 employees, students, and parents shall be elected by their
93 respective peer groups at the school in a fair and equitable
94 manner as follows:

95 1. Teachers shall be elected by teachers.

96 2. Education support employees shall be elected by
97 education support employees.

98 3. Students shall be elected by students.

99 4. Parents shall be elected by parents.

100
101 The district school board shall establish procedures for use by
102 schools in selecting business and community members that include
103 means of ensuring wide notice of vacancies and of taking input on
104 possible members from local business, chambers of commerce,
105 community and civic organizations and groups, and the public at
106 large. The district school board shall review the membership
107 composition of each advisory council. If the district school



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108 board determines that the membership elected by the school is not
109 representative of the ethnic, racial, and economic community
110 served by the school, the district school board shall appoint
111 additional members to achieve proper representation. The
112 commissioner shall determine if schools have maximized their
113 efforts to include on their advisory councils minority persons
114 and persons of lower socioeconomic status. Although schools are
115 strongly encouraged to establish school advisory councils, the
116 district school board of any school district that has a student
117 population of 10,000 or fewer may establish a district advisory
118 council which shall include at least one duly elected teacher
119 from each school in the district. For the purposes of school
120 advisory councils and district advisory councils, the term
121 "teacher" shall include classroom teachers, certified student
122 services personnel, and media specialists. For purposes of this
123 paragraph, "education support employee" means any person employed
124 by a school who is not defined as instructional or administrative
125 personnel pursuant to s. 1012.01 and whose duties require 20 or
126 more hours in each normal working week.

127 Section 5. Section 1003.41, Florida Statutes, is amended to
128 read:

129 1003.41 Sunshine State Standards.--

130 (1) Public K-12 educational instruction in Florida is based
131 on the "Sunshine State Standards." The State Board of Education
132 shall review the Sunshine State Standards and replace them with
133 the Next Generation Sunshine State Standards that establish the
134 core content of the curricula to be taught in this state and that
135 specify the core content knowledge and skills that the next
136 generation of K-12 public school students are expected to



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137 acquire. The Next Generation Sunshine State Standards must, at a
138 minimum:

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

141 1. Language arts standards must establish specific
142 curricular content for, at a minimum, the reading process,
143 literary analysis, the writing process, writing applications,
144 communication, and information and media literacy. The standards
145 must include distinct grade-level expectations for the core
146 content knowledge and skills that a student is expected to have
147 acquired by each individual grade level from kindergarten through
148 grade 8. The standards for grades 9-12 may be organized by grade
149 clusters of more than one grade level or strands within the
150 content area. The State Board of Education shall, in accordance
151 with the expedited schedule established under subsection (2),
152 review and replace the language arts standards adopted by the
153 state board in 2007 with Next Generation Sunshine State Standards
154 that comply with this subparagraph.

155 2. Science standards must establish specific curricular
156 content for, at a minimum, the nature of science, earth and space
157 science, physical science, and life science. The standards must
158 include distinct grade-level expectations for the core content
159 knowledge and skills that a student is expected to have acquired
160 by each individual grade level from kindergarten through grade 8.
161 The science standards for grades 9 through 12 may be organized by
162 grade clusters of more than one grade level.

163 3. Mathematics standards must establish specific curricular
164 content for, at a minimum, algebra, geometry, probability,
165 statistics, calculus, discrete mathematics, financial literacy,
166 and trigonometry. The standards must include distinct grade-level



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167 expectations for the core content knowledge and skills that a
168 student is expected to have acquired by each individual grade
169 level from kindergarten through grade 8. The mathematics
170 standards for grades 9 through 12 may be organized by grade
171 clusters of more than one grade level.

172 4. Social studies standards must establish specific
173 curricular content for, at a minimum, geography, United States
174 and world history, government, civics, economics, and humanities.
175 The standards must include distinct grade-level expectations for
176 the core content knowledge and skills that a student is expected
177 to have acquired by each individual grade level from kindergarten
178 through grade 8. The social studies standards for grades 9
179 through 12 may be organized by grade clusters of more than one
180 grade level.

181 (b) Establish the core curricular content for visual and
182 performing arts, physical education, health, and foreign
183 languages. Standards for these subjects must establish specific
184 curricular content and include distinct grade-level expectations
185 for the core content knowledge and skills that a student is
186 expected to have acquired by each individual grade level from
187 kindergarten through grade 5. The standards for grades 6 through
188 12 may be organized by grade clusters of more than one grade
189 level.

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

194 (d) Be rigorous and relevant and provide for the logical,
195 sequential progression of core curricular content that



196 incrementally increases a student's core content knowledge and
197 skills over time.

198 (e) Integrate critical-thinking and problem-solving skills;
199 communication, reading, and writing skills; mathematics skills;
200 collaboration skills; contextual and applied-learning skills;
201 technology-literacy skills; information and media-literacy
202 skills; and civic-engagement skills.

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

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

209 (2) By December 31, 2008, the State Board of Education
210 shall establish an expedited schedule for adoption of the Next
211 Generation Sunshine State Standards and shall establish by rule a
212 schedule for the periodic review and revision of the standards.
213 The state board shall adopt the Next Generation Sunshine State
214 Standards for each subject by December 31, 2011.

215 (3) (a) The Commissioner of Education shall develop and
216 submit to the State Board of Education proposed Next Generation
217 Sunshine State Standards, and periodically submit proposed
218 revisions to the standards, for adoption by the state board
219 according to the schedules established under subsection (2). The
220 commissioner, in developing the proposed standards, shall consult
221 with renowned experts on K-12 curricular standards and content in
222 each subject listed in paragraphs (1) (a) and (b) and shall
223 consider standards that are implemented by other states or
224 nations and regarded as exceptionally rigorous by the curricular



225 and content experts. The commissioner may also consult with
226 curricular and content experts in other subjects.

227 (b) The commissioner shall submit the proposed standards
228 for review and comment by state educators, school administrators,
229 representatives of community colleges and state universities who
230 have expertise in the content knowledge and skills necessary to
231 prepare a student for postsecondary education, and leaders in
232 business and industry. The commissioner, after considering any
233 comments and making any revisions to the proposed standards,
234 shall submit the standards for written evaluation by renowned
235 experts on K-12 curricular standards and content.

236 (c) The commissioner, upon finalizing the proposed
237 standards, shall submit the standards and evaluations by the
238 curricular and content experts to the Governor, the President of
239 the Senate, and the Speaker of the House of Representatives at
240 least 21 days before the State Board of Education considers
241 adoption of the proposed standards.

242 (4) The State Board of Education may adopt rules under ss.
243 120.536(1) and 120.54 to administer this section. These standards
244 have been adopted by the State Board of Education and delineate
245 the academic achievement of students, for which the state will
246 hold schools accountable, in grades K-2, 3-5, 6-8, and 9-12 in
247 the subjects of language arts, mathematics, science, social
248 studies, the arts, health and physical education, and foreign
249 languages. They include standards in reading, writing, history,
250 government, geography, economics, and computer literacy.

251 Section 6. Paragraph (i) of subsection (3) of section
252 1003.413, Florida Statutes, is amended to read:

253 1003.413 Florida Secondary School Redesign Act.--



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

257 (i) An annual review of each high school student's
258 electronic personal education plan pursuant to s. 1003.4156 and
259 procedures for high school students who have not prepared an
260 electronic personal education plan pursuant to s. 1003.4156 to
261 prepare such plan.

262 Section 7. Paragraph (a) of subsection (2) and paragraph
263 (b) of subsection (4) of section 1003.428, Florida Statutes, are
264 amended to read:

265 1003.428 General requirements for high school graduation;
266 revised.--

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

270 (a) Sixteen core curriculum credits:

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

273 2. Four credits in mathematics, one of which must be
274 Algebra I, a series of courses equivalent to Algebra I, or a
275 higher-level mathematics course. School districts are encouraged
276 to set specific goals to increase enrollments in, and successful
277 completion of, geometry and Algebra II.

278 3. Three credits in science, two of which must have a
279 laboratory component.

280 4. Three credits in social studies as follows: one credit
281 in American history; one credit in world history; one-half credit
282 in economics; and one-half credit in American government.



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

285 6. One credit in physical education to include integration
286 of health. Participation in an interscholastic sport at the
287 junior varsity or varsity level for two full seasons shall
288 satisfy the one-credit requirement in physical education if the
289 student passes a competency test on personal fitness with a score
290 of "C" or better. The competency test on personal fitness must be
291 developed by the Department of Education. A district school board
292 may not require that the one credit in physical education be
293 taken during the 9th grade year. Completion of one semester with
294 a grade of "C" or better in a marching band class, in a physical
295 activity class that requires participation in marching band
296 activities as an extracurricular activity, or in a dance class
297 shall satisfy one-half credit in physical education or one-half
298 credit in performing arts. This credit may not be used to satisfy
299 the personal fitness requirement or the requirement for adaptive
300 physical education under an individual education plan (IEP) or
301 504 plan. Completion of 2 years in a Reserve Officer Training
302 Corps (R.O.T.C.) class, a significant component of which is
303 drills, shall satisfy the one-credit requirement in physical
304 education and the one-credit requirement in performing arts. This
305 credit may not be used to satisfy the personal fitness
306 requirement or the requirement for adaptive physical education
307 under an individual education plan (IEP) or 504 plan.

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

310 (b) Earning passing scores on the FCAT, as defined in s.
311 1008.22(3)(c), or scores on a standardized test that are



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312 concordant with passing scores on the FCAT as defined in s.
313 1008.22(10) ~~s. 1008.22(9)~~.

314
315 Each district school board shall adopt policies designed to
316 assist students in meeting the requirements of this subsection.
317 These policies may include, but are not limited to: forgiveness
318 policies, summer school or before or after school attendance,
319 special counseling, volunteers or peer tutors, school-sponsored
320 help sessions, homework hotlines, and study skills classes.
321 Forgiveness policies for required courses shall be limited to
322 replacing a grade of "D" or "F," or the equivalent of a grade of
323 "D" or "F," with a grade of "C" or higher, or the equivalent of a
324 grade of "C" or higher, earned subsequently in the same or
325 comparable course. Forgiveness policies for elective courses
326 shall be limited to replacing a grade of "D" or "F," or the
327 equivalent of a grade of "D" or "F," with a grade of "C" or
328 higher, or the equivalent of a grade of "C" or higher, earned
329 subsequently in another course. The only exception to these
330 forgiveness policies shall be made for a student in the middle
331 grades who takes any high school course for high school credit
332 and earns a grade of "C," "D," or "F" or the equivalent of a
333 grade of "C," "D," or "F." In such case, the district forgiveness
334 policy must allow the replacement of the grade with a grade of
335 "C" or higher, or the equivalent of a grade of "C" or higher,
336 earned subsequently in the same or comparable course. In all
337 cases of grade forgiveness, only the new grade shall be used in
338 the calculation of the student's grade point average. Any course
339 grade not replaced according to a district school board
340 forgiveness policy shall be included in the calculation of the
341 cumulative grade point average required for graduation.



342 Section 8. Section 1003.4285, Florida Statutes, is created
343 to read:

344 1003.4285 Standard high school diploma designations.--By
345 the 2008-2009 school year, each standard high school diploma
346 shall include, as applicable:

347 (1) A designation of the student's major area of interest
348 pursuant to the student's completion of credits as provided in s.
349 1003.428.

350 (2) A designation reflecting completion of accelerated
351 college credit courses if the student is eligible for college
352 credit pursuant to s. 1007.27 in four or more advanced placement,
353 International Baccalaureate, Advanced International Certificate
354 of Education, or dual enrollment courses. The Commissioner of
355 Education shall establish guidelines for successful passage of
356 examinations or coursework in each of the accelerated college
357 credit options for purposes of this subsection.

358 (3) A designation reflecting career education certification
359 in accordance with s. 1003.431.

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

362 Section 9. Paragraph (a) of subsection (6) of section
363 1003.429, Florida Statutes, is amended to read:

364 1003.429 Accelerated high school graduation options.--

365 (6) Students pursuing accelerated 3-year high school
366 graduation options pursuant to paragraph (1) (b) or paragraph
367 (1) (c) are required to:

368 (a) Earn passing scores on the FCAT as defined in s.
369 1008.22 (3) (c) or scores on a standardized test that are
370 concordant with passing scores on the FCAT as defined in s.
371 1008.22 (10) s. ~~1008.22 (9)~~.



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372
373 Weighted grades referred to in paragraphs (b), (c), and (d) shall
374 be applied to those courses specifically listed or identified by
375 the department as rigorous pursuant to s. 1009.531(3) or weighted
376 by the district school board for class ranking purposes.

377 Section 10. Paragraph (a) of subsection (5) of section
378 1003.43, Florida Statutes, is amended to read:

379 1003.43 General requirements for high school graduation.--

380 (5) Each district school board shall establish standards
381 for graduation from its schools, and these standards must
382 include:

383 (a) Earning passing scores on the FCAT, as defined in s.
384 1008.22(3)(c), or scores on a standardized test that are
385 concordant with passing scores on the FCAT as defined in s.
386 1008.22(10) ~~s. 1008.22(9)~~.

387
388 The standards required in this subsection, and any subsequent
389 modifications, shall be reprinted in the Florida Administrative
390 Code even though not defined as "rules."

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

393 1003.433 Learning opportunities for out-of-state and out-
394 of-country transfer students and students needing additional
395 instruction to meet high school graduation requirements.--

396 (1) Students who enter a Florida public school at the
397 eleventh or twelfth grade from out of state or from a foreign
398 country shall not be required to spend additional time in a
399 Florida public school in order to meet the high school course
400 requirements if the student has met all requirements of the
401 school district, state, or country from which he or she is



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402 transferring. Such students who are not proficient in English
403 should receive immediate and intensive instruction in English
404 language acquisition. However, to receive a standard high school
405 diploma, a transfer student must earn a 2.0 grade point average
406 and pass the grade 10 FCAT required in s. 1008.22(3) or an
407 alternate assessment as described in s. 1008.22(10) ~~s.~~
408 ~~1008.22(9)~~.

409 Section 12. Paragraph (d) of subsection (6) of section
410 1003.63, Florida Statutes, is amended to read:

411 1003.63 Deregulated public schools pilot program.--

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

415 (d) Upon receipt of the annual report required by paragraph
416 (b), the Department of Education shall provide the State Board of
417 Education, the Commissioner of Education, the President of the
418 Senate, and the Speaker of the House of Representatives with a
419 copy of each report and an analysis and comparison of the overall
420 performance of students, to include all students in deregulated
421 public schools whose scores are counted as part of the statewide
422 assessment tests, versus comparable public school students in the
423 district as determined by statewide assessments administered
424 under s. 1008.22(3) FCAT and district assessment tests and, ~~as~~
425 ~~appropriate, the Florida Writes Assessment Test, and other~~
426 ~~assessments administered pursuant to s. 1008.22(3)~~.

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

429 1004.85 Postsecondary educator preparation institutes.--

430 (3) Educator preparation institutes approved pursuant to
431 this section may offer alternative certification programs



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432 specifically designed for noneducation major baccalaureate degree
433 holders to enable program participants to meet the educator
434 certification requirements of s. 1012.56. Such programs shall be
435 competency-based educator certification preparation programs that
436 prepare educators through an alternative route. An educator
437 preparation institute choosing to offer an alternative
438 certification program pursuant to the provisions of this section
439 must implement a program previously approved by the Department of
440 Education for this purpose or a program developed by the
441 institute and approved by the department for this purpose.
442 Approved programs shall be available for use by other approved
443 educator preparation institutes.

444 (c) Upon completion of an alternative certification program
445 approved pursuant to this subsection, a participant shall receive
446 a credential from the sponsoring institution signifying
447 satisfaction of the requirements of s. 1012.56(6) ~~s. 1012.56(5)~~
448 relating to mastery of professional preparation and education
449 competence. A participant shall be eligible for educator
450 certification through the Department of Education upon
451 satisfaction of all requirements for certification set forth in
452 s. 1012.56(2), including demonstration of mastery of general
453 knowledge, subject area knowledge, and professional preparation
454 and education competence, through testing or other statutorily
455 authorized means.

456 (d) If an institution offers an alternative certification
457 program approved pursuant to this subsection, such program may be
458 used by the school district or districts served by that
459 institution in addition to the alternative certification program
460 as required in s. 1012.56(8) ~~s. 1012.56(7)~~.



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

463 1004.91 Career-preparatory instruction.--

464 (3) An adult student with a disability may be exempted from
465 the provisions of this section. A student who possesses a college
466 degree at the associate in applied science level or higher is
467 exempt from this section. A student who has completed or who is
468 exempt from the college-level communication and computation
469 skills examination pursuant to s. 1008.29, or who is exempt from
470 the college entry-level examination pursuant to s. 1008.29, is
471 exempt from the provisions of this section. Students who have
472 passed a state, national, or industry licensure exam are exempt
473 from this section. An adult student who is enrolled in an
474 apprenticeship program that is registered with the Department of
475 Education in accordance with the provisions of chapter 446 is
476 exempt from the provisions of this section.

477 Section 15. Paragraph (d) of subsection (3) of section
478 1004.99, Florida Statutes, is amended, present subsection (4) of
479 that section is renumbered as subsection (5), and a new
480 subsection (4) is added to that section, to read:

481 1004.99 Florida Ready to Work Certification Program.--

482 (3) The Florida Ready to Work Certification Program shall
483 be composed of:

484 (d) A Florida Ready to Work Credential ~~certificate~~ and
485 portfolio awarded to students upon successful completion of the
486 instruction. Each portfolio must delineate the skills
487 demonstrated by the student as evidence of the student's
488 preparation for employment.

489 (4) A Florida Ready to Work Credential shall be awarded to
490 a student who successfully passes assessments in Reading for



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491 Information, Applied Mathematics, and Locating Information or any
492 other assessments of comparable rigor. Each assessment shall be
493 scored on a scale of 3 to 7. The level of the credential each
494 student receives is based on the following:

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

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

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

501 Section 16. Paragraph (c) of subsection (2) of section
502 1007.21, Florida Statutes, is amended to read:

503 1007.21 Readiness for postsecondary education and the
504 workplace.--

505 (2)

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

512 Section 17. Paragraph (b) of subsection (2) of section
513 1007.235, Florida Statutes, is amended to read:

514 1007.235 District interinstitutional articulation
515 agreements.--

516 (2) The district interinstitutional articulation agreement
517 for each school year must be completed before high school
518 registration for the fall term of the following school year. The
519 agreement must include, but is not limited to, the following
520 components:



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521 (b)1. A delineation of courses and programs available to
522 students eligible to participate in dual enrollment. This
523 delineation must include a plan for the community college to
524 provide guidance services to participating students on the
525 selection of courses in the dual enrollment program. The process
526 of community college guidance should make maximum use of the
527 automated advisement system for community colleges. The plan must
528 assure that each dual enrollment student is encouraged to
529 identify a postsecondary education objective with which to guide
530 the course selection. At a minimum, each student's plan should
531 include a list of courses that will result in an Applied
532 Technology Diploma, an Associate in Science degree, or an
533 Associate in Arts degree. If the student identifies a
534 baccalaureate degree as the objective, the plan must include
535 courses that will meet the general education requirements and any
536 prerequisite requirements for entrance into a selected
537 baccalaureate degree program.

538 2. A delineation of the process by which students and their
539 parents are informed about opportunities to participate in
540 articulated acceleration programs.

541 3. A delineation of the process by which students and their
542 parents exercise their option to participate in an articulated
543 acceleration program.

544 4. A delineation of high school credits earned for
545 completion of each dual enrollment course.

546 5. Provision for postsecondary courses that meet the
547 criteria for inclusion in a district articulated acceleration
548 program to be counted toward meeting the graduation requirements
549 of s. 1003.43.



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

552 7. A delineation of institutional responsibilities
553 regarding student screening prior to enrollment and monitoring
554 student performance subsequent to enrollment in dual enrollment
555 courses and programs.

556 8. An identification of the criteria by which the quality
557 of dual enrollment courses and programs are to be judged and a
558 delineation of institutional responsibilities for the maintenance
559 of instructional quality.

560 9. A delineation of institutional responsibilities for
561 assuming the cost of dual enrollment courses and programs that
562 includes such responsibilities for student instructional
563 materials.

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

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

572 12. An identification of the responsibility of the
573 postsecondary educational institution for assigning letter grades
574 for dual enrollment courses and the responsibility of school
575 districts for posting dual enrollment course grades to the high
576 school transcript as assigned by the postsecondary institution
577 awarding the credit.

578 Section 18. Paragraphs (a) and (c) of subsection (3),
579 subsections (4) and (5), paragraph (c) of subsection (6), and



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580 subsections (7), (8), (9), (10), and (11) of section 1008.22,
581 Florida Statutes, are amended to read:

582 1008.22 Student assessment program for public schools.--

583 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
584 design and implement a statewide program of educational
585 assessment that provides information for the improvement of the
586 operation and management of the public schools, including schools
587 operating for the purpose of providing educational services to
588 youth in Department of Juvenile Justice programs. The
589 commissioner may enter into contracts for the continued
590 administration of the assessment, testing, and evaluation
591 programs authorized and funded by the Legislature. Contracts may
592 be initiated in 1 fiscal year and continue into the next and may
593 be paid from the appropriations of either or both fiscal years.
594 The commissioner is authorized to negotiate for the sale or lease
595 of tests, scoring protocols, test scoring services, and related
596 materials developed pursuant to law. Pursuant to the statewide
597 assessment program, the commissioner shall:

598 (a) Submit proposed Next Generation Sunshine State
599 Standards to the State Board of Education for adoption and
600 periodic review and revision under s. 1003.41 a list that
601 ~~specifies student skills and competencies to which the goals for~~
602 ~~education specified in the state plan apply, including, but not~~
603 ~~limited to, reading, writing, science, and mathematics. The~~
604 ~~skills and competencies must include problem solving and higher-~~
605 ~~order skills as appropriate and shall be known as the Sunshine~~
606 ~~State Standards as defined in s. 1000.21. The commissioner shall~~
607 ~~select such skills and competencies after receiving~~
608 ~~recommendations from educators, citizens, and members of the~~
609 ~~business community. The commissioner shall submit to the State~~



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610 ~~Board of Education revisions to the list of student skills and~~
611 ~~competencies in order to maintain continuous progress toward~~
612 ~~improvements in student proficiency.~~

613 (c) Develop and implement a student achievement testing
614 program known as the Florida Comprehensive Assessment Test (FCAT)
615 as part of the statewide assessment program to measure reading,
616 writing, science, and mathematics. Other content areas may be
617 included as directed by the commissioner. The assessment of
618 reading and mathematics shall be administered annually in grades
619 3 through 10. The assessment of writing and science shall be
620 administered at least once at the elementary, middle, and high
621 school levels. End-of-course assessments may be administered in
622 addition to the comprehensive assessments required under this
623 paragraph. An end-of-course assessment must be rigorous,
624 standardized, and approved by the department. The content
625 knowledge and skills assessed by comprehensive and end-of-course
626 assessments must be aligned to the core curricular content
627 established in the Sunshine State Standards. The Commissioner of
628 Education may select one or more nationally developed
629 comprehensive examinations, which may include, but need not be
630 limited to, examinations for a College Board Advanced Placement
631 course, International Baccalaureate course, industry-approved
632 examinations to earn national industry certifications as defined
633 in s. 1003.492, or Advanced International Certificate of
634 Education course, for use as end-of-course assessments under this
635 paragraph, if the Commissioner determines that the content
636 knowledge and skills assessed by the examinations meet or exceed
637 the grade-level expectations of the Sunshine State Standards for
638 the course. The commissioner may collaborate with the American
639 Diploma Project in the adoption or development of rigorous end-



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640 of-course assessments that are aligned to state curriculum
641 standards. ~~The commissioner must document the procedures used to~~
642 ~~ensure that the versions of the FCAT which are taken by students~~
643 ~~retaking the grade 10 FCAT are equally as challenging and~~
644 ~~difficult as the tests taken by students in grade 10 which~~
645 ~~contain performance tasks.~~ The testing program must be designed
646 as follows so that:

647 1. The tests shall measure student skills and competencies
648 adopted by the State Board of Education as specified in paragraph
649 (a). The tests must measure and report student proficiency levels
650 of all students assessed in reading, writing, mathematics, and
651 science. The commissioner shall provide for the tests to be
652 developed or obtained, as appropriate, through contracts and
653 project agreements with private vendors, public vendors, public
654 agencies, postsecondary educational institutions, or school
655 districts. The commissioner shall obtain input with respect to
656 the design and implementation of the testing program from state
657 educators, assistive technology experts, and the public.

658 2. The testing program shall be composed ~~will include a~~
659 ~~combination of norm-referenced and criterion-referenced tests~~
660 that shall and include, to the extent determined by the
661 commissioner, include test items ~~questions~~ that require the
662 student to produce information or perform tasks in such a way
663 that the core content knowledge and skills and competencies he or
664 she uses can be measured.

665 3. Beginning with the 2008-2009 school year, the
666 commissioner shall discontinue administration of the selected-
667 response test items on the comprehensive assessments of writing.
668 Beginning with the 2012-2013 school year, the comprehensive
669 assessments of writing shall be composed of a combination of



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670 selected-response test items, short-response performance tasks,
671 and extended-response performance tasks, which shall measure a
672 student's content knowledge of writing, including, but not
673 limited to, paragraph and sentence structure, sentence
674 construction, grammar and usage, punctuation, capitalization,
675 spelling, parts of speech, verb tense, irregular verbs, subject-
676 verb agreement, and noun-pronoun agreement. ~~Each testing program,~~
677 ~~whether at the elementary, middle, or high school level, includes~~
678 ~~a test of writing in which students are required to produce~~
679 ~~writings that are then scored by appropriate and timely methods.~~

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

684 5. Except as provided in s. 1003.428(8)(b) or s.
685 1003.43(11)(b), students must earn a passing score on the grade
686 10 assessment test described in this paragraph or attain
687 concordant scores as described in subsection (9) in reading,
688 writing, and mathematics to qualify for a standard high school
689 diploma. The State Board of Education shall designate a passing
690 score for each part of the grade 10 assessment test. In
691 establishing passing scores, the state board shall consider any
692 possible negative impact of the test on minority students. The
693 State Board of Education shall adopt rules which specify the
694 passing scores for the grade 10 FCAT. Any such rules, which have
695 the effect of raising the required passing scores, shall ~~only~~
696 apply only to students taking the grade 10 FCAT for the first
697 time after such rules are adopted by the State Board of
698 Education.



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699 | 6. Participation in the testing program is mandatory for
700 | all students attending public school, including students served
701 | in Department of Juvenile Justice programs, except as otherwise
702 | prescribed by the commissioner. If a student does not participate
703 | in the statewide assessment, the district must notify the
704 | student's parent and provide the parent with information
705 | regarding the implications of such nonparticipation. A parent
706 | must provide signed consent for a student to receive classroom
707 | instructional accommodations that would not be available or
708 | permitted on the statewide assessments and must acknowledge in
709 | writing that he or she understands the implications of such
710 | instructional accommodations. The State Board of Education shall
711 | adopt rules, based upon recommendations of the commissioner, for
712 | the provision of test accommodations for students in exceptional
713 | education programs and for students who have limited English
714 | proficiency. Accommodations that negate the validity of a
715 | statewide assessment are not allowable in the administration of
716 | the FCAT. However, instructional accommodations are allowable in
717 | the classroom if included in a student's individual education
718 | plan. Students using instructional accommodations in the
719 | classroom that are not allowable as accommodations on the FCAT
720 | may have the FCAT requirement waived pursuant to the requirements
721 | of s. 1003.428(8)(b) or s. 1003.43(11)(b).

722 | 7. A student seeking an adult high school diploma must meet
723 | the same testing requirements that a regular high school student
724 | must meet.

725 | 8. District school boards must provide instruction to
726 | prepare students to demonstrate proficiency in the skills and
727 | competencies necessary for successful grade-to-grade progression
728 | and high school graduation. If a student is provided with



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729 instructional accommodations in the classroom that are not
730 allowable as accommodations in the statewide assessment program,
731 as described in the test manuals, the district must inform the
732 parent in writing and must provide the parent with information
733 regarding the impact on the student's ability to meet expected
734 proficiency levels in reading, writing, and math. The
735 commissioner shall conduct studies as necessary to verify that
736 the required skills and competencies are part of the district
737 instructional programs.

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

742 10. The Department of Education must develop, or select,
743 and implement a common battery of assessment tools that will be
744 used in all juvenile justice programs in the state. These tools
745 must accurately measure the skills and competencies established
746 in the Sunshine State Standards.

747 11. For students seeking a special diploma pursuant to s.
748 1003.438, the Department of Education must develop or select and
749 implement an alternate assessment tool that accurately measures
750 the skills and competencies established in the Sunshine State
751 Standards for students with disabilities under s. 1003.438.

752 12. The Commissioner of Education shall establish schedules
753 for the administration of statewide assessments and the reporting
754 of student test results. The commissioner shall, by August 1 of
755 each year, notify each school district in writing and publish on
756 the department's Internet website the testing and reporting
757 schedules for, at a minimum, the school year following the



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758 upcoming school year. The testing and reporting schedules shall
759 require that:

760 a. There is the latest possible administration of statewide
761 assessments and the earliest possible reporting to the school
762 districts of student test results which is feasible within
763 available technology and specific appropriations; however, test
764 results must be made available no later than the final day of the
765 regular school year for students.

766 b. Beginning with the 2010-2011 school year, a
767 comprehensive statewide assessment of writing is not administered
768 earlier than the week of March 1 and a comprehensive statewide
769 assessment of any other subject is not administered earlier than
770 the week of April 15.

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

773

774 The commissioner may, based on collaboration and input from
775 school districts, design and implement student testing programs,
776 for any grade level and subject area, necessary to effectively
777 monitor educational achievement in the state, including the
778 measurement of educational achievement of the Sunshine State
779 Standards for students with disabilities. Development and
780 refinement of assessments shall include universal design
781 principles and accessibility standards that will prevent any
782 unintended obstacles for students with disabilities while
783 ensuring the validity and reliability of the test. These
784 principles should be applicable to all technology platforms and
785 assistive devices available for the assessments. The field
786 testing process and psychometric analyses for the statewide
787 assessment program must include an appropriate percentage of



788 students with disabilities and an evaluation or determination of
789 the effect of test items on such students.

790 (4) STATEWIDE ASSESSMENT PREPARATION; PROHIBITED
791 ACTIVITIES.--Beginning with the 2008-2009 school year, a district
792 school board shall prohibit each public school from suspending a
793 regular program of curricula for purposes of administering
794 practice tests or engaging in other test-preparation activities
795 for a statewide assessment. However, a district school board may
796 authorize a public school to engage in the following test-
797 preparation activities for a statewide assessment:

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

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

804 (c) Providing individualized instruction in the content
805 knowledge and skills assessed, without suspending the school's
806 regular program of curricula, for a student who scores at Level 1
807 or Level 2 on a prior administration of the statewide assessment,
808 or a student who, through a diagnostic assessment administered by
809 the school district, is identified as having a deficiency in the
810 content knowledge and skills assessed;

811 (d) Incorporating test-taking exercises and strategies
812 into curricula for intensive reading and mathematics intervention
813 courses; and

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



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818 | the test directions, or which are otherwise necessary for the
819 | valid and reliable administration of the assessment, as set forth
820 | in rules adopted by the State Board of Education with specific
821 | reference to this paragraph.

822 | ~~(5)~~(4) DISTRICT TESTING PROGRAMS.--Each district school
823 | board shall periodically assess student performance and
824 | achievement within each school of the district. The assessment
825 | programs must be based upon local goals and objectives that are
826 | compatible with the state plan for education and that supplement
827 | the skills and competencies adopted by the State Board of
828 | Education. All school districts must participate in the statewide
829 | assessment program designed to measure annual student learning
830 | and school performance. All district school boards shall report
831 | assessment results as required by the state management
832 | information system.

833 | ~~(6)~~(5) SCHOOL TESTING PROGRAMS.--Each public school shall
834 | participate in the statewide assessment program, unless
835 | specifically exempted by state board rule based on serving a
836 | specialized population for which standardized testing is not
837 | appropriate. Student performance data shall be analyzed and
838 | reported to parents, the community, and the state. Student
839 | performance data shall be used in developing objectives of the
840 | school improvement plan, evaluation of instructional personnel,
841 | evaluation of administrative personnel, assignment of staff,
842 | allocation of resources, acquisition of instructional materials
843 | and technology, performance-based budgeting, and promotion and
844 | assignment of students into educational programs. The analysis of
845 | student performance data also must identify strengths and needs
846 | in the educational program and trends over time. The analysis
847 | must be used in conjunction with the budgetary planning processes



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848 developed pursuant to s. 1008.385 and the development of the
849 programs of remediation.

850 ~~(7)~~ (6) REQUIRED ANALYSES.--The commissioner shall provide,
851 at a minimum, for the following analyses of data produced by the
852 student achievement testing program:

853 (c) The annual testing program shall be administered to
854 provide for valid statewide comparisons of learning gains to be
855 made for purposes of accountability and recognition. ~~The~~
856 ~~commissioner shall establish a schedule for the administration of~~
857 ~~the statewide assessments. In establishing such schedule, the~~
858 ~~commissioner is charged with the duty to accomplish the latest~~
859 ~~possible administration of the statewide assessments and the~~
860 ~~earliest possible provision of the results to the school~~
861 ~~districts feasible within available technology and specific~~
862 ~~appropriation.~~ District school boards shall not establish school
863 calendars that jeopardize or limit the valid testing and
864 comparison of student learning gains.

865 ~~(8)~~ (7) LOCAL ASSESSMENTS.--Measurement of the learning
866 gains of students in all subjects and grade levels other than
867 subjects and grade levels required for the state student
868 achievement testing program is the responsibility of the school
869 districts.

870 ~~(9)~~ (8) APPLICABILITY OF TESTING STANDARDS.--

871 (a) If the Commissioner of Education revises a statewide
872 assessment and the revisions require the State Board of Education
873 to modify the assessment's proficiency levels or modify the
874 passing scores required for a standard high school diploma, until
875 the state board adopts the modifications by rule the commissioner
876 shall use calculations for scoring the assessment which adjust



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877 student scores on the revised assessment for statistical
878 equivalence to student scores on the former assessment.

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

884 (c) If the commissioner revises a statewide assessment and
885 the revisions require the State Board of Education to modify the
886 passing scores required for a standard high school diploma, the
887 commissioner may, with approval of the state board, discontinue
888 administration of the former assessment upon the graduation,
889 based on normal student progression, of students participating in
890 the final regular administration of the former assessment. The
891 state board shall adopt by rule passing scores for the revised
892 assessment which are statistically equivalent to passing scores
893 on the discontinued assessment for a student required under
894 paragraph (b) to attain passing scores on the discontinued
895 assessment.

896 (10)-(9) CONCORDANT SCORES FOR THE FCAT.--

897 (a) The State Board of Education shall analyze the content
898 and concordant data sets for widely used high school achievement
899 tests, including, but not limited to, the PSAT, PLAN, SAT, ACT,
900 and College Placement Test, to assess if concordant scores for
901 FCAT scores can be determined for high school graduation, college
902 placement, and scholarship awards. In cases where content
903 alignment and concordant scores can be determined, the
904 Commissioner of Education shall adopt those scores as meeting the
905 graduation requirement in lieu of achieving the FCAT passing
906 score and may adopt those scores as being sufficient to achieve



907 additional purposes as determined by rule. Each time that test
908 content or scoring procedures change ~~are changed~~ for the FCAT or
909 for a high school achievement test for which a concordant score
910 is determined ~~one of the identified tests~~, new concordant scores
911 must be determined.

912 (b) In order to use a concordant subject area score
913 pursuant to this subsection to satisfy the assessment requirement
914 for a standard high school diploma as provided in s.
915 1003.429(6) (a), s. 1003.43(5) (a), or s. 1003.428, a student must
916 take each subject area of the grade 10 FCAT a total of three
917 times without earning a passing score. The requirements of this
918 paragraph shall not apply to a new student who enters the Florida
919 public school system in grade 12, who may either achieve a
920 passing score on the FCAT or use an approved subject area
921 concordant score to fulfill the graduation requirement.

922 (c) The State Board of Education may define by rule the
923 allowable uses, other than to satisfy the high school graduation
924 requirement, for concordant scores as described in this
925 subsection. Such uses may include, but need not be limited to,
926 achieving appropriate standardized test scores required for the
927 awarding of Florida Bright Futures Scholarships and college
928 placement.

929 (11)-(10) REPORTS.--The Department of Education shall
930 annually provide a report to the Governor, the President of the
931 Senate, and the Speaker of the House of Representatives on the
932 following:

933 (a) Longitudinal performance of students in mathematics and
934 reading.

935 (b) Longitudinal performance of students by grade level in
936 mathematics and reading.



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937 (c) Longitudinal performance regarding efforts to close the
938 achievement gap.

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

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

945 ~~(12)(11)~~ RULES.--The State Board of Education shall adopt
946 rules pursuant to ss. 120.536(1) and 120.54 to implement the
947 provisions of this section.

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

950 1008.30 Common placement testing for public postsecondary
951 education.--

952 (3) The State Board of Education shall adopt rules that
953 would require high schools to give the common placement test
954 prescribed in this section, or an equivalent test identified by
955 the State Board of Education, at the beginning of the tenth grade
956 year before enrollment in the eleventh grade year in public high
957 school for the purpose of obtaining remedial instruction prior to
958 entering public postsecondary education. The Department of
959 Education shall purchase or develop assessments to evaluate the
960 college readiness of eleventh grade students who may be at risk
961 of needing remediation in reading or mathematics prior to
962 enrollment in postsecondary institutions. The department shall
963 work with school districts to administer the assessments during
964 the 2008-2009 school year. To the maximum extent practicable, a
965 school district shall provide twelfth grade students who need
966 remediation and who indicate an interest in postsecondary



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967 education with access to appropriate remediation courses to
968 mitigate remediation at the postsecondary level.

969 Section 20. Paragraph (c) of subsection (1) of section
970 1008.31, Florida Statutes, is amended to read:

971 1008.31 Florida's K-20 education performance accountability
972 system; legislative intent; mission, goals, and systemwide
973 measures; data quality improvements.--

974 (1) LEGISLATIVE INTENT.--It is the intent of the
975 Legislature that:

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

980 Section 21. Subsection (3) of section 1008.34, Florida
981 Statutes, is amended, and subsection (8) is added to that
982 section, to read:

983 1008.34 School grading system; school report cards;
984 district grade.--

985 (3) DESIGNATION OF SCHOOL GRADES.--

986 (a) Schools receiving a school grade.--Each school that has
987 students who are tested and included in the school grading
988 system, ~~except an alternative school that receives a school~~
989 ~~improvement rating pursuant to s. 1008.341,~~ shall receive a
990 school grade, except as follows:

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



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997 2. An alternative school may choose to receive a school
998 grade under this section or in lieu of a school improvement
999 rating under s. 1008.341.

1000 3. ~~Additionally,~~ A school that serves any combination of
1001 students in kindergarten through grade 3 which does not receive a
1002 school grade because its students are not tested and included in
1003 the school grading system shall receive the school grade
1004 designation of a K-3 feeder pattern school identified by the
1005 Department of Education and verified by the school district. A
1006 school feeder pattern exists if at least 60 percent of the
1007 students in the school serving a combination of students in
1008 kindergarten through grade 3 are scheduled to be assigned to the
1009 graded school. ~~School grades itemized in subsection (2) shall be~~
1010 ~~based on the following:~~

1011 (b)(a) Criteria.--A school's grade shall be based on a
1012 combination of:

1013 1. Student achievement scores, including achievement scores
1014 for students seeking a special diploma.

1015 2. Student learning gains as measured by annual FCAT
1016 assessments in grades 3 through 10; learning gains for students
1017 seeking a special diploma, as measured by an alternate assessment
1018 tool, shall be included not later than the 2009-2010 school year.

1019 3. Improvement of the lowest 25th percentile of students in
1020 the school in reading, math, or writing on the FCAT, unless these
1021 students are exhibiting satisfactory performance.

1022 (c)(b) Student assessment data.--Student assessment data
1023 used in determining school grades shall include:

1024 1. The aggregate scores of all eligible students enrolled
1025 in the school who have been assessed on the FCAT.



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1026 2. The aggregate scores of all eligible students enrolled
1027 in the school who have been assessed on the FCAT, ~~including~~
1028 ~~Florida Writes~~, and who have scored at or in the lowest 25th
1029 percentile of students in the school in reading, math, or
1030 writing, unless these students are exhibiting satisfactory
1031 performance.

1032 3. Effective with the 2005-2006 school year, the
1033 achievement scores and learning gains of eligible students
1034 attending alternative schools that provide dropout prevention and
1035 academic intervention services pursuant to s. 1003.53. The term
1036 "eligible students" in this subparagraph does not include
1037 students attending an alternative school who are subject to
1038 district school board policies for expulsion for repeated or
1039 serious offenses, who are in dropout retrieval programs serving
1040 students who have officially been designated as dropouts, or who
1041 are in programs operated or contracted by the Department of
1042 Juvenile Justice. The student performance data for eligible
1043 students identified in this subparagraph shall be included in the
1044 calculation of the home school's grade. As used in ~~For purposes~~
1045 ~~of~~ this section and s. 1008.341, the term "home school" means the
1046 school to which the student would be assigned if the student were
1047 not was attending when assigned to an alternative school. If an
1048 alternative school chooses to be graded under ~~pursuant to~~ this
1049 section, student performance data for eligible students
1050 identified in this subparagraph shall not be included in the home
1051 school's grade but shall be included only in the calculation of
1052 the alternative school's grade. A school district that fails to
1053 assign the FCAT scores of all students back to their home school
1054 or to the alternative school that receives a grade shall forfeit
1055 school recognition funds for 1 fiscal year. School districts must



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1056 require collaboration between the home school and the alternative
1057 school in order to promote student success. This collaboration
1058 must include an annual discussion between the principal of the
1059 alternative school and the principal of each student's home
1060 school concerning the most appropriate school assignment of the
1061 student.

1062
1063 The State Board of Education shall adopt appropriate criteria for
1064 each school grade. The criteria must also give added weight to
1065 student achievement in reading. Schools designated with a grade
1066 of "C," making satisfactory progress, shall be required to
1067 demonstrate that adequate progress has been made by students in
1068 the school who are in the lowest 25th percentile in reading,
1069 math, or writing on the FCAT, including Florida Writes, unless
1070 these students are exhibiting satisfactory performance.

1071 (8) RULES.--The State Board of Education shall adopt rules
1072 under ss. 120.536(1) and 120.54 to administer this section.

1073 Section 22. Subsections (2) and (3) of section 1008.341,
1074 Florida Statutes, are amended, and subsection (6) is added to
1075 that section, to read:

1076 1008.341 School improvement rating for alternative
1077 schools.--

1078 (2) SCHOOL IMPROVEMENT RATING.--An alternative school
1079 schools that provides provide dropout prevention and academic
1080 intervention services pursuant to s. 1003.53 shall receive a
1081 school improvement rating pursuant to this section. However, an
1082 alternative school shall not receive a school improvement rating
1083 if the number of its students for whom student performance data
1084 is available for the current year and previous year are fewer
1085 than the minimum sample size necessary, based on acceptable



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1086 professional practice, for statistical reliability and prevention
1087 of the unlawful release of personally identifiable student data
1088 under s. 1002.22 or 20 U.S.C. s. 1232g. The school improvement
1089 rating shall identify an alternative school ~~schools~~ as having one
1090 of the following ratings defined according to rules of the State
1091 Board of Education:

1092 (a) "Improving" means the ~~schools with~~ students attending
1093 the school are making more academic progress than when the
1094 students were served in their home schools.

1095 (b) "Maintaining" means the ~~schools with~~ students attending
1096 the school are making progress equivalent to the progress made
1097 when the students were served in their home schools.

1098 (c) "Declining" means the ~~schools with~~ students attending
1099 the school are making less academic progress than when the
1100 students were served in their home schools.

1101
1102 The school improvement rating shall be based on a comparison of
1103 student performance data for the current year and previous year.
1104 Schools that improve at least one level or maintain an
1105 "improving" rating pursuant to this section are eligible for
1106 school recognition awards pursuant to s. 1008.36.

1107 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.--Student data
1108 used in determining an alternative school's school improvement
1109 rating shall include:

1110 (a) The aggregate scores of all eligible students who were
1111 assigned to and enrolled in the school during the October or
1112 February FTE count, who have been assessed on the FCAT, and who
1113 have FCAT or comparable scores for the preceding school year.

1114 (b) The aggregate scores of all eligible students who were
1115 assigned to and enrolled in the school during the October or



1116 February FTE count, who have been assessed on the FCAT, ~~including~~
1117 ~~Florida Writes~~, and who have scored in the lowest 25th percentile
1118 of students in the state on FCAT Reading.

1119
1120 The assessment scores of students who are subject to district
1121 school board policies for expulsion for repeated or serious
1122 offenses, who are in dropout retrieval programs serving students
1123 who have officially been designated as dropouts, or who are in
1124 programs operated or contracted by the Department of Juvenile
1125 Justice may not be included in an alternative school's school
1126 improvement rating.

1127 (6) RULES.--The State Board of Education shall adopt rules
1128 under ss. 120.536(1) and 120.54 to administer this section.

1129 Section 23. Subsection (2) of section 1008.36, Florida
1130 Statutes, is amended to read:

1131 1008.36 Florida School Recognition Program.--

1132 (2) The Florida School Recognition Program is created to
1133 provide financial awards to public schools that:

1134 (a) Sustain high performance by receiving a school grade of
1135 "A," making excellent progress; or

1136 (b) Demonstrate exemplary improvement due to innovation and
1137 effort by improving at least one a letter grade or by improving
1138 more than one letter grade and sustaining the improvement the
1139 following school year.

1140
1141 Notwithstanding statutory provisions to the contrary, incentive
1142 awards are not subject to collective bargaining.

1143 Section 24. Present subsections (4) through (16) of section
1144 1012.56, Florida Statutes, are renumbered as subsections (5)



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1145 through (17), respectively, and a new subsection (4) is added to
1146 that section, to read:

1147 1012.56 Educator certification requirements.--

1148 (4) ALIGNMENT OF SUBJECT AREAS.--As the Sunshine State
1149 Standards are replaced by the Next Generation Sunshine State
1150 Standards under s.1001.03, the State Board of Education shall
1151 align the subject area examinations to the Next Generation
1152 Sunshine State Standards.

1153 Section 25. Subsection (1) of section 1012.57, Florida
1154 Statutes, is amended to read:

1155 1012.57 Certification of adjunct educators.--

1156 (1) Notwithstanding the provisions of ss. 1012.32, 1012.55,
1157 and 1012.56, or any other provision of law or rule to the
1158 contrary, district school boards shall adopt rules to allow for
1159 the issuance of an adjunct teaching certificate to any applicant
1160 who fulfills the requirements of s. 1012.56(2)(a)-(f) and (10)
1161 ~~(9)~~ and who has expertise in the subject area to be taught. An
1162 applicant shall be considered to have expertise in the subject
1163 area to be taught if the applicant demonstrates sufficient
1164 subject area mastery through passage of a subject area test. The
1165 adjunct teaching certificate shall be used for part-time teaching
1166 positions. The intent of this provision is to allow school
1167 districts to tap the wealth of talent and expertise represented
1168 in Florida's citizens who may wish to teach part-time in a
1169 Florida public school by permitting school districts to issue
1170 adjunct certificates to qualified applicants. Adjunct
1171 certificateholders should be used as a strategy to reduce the
1172 teacher shortage; thus, adjunct certificateholders should
1173 supplement a school's instructional staff, not supplant it. Each
1174 school principal shall assign an experienced peer mentor to



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1175 assist the adjunct teaching certificateholder during the
1176 certificateholder's first year of teaching, and an adjunct
1177 certificateholder may participate in a district's new teacher
1178 training program. District school boards shall provide the
1179 adjunct teaching certificateholder an orientation in classroom
1180 management prior to assigning the certificateholder to a school.
1181 Each adjunct teaching certificate is valid for 5 school years and
1182 is renewable if the applicant has received satisfactory
1183 performance evaluations during each year of teaching under
1184 adjunct teaching certification.

1185 Section 26. Subsection (1) of section 1012.586, Florida
1186 Statutes, is amended to read:

1187 1012.586 Additions or changes to certificates; duplicate
1188 certificates.--A school district may process via a Department of
1189 Education website certificates for the following applications of
1190 public school employees:

1191 (1) Addition of a subject coverage or endorsement to a
1192 valid Florida certificate on the basis of the completion of the
1193 appropriate subject area testing requirements of s. 1012.56(5)(a)
1194 ~~s. 1012.56(4)(a)~~ or the completion of the requirements of an
1195 approved school district program or the inservice components for
1196 an endorsement.

1197
1198 The employing school district shall charge the employee a fee not
1199 to exceed the amount charged by the Department of Education for
1200 such services. Each district school board shall retain a portion
1201 of the fee as defined in the rules of the State Board of
1202 Education. The portion sent to the department shall be used for
1203 maintenance of the technology system, the web application, and
1204 posting and mailing of the certificate.



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1205 Section 27. Effective upon this act becoming a law, section
1206 1012.71, Florida Statutes, is amended to read:

1207 (Substantial rewording of section. See
1208 s. 1012.71, F.S., for present text.)

1209 1012.71 The Florida Teachers Lead Program.--

1210 (1) For purposes of the Florida Teachers Lead Program, the
1211 term "classroom teacher" means a certified teacher employed by a
1212 public school district or a public charter school in that
1213 district on or before September 1 of each year whose full-time or
1214 job-share responsibility is the classroom instruction of students
1215 in prekindergarten through grade 12, including full-time media
1216 specialists and guidance counselors serving students in
1217 prekindergarten through grade 12, who are funded through the
1218 Florida Education Finance Program. A "job-share classroom
1219 teacher" is one of two teachers whose combined full-time
1220 equivalent employment for the same teaching assignment equals one
1221 full-time classroom teacher.

1222 (2) The Legislature, in the General Appropriations Act,
1223 shall determine funding for the Florida Teachers Lead Program.
1224 The funds appropriated are for classroom teachers to purchase, on
1225 behalf of the school district or charter school, classroom
1226 materials and supplies for the public school students assigned to
1227 them and may not be used to purchase equipment. The funds
1228 appropriated shall be used to supplement the materials and
1229 supplies otherwise available to classroom teachers. From the
1230 funds appropriated for the Florida Teachers Lead Program, the
1231 Commissioner of Education shall calculate an amount for each
1232 school district based upon each school district's proportionate
1233 share of the state's total unweighted FTE student enrollment and
1234 shall disburse the funds to the school districts by July 15.



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1235 (3) From the funds allocated to each school district for
1236 the Florida Teachers Lead Program, the district school board
1237 shall calculate an identical amount for each classroom teacher,
1238 which is that teacher's proportionate share of the total amount
1239 allocated to the district. A job-share classroom teacher may
1240 receive a prorated share of the amount provided to a full-time
1241 classroom teacher. The district school board and each charter
1242 school board shall provide each classroom teacher with his or her
1243 total proportionate share by September 30 of each year by any
1244 means determined appropriate by the district school board or
1245 charter school board, including, but not limited to, direct
1246 deposit, check, debit card, or purchasing card, notwithstanding
1247 any law to the contrary. Expenditures under the program are not
1248 subject to state or local competitive bidding requirements. Funds
1249 received by a classroom teacher do not affect wages, hours, or
1250 terms and conditions of employment and, therefore, are not
1251 subject to collective bargaining. Any classroom teacher may
1252 decline receipt of or return the funds without explanation or
1253 cause. This subsection applies retroactively to July 1, 2007.

1254 (4) Each classroom teacher must sign a statement
1255 acknowledging receipt of the funds, keep receipts for no less
1256 than 4 years to show that funds expended meet the requirements of
1257 this section, and return any unused funds to the district school
1258 board at the end of the regular school year. Any unused funds
1259 that are returned to the district school board shall be deposited
1260 into the school advisory council account of the school at which
1261 the classroom teacher returning the funds was employed when that
1262 teacher received the funds or shall be deposited into the Florida
1263 Teachers Lead Program account of the school district in which a
1264 charter school is sponsored, as applicable.



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1265 (5) The statement must be signed and dated by each
1266 classroom teacher before receipt of the Florida Teachers Lead
1267 Program funds and shall include the wording: "I, (name of
1268 teacher) , am employed by the County District School Board
1269 or by the Charter School as a full-time classroom teacher. I
1270 acknowledge that Florida Teachers Lead Program funds are
1271 appropriated by the Legislature for the sole purpose of
1272 purchasing classroom materials and supplies to be used in the
1273 instruction of students assigned to me. In accepting custody of
1274 these funds, I agree to keep the receipts for all expenditures
1275 for no less than 4 years. I understand that if I do not keep the
1276 receipts, it will be my personal responsibility to pay any
1277 federal taxes due on these funds. I also agree to return any
1278 unexpended funds to the district school board at the end of the
1279 regular school year for deposit into the school advisory council
1280 account of the school where I was employed at the time I received
1281 the funds or for deposit into the Florida Teachers Lead Program
1282 account of the school district in which the charter school is
1283 sponsored, as applicable."

1284 Section 28. Present paragraphs (b) and (c) of subsection
1285 (2) of section 1013.12, Florida Statutes, are redesignated as
1286 paragraphs (c) and (d), respectively, and a new paragraph (b) is
1287 added to that subsection, to read:

1288 1013.12 Casualty, safety, sanitation, and firesafety
1289 standards and inspection of property.--

1290 (2) PERIODIC INSPECTION OF PROPERTY BY DISTRICT SCHOOL
1291 BOARDS.--

1292 (b) Each school cafeteria must post in a visible location
1293 and on the school website the school's semiannual sanitation



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1294 certificate and a copy of its most recent sanitation inspection
1295 report.

1296 Section 29. Except as otherwise expressly provided in this
1297 act and except for this section, which shall take effect upon
1298 becoming a law, this act shall take effect July 1, 2008.

1299
1300 ===== T I T L E A M E N D M E N T =====

1301 And the title is amended as follows:

1302 Delete everything before the enacting clause
1303 and insert:

1304 A bill to be entitled
1305 An act relating to education; amending s. 1000.21, F.S.;
1306 providing and revising definitions; amending s. 1001.03,
1307 F.S.; requiring the State Board of Education to
1308 periodically review and revise state curriculum standards;
1309 eliminating provisions requiring that the state board
1310 report proposed revisions to the Governor and the
1311 Legislature; amending s. 1001.41, F.S.; revising the
1312 general powers of district school boards; amending s.
1313 1001.452, F.S.; revising provisions relating to membership
1314 of school advisory councils; amending s. 1003.41, F.S.;
1315 requiring that the State Board of Education replace the
1316 Sunshine State Standards with the Next Generation Sunshine
1317 State Standards; providing for application of the Sunshine
1318 State Standards pending adoption of the Next Generation
1319 Sunshine State Standards; providing requirements
1320 concerning the content and organization of the Next
1321 Generation Sunshine State Standards; requiring that the
1322 Next Generation Sunshine State Standards establish core
1323 curricular content in specified areas for certain grades



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1324 or grade clusters; requiring that the state board
1325 establish schedules for the adoption and revision of the
1326 Next Generation Sunshine State Standards; requiring that
1327 the state board adopt the Next Generation Sunshine State
1328 Standards by a specified date; requiring the Commissioner
1329 of Education to provide proposed Next Generation Sunshine
1330 State Standards or proposed revisions of such standards to
1331 the state board; providing requirements concerning the
1332 commissioner's development of the proposed standards or
1333 revisions; requiring consultation with certain experts;
1334 requiring distribution of a proposal developed by the
1335 commissioner for review and comment by certain experts;
1336 requiring a written evaluation of the proposal developed
1337 by the commissioner by a research institution meeting
1338 specified criteria; requiring provision of the
1339 commissioner's proposed standards and the written
1340 evaluation and comments to the Governor, the President of
1341 the Senate, and the Speaker of the House of
1342 Representatives; authorizing rulemaking by the State Board
1343 of Education; amending s. 1003.413, F.S.; requiring
1344 policies of each district school board to address an
1345 annual review of student education plans; amending s.
1346 1003.428, F.S.; revising courses that are acceptable for
1347 high school graduation; conforming a cross-reference;
1348 creating s. 1003.4285, F.S.; providing for high school
1349 diploma designations; amending ss. 1003.429, 1003.43, and
1350 1003.433, F.S.; conforming cross-references; amending s.
1351 1003.63, F.S.; revising the type of assessment tests
1352 reported to the Governor and the Legislature relating to
1353 the deregulated public schools pilot program; amending s.



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1354 1004.85, F.S.; conforming cross-references; amending s.
1355 1004.91, F.S.; expanding the list of students who are
1356 exempt from basic skill mastery for certificate career
1357 education programs; amending s. 1004.99, F.S.; providing
1358 designations of Florida Ready to Work credentials;
1359 amending s. 1007.21, F.S., relating to postsecondary
1360 placement tests for high school students; authorizing the
1361 common placement test to be administered to high school
1362 students and not just second semester sophomores; amending
1363 s. 1007.235, F.S.; revising the components for the
1364 district interinstitutional articulation agreement to
1365 include secondary school and postsecondary institution
1366 responsibilities for calculation of grades; amending s.
1367 1008.22, F.S.; revising provisions governing application
1368 of testing requirements for high school graduation;
1369 providing criteria concerning the testing and scores
1370 required for a continuously enrolled student to earn a
1371 standard high school diploma; authorizing the commissioner
1372 to administer comprehensive end-of-course assessments;
1373 providing requirements for comprehensive and end-of-course
1374 assessments; authorizing the commissioner to select a
1375 nationally developed comprehensive examination for use as
1376 an end-of-course assessment; revising the design of the
1377 testing program; authorizing the commissioner to
1378 collaborate with the American Diploma Project to develop
1379 end-of-course assessments; authorizing the commissioner to
1380 discontinue administration of an outdated assessment under
1381 certain conditions; requiring the commissioner to
1382 establish schedules for the administration of statewide
1383 assessments and the reporting of student test results;



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1384 providing requirements for the testing and reporting
1385 schedules; requiring district school boards to prohibit
1386 public schools from suspending a program of curricula for
1387 the administration of practice tests; authorizing a
1388 district school board to permit a school to engage in
1389 certain test-preparation activities; revising the
1390 applicability of testing standards under certain
1391 conditions; revising the requirements contained in the
1392 annual report by the department to the Governor and the
1393 Legislature; amending s. 1008.30, F.S.; requiring the
1394 Department of Education to purchase or develop assessments
1395 to evaluate the college readiness of certain students
1396 before enrollment in a postsecondary institution;
1397 requiring a school district to provide certain students
1398 access to appropriate remediation courses; amending s.
1399 1008.31, F.S.; declaring the legislative intent that the
1400 K-20 education system comply with the Individuals with
1401 Disabilities Education Act; amending s. 1008.34, F.S.;
1402 revising the exceptions for a school to receive a school
1403 grade; revising the student assessment data used in
1404 determining school grades; requiring a school district
1405 that fails to assign FCAT scores back to students' schools
1406 to forfeit school recognition funds for a specified time;
1407 requiring the collaboration between a home school and
1408 alternative school to be between the principals of each
1409 school in order to promote student success; authorizing
1410 the state board to adopt rules; amending s. 1008.341,
1411 F.S.; revising provisions for a school improvement rating
1412 for an alternative school; authorizing the state board to
1413 adopt rules; amending s. 1008.36, F.S.; revising



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1414 provisions relating to the Florida School Recognition
1415 Program; amending s. 1012.56, F.S.; requiring teacher
1416 certification exams to be aligned to revised curriculum
1417 standards; amending ss. 1012.57 and 1012.586, F.S.;
1418 conforming cross-reference; amending s. 1012.71, F.S.;
1419 providing definitions; revising requirements for the use
1420 of program funds by classroom teachers; providing for the
1421 disbursement of funds to school districts; specifying the
1422 means for providing a classroom teacher with his or her
1423 proportionate share of program funds; providing that funds
1424 received are not subject to competitive bidding
1425 requirements or collective bargaining; requiring each
1426 classroom teacher to sign a statement acknowledging
1427 receipt of funds; providing requirements for accounting of
1428 expenditures and reimbursement of funds under certain
1429 conditions; amending s. 1013.12, F.S.; requiring that a
1430 school cafeteria post certain information concerning its
1431 sanitation certificate and inspection; providing an
1432 effective date.