

1 A bill to be entitled
2 An act relating to public K-12 education; amending s.
3 1008.34, F.S.; revising provisions relating to schools
4 receiving a school grade; amending s. 1003.413, F.S.;
5 redefining the term "secondary school" to no longer
6 include an elementary school serving students through
7 grade 6 only; deleting the requirement that the
8 Commissioner of Education create and implement the
9 Secondary School Improvement Award Program; amending s.
10 1003.4156, F.S.; revising provisions relating to the
11 general requirements for middle grades promotion;
12 providing an exception; amending s. 1003.428, F.S.;
13 revising provisions relating to the general requirements
14 for high school graduation; providing exceptions; amending
15 s. 1003.429, F.S.; updating references to general
16 requirements for high school graduation; revising the
17 credits for certain courses required under the 3-year
18 standard college preparatory program which apply to
19 students who enter grade 9 in the 2009-2010 school year;
20 amending s. 1003.433, F.S.; providing that a student who
21 enters middle school at the eighth grade from out of state
22 or from a foreign country is not required to spend
23 additional time in school to meet the requirements for
24 middle grades promotion under certain circumstances;
25 amending s. 1003.621, F.S.; requiring that the State Board
26 of Education annually designate districts as academically
27 high-performing schools districts if certain criteria are
28 met; revising the information that an academically high-

29 performing school district must include in its annual
30 report to the State Board of Education and the
31 Legislature; amending s. 1008.22, F.S.; providing that
32 concordant scores earned before taking the grade 10 FCAT
33 may not be used to qualify for a standard high school
34 diploma; providing requirements for retake of the
35 assessment for a student who has not earned passing scores
36 on the grade 10 FCAT; deleting provisions relating to
37 concordant scores for the FCAT; amending s. 1008.25, F.S.;
38 revising annual district school board reporting
39 requirements relating to student progress; amending s.
40 1008.36, F.S.; revising the date for agreement for
41 distribution of Florida School Recognition Program awards;
42 providing a short title; amending s. 1003.4156, F.S.;
43 providing requirements for a civics education course that
44 a student must successfully complete for middle grades
45 promotion beginning with students entering grade 6 in the
46 2011-2012 school year; amending s. 1008.22, F.S.;
47 requiring the administration of an end-of-course
48 assessment in civics education as a field test at the
49 middle school level during the 2011-2012 school year;
50 providing requirements for course grade and course credit
51 for subsequent school years; amending s. 1008.34, F.S.;
52 requiring the inclusion of civics education end-of-course
53 assessment data in determining school grades beginning
54 with the 2012-2013 school year; amending ss. 1003.428 and
55 1003.429, F.S.; requiring students entering grade 9 to
56 earn one credit in Biology I or in a series of equivalent

57 | courses for high school graduation beginning with the
58 | 2010-2011 school year; amending s. 1008.22, F.S.;
59 | requiring the administration of an end-of-course
60 | assessment in biology as a field test during the 2010-2011
61 | school year; requiring the end-of-course assessment in
62 | biology to replace the comprehensive assessment of science
63 | administered at the high school level beginning with the
64 | 2011-2012 school year; providing requirements for course
65 | grade and course credit; requiring the State Board of
66 | Education to designate a passing score for the end-of-
67 | course assessment in biology; amending s. 1008.34, F.S.;
68 | requiring the inclusion of biology end-of-course
69 | assessment data in determining school grades beginning
70 | with the 2011-2012 school year; creating s. 1003.572,
71 | F.S.; requiring district school boards to provide parental
72 | notice of requirements and procedures for requesting
73 | evaluations for gifted student classification; requiring
74 | district school board reporting of gifted student
75 | classification, services, and performance data; requiring
76 | the Department of Education to develop data elements for
77 | district reporting; requiring rulemaking; creating s.
78 | 1003.573, F.S.; requiring the department to develop
79 | procedures and eligibility criteria for whole-grade and
80 | subject matter acceleration; requiring district school
81 | boards to implement procedures and eligibility criteria;
82 | requiring district school board reporting of student
83 | acceleration data; requiring the department to develop
84 | data elements for district reporting; requiring

85 rulemaking; amending s. 1004.04, F.S.; requiring state-
 86 approved teacher preparation programs to incorporate
 87 specified gifted student instruction; amending s. 1011.62,
 88 F.S.; requiring certain school district guaranteed
 89 allocation expenditures to be reported separately;
 90 creating the Gifted and Academically Talented Student Task
 91 Force within the department; designating members;
 92 requiring members to serve without compensation or
 93 reimbursement for per diem and travel expenses; requiring
 94 the task force to submit a report to the Governor and
 95 Legislature; providing report requirements; providing for
 96 the future abolishment of the task force; providing
 97 effective dates.

98

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

100

101 Section 1. Paragraph (a) of subsection (3) of section
 102 1008.34, Florida Statutes, is amended to read:

103 1008.34 School grading system; school report cards;
 104 district grade.--

105 (3) DESIGNATION OF SCHOOL GRADES.--

106 (a) Each school that has students who are tested and
 107 included in the school grading system shall receive a school
 108 grade, except as follows:

109 1. A school shall not receive a school grade if the number
 110 of its students tested and included in the school grading system
 111 is less than the minimum sample size necessary, based on
 112 accepted professional practice, for statistical reliability and

113 prevention of the unlawful release of personally identifiable
 114 student data under s. 1002.22 or 20 U.S.C. s. 1232g.

115 2. An alternative school may choose to receive a school
 116 grade under this section or a school improvement rating under s.
 117 1008.341. For charter schools that meet the definition of an
 118 alternative school pursuant to State Board of Education rule,
 119 the decision to receive a school grade is the decision of the
 120 charter school governing board.

121 3. A school that serves any combination of students in
 122 kindergarten through grade 3 which does not receive a school
 123 grade because its students are not tested and included in the
 124 school grading system shall receive the school grade designation
 125 of a K-3 feeder pattern school identified by the Department of
 126 Education and verified by the school district. A school feeder
 127 pattern exists if at least 60 percent of the students in the
 128 school serving a combination of students in kindergarten through
 129 grade 3 are scheduled to be assigned to the graded school.

130 Section 2. Subsections (1) and (5) of section 1003.413,
 131 Florida Statutes, are amended to read:

132 1003.413 Florida Secondary School Redesign Act.--

133 (1) For purposes of this section, the term "secondary
 134 school" means a school that serves ~~Secondary schools are schools~~
 135 ~~that primarily serve~~ students in grades 6 through 12. A
 136 secondary school does not include an elementary school serving
 137 students only through grade 6. It is the intent of the
 138 Legislature to provide for secondary school redesign so that
 139 students promoted from the 8th grade have the necessary academic
 140 skills for success in high school and students graduating from

141 high school have the necessary skills for success in the
142 workplace and postsecondary education.

143 ~~(5) The Commissioner of Education shall create and~~
144 ~~implement the Secondary School Improvement Award Program to~~
145 ~~reward public secondary schools that demonstrate continuous~~
146 ~~student academic improvement and show the greatest gains in~~
147 ~~student academic achievement in reading and mathematics.~~

148 Section 3. Paragraphs (a) and (b) of subsection (1) of
149 section 1003.4156, Florida Statutes, are amended to read:

150 1003.4156 General requirements for middle grades
151 promotion.--

152 (1) Beginning with students entering grade 6 in the 2006-
153 2007 school year, promotion from a school composed of middle
154 grades 6, 7, and 8 requires that:

155 (a) The student must successfully complete academic
156 courses as follows:

157 1. Three middle school or higher courses in English. These
158 courses shall emphasize literature, composition, and technical
159 text.

160 2. Three middle school or higher courses in mathematics.
161 Each middle school must offer at least one high school level
162 mathematics course for which students may earn high school
163 credit.

164 3. Three middle school or higher courses in social
165 studies, one semester of which must include the study of state
166 and federal government and civics education.

167 4. Three middle school or higher courses in science.

168 5. One course in career and education planning to be

169 completed in 7th or 8th grade. The course may be taught by any
170 member of the instructional staff; must include career
171 exploration using Florida CHOICES ~~for the 21st Century~~ or a
172 comparable cost-effective program; must include educational
173 planning using the online student advising system known as
174 Florida Academic Counseling and Tracking for Students at the
175 Internet website FACTS.org; and shall result in the completion
176 of a personalized academic and career plan.

177
178 Each school must hold a parent meeting either in the evening or
179 on a weekend to inform parents about the course curriculum and
180 activities. Each student shall complete an electronic personal
181 education plan that must be signed by the student; the student's
182 instructor, guidance counselor, or academic advisor; and the
183 student's parent. ~~By January 1, 2007,~~ The Department of
184 Education shall develop course frameworks and professional
185 development materials for the career exploration and education
186 planning course. The course may be implemented as a stand-alone
187 course or integrated into another course or courses. The
188 Commissioner of Education shall collect longitudinal high school
189 course enrollment data by student ethnicity in order to analyze
190 course-taking patterns.

191 (b) For each year in which a student scores at Level 1 on
192 FCAT Reading, the student must be enrolled in and complete an
193 intensive reading course the following year. Placement of Level
194 2 readers in either an intensive reading course or a content
195 area course in which reading strategies are delivered shall be
196 determined by diagnosis of reading needs. The department shall

197 provide guidance on appropriate strategies for diagnosing and
 198 meeting the varying instructional needs of students reading
 199 below grade level. Reading courses shall be designed and offered
 200 pursuant to the comprehensive reading plan required by s.
 201 1011.62(9). A student who scores at Level 1 or Level 2 on FCAT
 202 Reading, but who did not score below Level 3 on FCAT Reading in
 203 the prior 3 school years, may be exempt from the requirement in
 204 this paragraph if the student demonstrates acceptable
 205 performance on an alternative standardized reading assessment
 206 approved by the State Board of Education.

207 Section 4. Paragraph (b) of subsection (2) of section
 208 1003.428, Florida Statutes, is amended to read:

209 1003.428 General requirements for high school graduation;
 210 revised.--

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

214 (b) Eight credits in majors, minors, or electives:

215 1. Four credits in a major area of interest, such as
 216 sequential courses in a career and technical program, fine and
 217 performing arts, or academic content area, selected by the
 218 student as part of the education plan required by s. 1003.4156.
 219 Students may revise major areas of interest each year as part of
 220 annual course registration processes and should update their
 221 education plan to reflect such revisions. Annually by October 1,
 222 the district school board shall approve major areas of interest
 223 and submit the list of majors to the Commissioner of Education
 224 for approval. Each major area of interest shall be deemed

225 approved unless specifically rejected by the commissioner within
226 60 days. Upon approval, each district's major areas of interest
227 shall be available for use by all school districts and shall be
228 posted on the department's website.

229 2. Four credits in elective courses selected by the
230 student as part of the education plan required by s. 1003.4156.
231 These credits may be combined to allow for a second major area
232 of interest pursuant to subparagraph 1., a minor area of
233 interest, elective courses, or intensive reading or mathematics
234 intervention courses as described in this subparagraph.

235 a. Minor areas of interest are composed of three credits
236 selected by the student as part of the education plan required
237 by s. 1003.4156 and approved by the district school board.

238 b. Elective courses are selected by the student in order
239 to pursue a complete education program as described in s.
240 1001.41(3) and to meet eligibility requirements for
241 scholarships.

242 c. For each year in which a student scores at Level 1 on
243 FCAT Reading, the student must be enrolled in and complete an
244 intensive reading course the following year. Placement of Level
245 2 readers in either an intensive reading course or a content
246 area course in which reading strategies are delivered shall be
247 determined by diagnosis of reading needs. The department shall
248 provide guidance on appropriate strategies for diagnosing and
249 meeting the varying instructional needs of students reading
250 below grade level. Reading courses shall be designed and offered
251 pursuant to the comprehensive reading plan required by s.
252 1011.62(9). A student who scores at Level 1 or Level 2 on FCAT

253 Reading, but who did not score below Level 3 on FCAT Reading in
 254 the prior 3 school years, may be exempt from the requirement in
 255 this sub-subparagraph if the student demonstrates acceptable
 256 performance on an alternative standardized reading assessment
 257 approved by the State Board of Education. The requirements in
 258 this sub-subparagraph do not apply to a student who has earned a
 259 passing score on grade 10 FCAT Reading pursuant to s.
 260 1008.22(3)(c) or who has achieved a score on a standardized test
 261 which is concordant with a passing score on grade 10 FCAT
 262 Reading pursuant to s. 1008.22(10).

263 d. For each year in which a student scores at Level 1 or
 264 Level 2 on FCAT Mathematics, the student must receive
 265 remediation the following year. These courses may be taught
 266 through applied, integrated, or combined courses and are subject
 267 to approval by the department for inclusion in the Course Code
 268 Directory. The requirements of this sub-subparagraph do not
 269 apply to a student who has earned a passing score on grade 10
 270 FCAT Mathematics pursuant to s. 1008.22(3)(c) or who has
 271 achieved a score on a standardized test which is concordant with
 272 a passing score on grade 10 FCAT Mathematics pursuant to s.
 273 1008.22(10).

274 Section 5. Subsection (1), paragraph (c) of subsection
 275 (7), and subsection (8) of section 1003.429, Florida Statutes,
 276 are amended to read:

277 1003.429 Accelerated high school graduation options.--

278 (1) Students who enter grade 9 in the 2006-2007 school
 279 year and thereafter may select, upon receipt of each consent
 280 required by this section, one of the following three high school

281 graduation options:

282 (a) Completion of the general requirements for high school
283 graduation pursuant to s. 1003.428 or s. 1003.43, as applicable;

284 (b) Completion of a 3-year standard college preparatory
285 program requiring successful completion of a minimum of 18
286 academic credits in grades 9 through 12. At least 6 of the 18
287 credits required for completion of this program must be received
288 in classes that are offered pursuant to the International
289 Baccalaureate Program, the Advanced Placement Program, dual
290 enrollment, Advanced International Certificate of Education, or
291 specifically listed or identified by the Department of Education
292 as rigorous pursuant to s. 1009.531(3). The 18 credits required
293 for completion of this program shall be primary requirements and
294 shall be distributed as follows:

295 1. Four credits in English, with major concentration in
296 composition and literature;

297 2. Three credits in mathematics at the Algebra I level or
298 higher from the list of courses that qualify for state
299 university admission. Beginning with students who enter grade 9
300 in the 2009-2010 school year, four credits in mathematics at the
301 Algebra I level or higher from the list of courses that qualify
302 for state university admission;

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

305 4. Three credits in social sciences, which must include
306 one credit in American history, one credit in world history,
307 one-half credit in American government, and one-half credit in
308 economics;

309 5. Two credits in the same second language unless the
310 student is a native speaker of or can otherwise demonstrate
311 competency in a language other than English. If the student
312 demonstrates competency in another language, the student may
313 replace the language requirement with two credits in other
314 academic courses; and

315 6. Three credits in electives. Beginning with students who
316 enter grade 9 in the 2009-2010 school year, two credits in
317 electives; or

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

322 1. Four credits in English, with major concentration in
323 composition and literature;

324 2. Three credits in mathematics, one of which must be
325 Algebra I;

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

328 4. Three credits in social sciences, which must include
329 one credit in American history, one credit in world history,
330 one-half credit in American government, and one-half credit in
331 economics;

332 5. Three credits in a single vocational or career
333 education program, three credits in career and technical
334 certificate dual enrollment courses, or five credits in
335 vocational or career education courses; and

336 6. Two credits in electives unless five credits are earned

337 pursuant to subparagraph 5.

338

339 Any student who selected an accelerated graduation program
340 before July 1, 2004, may continue that program, and all
341 statutory program requirements that were applicable when the
342 student made the program choice shall remain applicable to the
343 student as long as the student continues that program.

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

348 (c) The right of the student to change to the 4-year
349 program set forth in s. 1003.428 or s. 1003.43, as applicable.

350 (8) A student who selected one of the accelerated 3-year
351 graduation options shall automatically move to the 4-year
352 program set forth in s. 1003.428 or s. 1003.43, as applicable,
353 if the student:

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

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

358 (c) Does not achieve a score of 3 or higher on the grade
359 10 FCAT Writing assessment; or

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

362 Section 6. Section 1003.433, Florida Statutes, is amended
363 to read:

364 1003.433 Learning opportunities for out-of-state and out-

365 of-country transfer students and students needing additional
366 instruction to meet middle grades promotion or high school
367 graduation requirements.--

368 (1) Students who enter a Florida public middle school at
369 the eighth grade from out of state or from a foreign country
370 shall not be required to spend additional time in a Florida
371 public school in order to meet the middle grades promotion
372 requirements if the student has met all requirements of the
373 school district, state, or country from which he or she is
374 transferring. Such students who are not proficient in English
375 should receive immediate and intensive instruction in English
376 language acquisition.

377 (2)~~(1)~~ Students who enter a Florida public school at the
378 eleventh or twelfth grade from out of state or from a foreign
379 country shall not be required to spend additional time in a
380 Florida public school in order to meet the high school course
381 requirements if the student has met all requirements of the
382 school district, state, or country from which he or she is
383 transferring. Such students who are not proficient in English
384 should receive immediate and intensive instruction in English
385 language acquisition. However, to receive a standard high school
386 diploma, a transfer student must earn a 2.0 grade point average
387 and pass the grade 10 FCAT required in s. 1008.22(3) or an
388 alternate assessment as described in s. 1008.22(10).

389 (3)~~(2)~~ Students who have met all requirements for the
390 standard high school diploma except for passage of the grade 10
391 FCAT or an alternate assessment by the end of grade 12 must be
392 provided the following learning opportunities:

393 (a) Participation in an accelerated high school
 394 equivalency diploma preparation program during the summer.

395 (b) Upon receipt of a certificate of completion, be
 396 allowed to take the College Placement Test and be admitted to
 397 remedial or credit courses at a state community college, as
 398 appropriate.

399 (c) Participation in an adult general education program as
 400 provided in s. 1004.93 for such time as the student requires to
 401 master English, reading, mathematics, or any other subject
 402 required for high school graduation. Students attending adult
 403 basic, adult secondary, or vocational-preparatory instruction
 404 are exempt from any requirement for the payment of tuition and
 405 fees, including lab fees, pursuant to s. 1009.25. A student
 406 attending an adult general education program shall have the
 407 opportunity to take the grade 10 FCAT an unlimited number of
 408 times in order to receive a standard high school diploma.

409 (4)~~(3)~~ Students who have been enrolled in an ESOL program
 410 for less than 2 school years and have met all requirements for
 411 the standard high school diploma except for passage of the grade
 412 10 FCAT or alternate assessment may receive immersion English
 413 language instruction during the summer following their senior
 414 year. Students receiving such instruction are eligible to take
 415 the FCAT or alternate assessment and receive a standard high
 416 school diploma upon passage of the grade 10 FCAT or the
 417 alternate assessment. This subsection shall be implemented to
 418 the extent funding is provided in the General Appropriations
 419 Act.

420 (5)~~(4)~~ The district school superintendent shall be

421 responsible for notifying all students of the consequences of
422 failure to receive a standard high school diploma, including the
423 potential ineligibility for financial assistance at
424 postsecondary educational institutions.

425 (6)~~(5)~~ The State Board of Education may adopt rules
426 pursuant to ss. 120.536(1) and 120.54 to administer this
427 section.

428 Section 7. Subsection (1) and paragraph (f) of subsection
429 (4) of section 1003.621, Florida Statutes, are amended to read:
430 1003.621 Academically high-performing school
431 districts.--It is the intent of the Legislature to recognize and
432 reward school districts that demonstrate the ability to
433 consistently maintain or improve their high-performing status.
434 The purpose of this section is to provide high-performing school
435 districts with flexibility in meeting the specific requirements
436 in statute and rules of the State Board of Education.

437 (1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.--

438 (a) The State Board of Education shall annually designate
439 a school district as ~~is~~ an academically high-performing school
440 district if the district ~~it~~ meets the following criteria:

441 1.a. Beginning with the 2004-2005 school year, earns a
442 grade of "A" under s. 1008.34(7) for 2 consecutive years; and

443 b. Has no district-operated school that earns a grade of
444 "F" under s. 1008.34;

445 2. Complies with all class size requirements in s. 1, Art.
446 IX of the State Constitution and s. 1003.03; and

447 3. Has no material weaknesses or instances of material
448 noncompliance noted in the annual financial audit conducted

449 pursuant to s. 218.39.

450 ~~(b) Each school district that satisfies the eligibility~~
451 ~~criteria in this subsection shall be designated by~~ The State
452 Board of Education shall designate a school district as an
453 academically high-performing school district at the next State
454 Board of Education meeting occurring on or after February 1 of
455 each year. The designation is effective beginning with the
456 following school year and remains effective through the entire
457 school year. With the exception of the statutes listed in
458 subsection (2), upon designation as an academically high-
459 performing school district, each such district is exempt from
460 the provisions in chapters 1000-1013 which pertain to school
461 districts and rules of the State Board of Education which
462 implement these exempt provisions. ~~This exemption remains in~~
463 ~~effect during the time of the designation if the district~~
464 ~~continues to meet all eligibility criteria.~~

465 ~~(c) The academically high-performing school district shall~~
466 ~~retain the designation as a high-performing school district for~~
467 ~~3 years, at the end of which time the district may renew the~~
468 ~~designation if the district meets the requirements in this~~
469 ~~section. A school district that fails to meet the requirements~~
470 ~~in this section shall provide written notification to the State~~
471 ~~Board of Education that the district is no longer eligible to be~~
472 ~~designated as an academically high-performing school district.~~

473 (c)(d) In order to annually maintain the designation as an
474 academically high-performing school district pursuant to this
475 section, a school district must meet the following requirements:

476 1. Comply with the provisions of sub-subparagraph (a)1.b.

477 and subparagraphs (a)2. and 3.; and

478 2. Earn a grade of "A" under s. 1008.34(7) for 2 years
479 within a 3-year period.

480

481 ~~However, a district in which a district-operated school earns a~~
482 ~~grade of "F" under s. 1008.34 during the 3-year period may not~~
483 ~~continue to be designated as an academically high-performing~~
484 ~~school district during the remainder of that 3-year period. The~~
485 ~~district must meet the criteria in paragraph (a) in order to be~~
486 ~~redesignated as an academically high-performing school district.~~

487 (4) REPORTS.--The academically high-performing school
488 district shall submit to the State Board of Education and the
489 Legislature an annual report on December 1 which delineates the
490 performance of the school district relative to the academic
491 performance of students at each grade level in reading, writing,
492 mathematics, science, and any other subject that is included as
493 a part of the statewide assessment program in s. 1008.22. The
494 annual report shall be submitted in a format prescribed by the
495 Department of Education and shall include, but need not be
496 limited to, the following:

497 (f) A description of each statute and rule that the
498 district did not comply with pursuant to paragraph (1)(b) and
499 the effect that the exemption had upon the district's ability to
500 consistently maintain or improve its high-performing status
501 ~~waiver and the status of each waiver.~~

502 Section 8. Paragraph (c) of subsection (3) and paragraphs
503 (b) and (c) of subsection (10) of section 1008.22, Florida
504 Statutes, are amended to read:

505 | 1008.22 Student assessment program for public schools.--
506 | (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
507 | design and implement a statewide program of educational
508 | assessment that provides information for the improvement of the
509 | operation and management of the public schools, including
510 | schools operating for the purpose of providing educational
511 | services to youth in Department of Juvenile Justice programs.
512 | The commissioner may enter into contracts for the continued
513 | administration of the assessment, testing, and evaluation
514 | programs authorized and funded by the Legislature. Contracts may
515 | be initiated in 1 fiscal year and continue into the next and may
516 | be paid from the appropriations of either or both fiscal years.
517 | The commissioner is authorized to negotiate for the sale or
518 | lease of tests, scoring protocols, test scoring services, and
519 | related materials developed pursuant to law. Pursuant to the
520 | statewide assessment program, the commissioner shall:
521 | (c) Develop and implement a student achievement testing
522 | program known as the Florida Comprehensive Assessment Test
523 | (FCAT) as part of the statewide assessment program to measure a
524 | student's content knowledge and skills in reading, writing,
525 | science, and mathematics. Other content areas may be included as
526 | directed by the commissioner. Comprehensive assessments of
527 | reading and mathematics shall be administered annually in grades
528 | 3 through 10. Comprehensive assessments of writing and science
529 | shall be administered at least once at the elementary, middle,
530 | and high school levels. End-of-course assessments for a subject
531 | may be administered in addition to the comprehensive assessments
532 | required for that subject under this paragraph. An end-of-course

533 assessment must be rigorous, statewide, standardized, and
534 developed or approved by the department. The content knowledge
535 and skills assessed by comprehensive and end-of-course
536 assessments must be aligned to the core curricular content
537 established in the Sunshine State Standards. The commissioner
538 may select one or more nationally developed comprehensive
539 examinations, which may include, but need not be limited to,
540 examinations for a College Board Advanced Placement course,
541 International Baccalaureate course, or Advanced International
542 Certificate of Education course or industry-approved
543 examinations to earn national industry certifications as defined
544 in s. 1003.492, for use as end-of-course assessments under this
545 paragraph, if the commissioner determines that the content
546 knowledge and skills assessed by the examinations meet or exceed
547 the grade level expectations for the core curricular content
548 established for the course in the Next Generation Sunshine State
549 Standards. The commissioner may collaborate with the American
550 Diploma Project in the adoption or development of rigorous end-
551 of-course assessments that are aligned to the Next Generation
552 Sunshine State Standards. The testing program must be designed
553 as follows:

554 1. The tests shall measure student skills and competencies
555 adopted by the State Board of Education as specified in
556 paragraph (a). The tests must measure and report student
557 proficiency levels of all students assessed in reading, writing,
558 mathematics, and science. The commissioner shall provide for the
559 tests to be developed or obtained, as appropriate, through
560 contracts and project agreements with private vendors, public

561 vendors, public agencies, postsecondary educational
562 institutions, or school districts. The commissioner shall obtain
563 input with respect to the design and implementation of the
564 testing program from state educators, assistive technology
565 experts, and the public.

566 2. The testing program shall be composed of criterion-
567 referenced tests that shall, to the extent determined by the
568 commissioner, include test items that require the student to
569 produce information or perform tasks in such a way that the core
570 content knowledge and skills he or she uses can be measured.

571 3. Beginning with the 2008-2009 school year, the
572 commissioner shall discontinue administration of the selected-
573 response test items on the comprehensive assessments of writing.
574 Beginning with the 2012-2013 school year, the comprehensive
575 assessments of writing shall be composed of a combination of
576 selected-response test items, short-response performance tasks,
577 and extended-response performance tasks, which shall measure a
578 student's content knowledge of writing, including, but not
579 limited to, paragraph and sentence structure, sentence
580 construction, grammar and usage, punctuation, capitalization,
581 spelling, parts of speech, verb tense, irregular verbs, subject-
582 verb agreement, and noun-pronoun agreement.

583 4. A score shall be designated for each subject area
584 tested, below which score a student's performance is deemed
585 inadequate. The school districts shall provide appropriate
586 remedial instruction to students who score below these levels.

587 5. Except as provided in s. 1003.428(8)(b) or s.
588 1003.43(11)(b), students must earn a passing score on the grade

589 10 assessment test described in this paragraph or attain
590 concordant scores as described in subsection (10) in reading,
591 writing, and mathematics to qualify for a standard high school
592 diploma. Concordant scores earned before taking the grade 10
593 FCAT for the first time in grade 10 may not be used to satisfy
594 the requirement in this subparagraph. The State Board of
595 Education shall designate a passing score for each part of the
596 grade 10 assessment test. In establishing passing scores, the
597 state board shall consider any possible negative impact of the
598 test on minority students. The State Board of Education shall
599 adopt rules which specify the passing scores for the grade 10
600 FCAT. Any such rules, which have the effect of raising the
601 required passing scores, shall apply only to students taking the
602 grade 10 FCAT for the first time after such rules are adopted by
603 the State Board of Education.

604 6. Participation in the testing program is mandatory for
605 all students attending public school, including students served
606 in Department of Juvenile Justice programs, except as otherwise
607 prescribed by the commissioner. A student who has not earned
608 passing scores on the grade 10 assessment as provided in
609 subparagraph 5. must participate in each retake of the
610 assessment until the student earns a passing score or achieves a
611 score on a standardized assessment which is concordant with
612 passing scores pursuant to subsection (10). If a student does
613 not participate in the statewide assessment, the district must
614 notify the student's parent and provide the parent with
615 information regarding the implications of such nonparticipation.
616 A parent must provide signed consent for a student to receive

617 classroom instructional accommodations that would not be
618 available or permitted on the statewide assessments and must
619 acknowledge in writing that he or she understands the
620 implications of such instructional accommodations. The State
621 Board of Education shall adopt rules, based upon recommendations
622 of the commissioner, for the provision of test accommodations
623 for students in exceptional education programs and for students
624 who have limited English proficiency. Accommodations that negate
625 the validity of a statewide assessment are not allowable in the
626 administration of the FCAT. However, instructional
627 accommodations are allowable in the classroom if included in a
628 student's individual education plan. Students using
629 instructional accommodations in the classroom that are not
630 allowable as accommodations on the FCAT may have the FCAT
631 requirement waived pursuant to the requirements of s.
632 1003.428(8)(b) or s. 1003.43(11)(b).

633 7. A student seeking an adult high school diploma must
634 meet the same testing requirements that a regular high school
635 student must meet.

636 8. District school boards must provide instruction to
637 prepare students to demonstrate proficiency in the core
638 curricular content established in the Next Generation Sunshine
639 State Standards adopted under s. 1003.41, including the core
640 content knowledge and skills necessary for successful grade-to-
641 grade progression and high school graduation. If a student is
642 provided with instructional accommodations in the classroom that
643 are not allowable as accommodations in the statewide assessment
644 program, as described in the test manuals, the district must

645 | inform the parent in writing and must provide the parent with
646 | information regarding the impact on the student's ability to
647 | meet expected proficiency levels in reading, writing, and
648 | mathematics. The commissioner shall conduct studies as necessary
649 | to verify that the required core curricular content is part of
650 | the district instructional programs.

651 | 9. District school boards must provide opportunities for
652 | students to demonstrate an acceptable level of performance on an
653 | alternative standardized assessment approved by the State Board
654 | of Education following enrollment in summer academies.

655 | 10. The Department of Education must develop, or select,
656 | and implement a common battery of assessment tools that will be
657 | used in all juvenile justice programs in the state. These tools
658 | must accurately measure the core curricular content established
659 | in the Sunshine State Standards.

660 | 11. For students seeking a special diploma pursuant to s.
661 | 1003.438, the Department of Education must develop or select and
662 | implement an alternate assessment tool that accurately measures
663 | the core curricular content established in the Sunshine State
664 | Standards for students with disabilities under s. 1003.438.

665 | 12. The Commissioner of Education shall establish
666 | schedules for the administration of statewide assessments and
667 | the reporting of student test results. The commissioner shall,
668 | by August 1 of each year, notify each school district in writing
669 | and publish on the department's Internet website the testing and
670 | reporting schedules for, at a minimum, the school year following
671 | the upcoming school year. The testing and reporting schedules
672 | shall require that:

673 a. There is the latest possible administration of
674 statewide assessments and the earliest possible reporting to the
675 school districts of student test results which is feasible
676 within available technology and specific appropriations;
677 however, test results must be made available no later than the
678 final day of the regular school year for students.

679 b. Beginning with the 2010-2011 school year, a
680 comprehensive statewide assessment of writing is not
681 administered earlier than the week of March 1 and a
682 comprehensive statewide assessment of any other subject is not
683 administered earlier than the week of April 15.

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

686
687 The commissioner may, based on collaboration and input from
688 school districts, design and implement student testing programs,
689 for any grade level and subject area, necessary to effectively
690 monitor educational achievement in the state, including the
691 measurement of educational achievement of the Sunshine State
692 Standards for students with disabilities. Development and
693 refinement of assessments shall include universal design
694 principles and accessibility standards that will prevent any
695 unintended obstacles for students with disabilities while
696 ensuring the validity and reliability of the test. These
697 principles should be applicable to all technology platforms and
698 assistive devices available for the assessments. The field
699 testing process and psychometric analyses for the statewide
700 assessment program must include an appropriate percentage of

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

703 (10) CONCORDANT SCORES FOR THE FCAT.--

704 ~~(b) In order to use a concordant subject area score~~
 705 ~~pursuant to this subsection to satisfy the assessment~~
 706 ~~requirement for a standard high school diploma as provided in s.~~
 707 ~~1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must~~
 708 ~~take each subject area of the grade 10 FCAT a total of three~~
 709 ~~times without earning a passing score. The requirements of this~~
 710 ~~paragraph shall not apply to a new student who enters the~~
 711 ~~Florida public school system in grade 12, who may either achieve~~
 712 ~~a passing score on the FCAT or use an approved subject area~~
 713 ~~concordant score to fulfill the graduation requirement.~~

714 (b)(e) The State Board of Education may define by rule the
 715 allowable uses, other than to satisfy the high school graduation
 716 requirement, for concordant scores as described in this
 717 subsection. Such uses may include, but need not be limited to,
 718 achieving appropriate standardized test scores required for the
 719 awarding of Florida Bright Futures Scholarships and college
 720 placement.

721 Section 9. Paragraph (b) of subsection (8) of section
 722 1008.25, Florida Statutes, is amended to read:

723 1008.25 Public school student progression; remedial
 724 instruction; reporting requirements.--

725 (8) ANNUAL REPORT.--

726 (b) Each district school board must annually publish in
 727 the local newspaper or on the district school board's Internet
 728 website, and report in writing to the State Board of Education

729 by October 1 ~~September 1~~ of each year, the following information
 730 on the prior school year:

731 1. The provisions of this section relating to public
 732 school student progression and the district school board's
 733 policies and procedures on student retention and promotion.

734 2. By grade, the number and percentage of all students in
 735 grades 3 through 10 performing at Levels 1 and 2 on the reading
 736 portion of the FCAT.

737 3. By grade, the number and percentage of all students
 738 retained in grades 3 through 10.

739 4. Information on the total number of students who were
 740 promoted for good cause, by each category of good cause as
 741 specified in paragraph (6) (b).

742 5. Any revisions to the district school board's policy on
 743 student retention and promotion from the prior year.

744 Section 10. Subsection (4) of section 1008.36, Florida
 745 Statutes, is amended to read:

746 1008.36 Florida School Recognition Program.--

747 (4) All selected schools shall receive financial awards
 748 depending on the availability of funds appropriated and the
 749 number and size of schools selected to receive an award. Funds
 750 must be distributed to the school's fiscal agent and placed in
 751 the school's account and must be used for purposes listed in
 752 subsection (5) as determined jointly by the school's staff and
 753 school advisory council. If school staff and the school advisory
 754 council cannot reach agreement by February 1 ~~November 1~~, the
 755 awards must be equally distributed to all classroom teachers
 756 currently teaching in the school.

757
 758 Notwithstanding statutory provisions to the contrary, incentive
 759 awards are not subject to collective bargaining.

760 Section 11. Sections 11-13 of this act may be cited as the
 761 "Justice Sandra Day O'Connor Civics Education Act."

762 Section 12. Paragraph (a) of subsection (1) of section
 763 1003.4156, Florida Statutes, is amended to read:

764 1003.4156 General requirements for middle grades
 765 promotion.--

766 (1) Beginning with students entering grade 6 in the 2006-
 767 2007 school year, promotion from a school composed of middle
 768 grades 6, 7, and 8 requires that:

769 (a) The student must successfully complete academic
 770 courses as follows:

771 1. Three middle school or higher courses in English. These
 772 courses shall emphasize literature, composition, and technical
 773 text.

774 2. Three middle school or higher courses in mathematics.
 775 Each middle school must offer at least one high school level
 776 mathematics course for which students may earn high school
 777 credit.

778 3. Three middle school or higher courses in social
 779 studies, one semester of which must include the study of state
 780 and federal government and civics education. Beginning with
 781 students entering grade 6 in the 2011-2012 school year, one of
 782 these courses must be a one-semester civics education course
 783 that a student successfully completes in accordance with s.
 784 1008.22(3)(c) and that includes the roles and responsibilities

785 of federal, state, and local governments; the structures and
 786 functions of the legislative, executive, and judicial branches
 787 of government; and the meaning and significance of historic
 788 documents, such as the Articles of Confederation, the
 789 Declaration of Independence, and the Constitution of the United
 790 States.

791 4. Three middle school or higher courses in science.

792 5. One course in career and education planning to be
 793 completed in 7th or 8th grade. The course may be taught by any
 794 member of the instructional staff; must include career
 795 exploration using CHOICES for the 21st Century or a comparable
 796 cost-effective program; must include educational planning using
 797 the online student advising system known as Florida Academic
 798 Counseling and Tracking for Students at the Internet website
 799 FACTS.org; and shall result in the completion of a personalized
 800 academic and career plan.

801
 802 Each school must hold a parent meeting either in the evening or
 803 on a weekend to inform parents about the course curriculum and
 804 activities. Each student shall complete an electronic personal
 805 education plan that must be signed by the student; the student's
 806 instructor, guidance counselor, or academic advisor; and the
 807 student's parent. By January 1, 2007, the Department of
 808 Education shall develop course frameworks and professional
 809 development materials for the career exploration and education
 810 planning course. The course may be implemented as a stand-alone
 811 course or integrated into another course or courses. The
 812 Commissioner of Education shall collect longitudinal high school

813 course enrollment data by student ethnicity in order to analyze
814 course-taking patterns.

815 Section 13. Paragraph (c) of subsection (3) of section
816 1008.22, Florida Statutes, is amended to read:

817 1008.22 Student assessment program for public schools.--

818 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
819 design and implement a statewide program of educational
820 assessment that provides information for the improvement of the
821 operation and management of the public schools, including
822 schools operating for the purpose of providing educational
823 services to youth in Department of Juvenile Justice programs.
824 The commissioner may enter into contracts for the continued
825 administration of the assessment, testing, and evaluation
826 programs authorized and funded by the Legislature. Contracts may
827 be initiated in 1 fiscal year and continue into the next and may
828 be paid from the appropriations of either or both fiscal years.
829 The commissioner is authorized to negotiate for the sale or
830 lease of tests, scoring protocols, test scoring services, and
831 related materials developed pursuant to law. Pursuant to the
832 statewide assessment program, the commissioner shall:

833 (c) Develop and implement a student achievement testing
834 program known as the Florida Comprehensive Assessment Test
835 (FCAT) as part of the statewide assessment program to measure a
836 student's content knowledge and skills in reading, writing,
837 science, and mathematics. Other content areas may be included as
838 directed by the commissioner. Comprehensive assessments of
839 reading and mathematics shall be administered annually in grades
840 3 through 10. Comprehensive assessments of writing and science

841 shall be administered at least once at the elementary, middle,
842 and high school levels. End-of-course assessments for a subject
843 may be administered in addition to the comprehensive assessments
844 required for that subject under this paragraph. An end-of-course
845 assessment must be rigorous, statewide, standardized, and
846 developed or approved by the department. The content knowledge
847 and skills assessed by comprehensive and end-of-course
848 assessments must be aligned to the core curricular content
849 established in the Sunshine State Standards. During the 2011-
850 2012 school year, an end-of-course assessment in civics
851 education shall be administered as a field test at the middle
852 school level. During the 2012-2013 school year, each student's
853 performance on the statewide, standardized end-of-course
854 assessment in civics education shall constitute 30 percent of
855 the student's final course grade. Beginning with the 2013-2014
856 school year, a student must earn a passing score on the end-of-
857 course assessment in civics education in order to pass the
858 course and receive course credit. The commissioner may select
859 one or more nationally developed comprehensive examinations,
860 which may include, but need not be limited to, examinations for
861 a College Board Advanced Placement course, International
862 Baccalaureate course, or Advanced International Certificate of
863 Education course or industry-approved examinations to earn
864 national industry certifications as defined in s. 1003.492, for
865 use as end-of-course assessments under this paragraph, if the
866 commissioner determines that the content knowledge and skills
867 assessed by the examinations meet or exceed the grade level
868 expectations for the core curricular content established for the

869 course in the Next Generation Sunshine State Standards. The
870 commissioner may collaborate with the American Diploma Project
871 in the adoption or development of rigorous end-of-course
872 assessments that are aligned to the Next Generation Sunshine
873 State Standards. The testing program must be designed as
874 follows:

875 1. The tests shall measure student skills and competencies
876 adopted by the State Board of Education as specified in
877 paragraph (a). The tests must measure and report student
878 proficiency levels of all students assessed in reading, writing,
879 mathematics, and science. The commissioner shall provide for the
880 tests to be developed or obtained, as appropriate, through
881 contracts and project agreements with private vendors, public
882 vendors, public agencies, postsecondary educational
883 institutions, or school districts. The commissioner shall obtain
884 input with respect to the design and implementation of the
885 testing program from state educators, assistive technology
886 experts, and the public.

887 2. The testing program shall be composed of criterion-
888 referenced tests that shall, to the extent determined by the
889 commissioner, include test items that require the student to
890 produce information or perform tasks in such a way that the core
891 content knowledge and skills he or she uses can be measured.

892 3. Beginning with the 2008-2009 school year, the
893 commissioner shall discontinue administration of the selected-
894 response test items on the comprehensive assessments of writing.
895 Beginning with the 2012-2013 school year, the comprehensive
896 assessments of writing shall be composed of a combination of

897 | selected-response test items, short-response performance tasks,
898 | and extended-response performance tasks, which shall measure a
899 | student's content knowledge of writing, including, but not
900 | limited to, paragraph and sentence structure, sentence
901 | construction, grammar and usage, punctuation, capitalization,
902 | spelling, parts of speech, verb tense, irregular verbs, subject-
903 | verb agreement, and noun-pronoun agreement.

904 | 4. A score shall be designated for each subject area
905 | tested, below which score a student's performance is deemed
906 | inadequate. The school districts shall provide appropriate
907 | remedial instruction to students who score below these levels.

908 | 5. Except as provided in s. 1003.428(8)(b) or s.
909 | 1003.43(11)(b), students must earn a passing score on the grade
910 | 10 assessment test described in this paragraph or attain
911 | concordant scores as described in subsection (10) in reading,
912 | writing, and mathematics to qualify for a standard high school
913 | diploma. The State Board of Education shall designate a passing
914 | score for each part of the grade 10 assessment test. In
915 | establishing passing scores, the state board shall consider any
916 | possible negative impact of the test on minority students. The
917 | State Board of Education shall adopt rules which specify the
918 | passing scores for the grade 10 FCAT. Any such rules, which have
919 | the effect of raising the required passing scores, shall apply
920 | only to students taking the grade 10 FCAT for the first time
921 | after such rules are adopted by the State Board of Education.

922 | 6. Participation in the testing program is mandatory for
923 | all students attending public school, including students served
924 | in Department of Juvenile Justice programs, except as otherwise

925 prescribed by the commissioner. If a student does not
926 participate in the statewide assessment, the district must
927 notify the student's parent and provide the parent with
928 information regarding the implications of such nonparticipation.
929 A parent must provide signed consent for a student to receive
930 classroom instructional accommodations that would not be
931 available or permitted on the statewide assessments and must
932 acknowledge in writing that he or she understands the
933 implications of such instructional accommodations. The State
934 Board of Education shall adopt rules, based upon recommendations
935 of the commissioner, for the provision of test accommodations
936 for students in exceptional education programs and for students
937 who have limited English proficiency. Accommodations that negate
938 the validity of a statewide assessment are not allowable in the
939 administration of the FCAT. However, instructional
940 accommodations are allowable in the classroom if included in a
941 student's individual education plan. Students using
942 instructional accommodations in the classroom that are not
943 allowable as accommodations on the FCAT may have the FCAT
944 requirement waived pursuant to the requirements of s.
945 1003.428(8)(b) or s. 1003.43(11)(b).

946 7. A student seeking an adult high school diploma must
947 meet the same testing requirements that a regular high school
948 student must meet.

949 8. District school boards must provide instruction to
950 prepare students to demonstrate proficiency in the core
951 curricular content established in the Next Generation Sunshine
952 State Standards adopted under s. 1003.41, including the core

953 content knowledge and skills necessary for successful grade-to-
954 grade progression and high school graduation. If a student is
955 provided with instructional accommodations in the classroom that
956 are not allowable as accommodations in the statewide assessment
957 program, as described in the test manuals, the district must
958 inform the parent in writing and must provide the parent with
959 information regarding the impact on the student's ability to
960 meet expected proficiency levels in reading, writing, and
961 mathematics. The commissioner shall conduct studies as necessary
962 to verify that the required core curricular content is part of
963 the district instructional programs.

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

968 10. The Department of Education must develop, or select,
969 and implement a common battery of assessment tools that will be
970 used in all juvenile justice programs in the state. These tools
971 must accurately measure the core curricular content established
972 in the Sunshine State Standards.

973 11. For students seeking a special diploma pursuant to s.
974 1003.438, the Department of Education must develop or select and
975 implement an alternate assessment tool that accurately measures
976 the core curricular content established in the Sunshine State
977 Standards for students with disabilities under s. 1003.438.

978 12. The Commissioner of Education shall establish
979 schedules for the administration of statewide assessments and
980 the reporting of student test results. The commissioner shall,

981 by August 1 of each year, notify each school district in writing
 982 and publish on the department's Internet website the testing and
 983 reporting schedules for, at a minimum, the school year following
 984 the upcoming school year. The testing and reporting schedules
 985 shall require that:

986 a. There is the latest possible administration of
 987 statewide assessments and the earliest possible reporting to the
 988 school districts of student test results which is feasible
 989 within available technology and specific appropriations;
 990 however, test results must be made available no later than the
 991 final day of the regular school year for students.

992 b. Beginning with the 2010-2011 school year, a
 993 comprehensive statewide assessment of writing is not
 994 administered earlier than the week of March 1 and a
 995 comprehensive statewide assessment of any other subject is not
 996 administered earlier than the week of April 15.

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

999

1000 The commissioner may, based on collaboration and input from
 1001 school districts, design and implement student testing programs,
 1002 for any grade level and subject area, necessary to effectively
 1003 monitor educational achievement in the state, including the
 1004 measurement of educational achievement of the Sunshine State
 1005 Standards for students with disabilities. Development and
 1006 refinement of assessments shall include universal design
 1007 principles and accessibility standards that will prevent any
 1008 unintended obstacles for students with disabilities while

1009 ensuring the validity and reliability of the test. These
1010 principles should be applicable to all technology platforms and
1011 assistive devices available for the assessments. The field
1012 testing process and psychometric analyses for the statewide
1013 assessment program must include an appropriate percentage of
1014 students with disabilities and an evaluation or determination of
1015 the effect of test items on such students.

1016 Section 14. Paragraph (c) of subsection (3) of section
1017 1008.34, Florida Statutes, is amended to read:

1018 1008.34 School grading system; school report cards;
1019 district grade.--

1020 (3) DESIGNATION OF SCHOOL GRADES.--

1021 (c) Student assessment data used in determining school
1022 grades shall include:

1023 1. The aggregate scores of all eligible students enrolled
1024 in the school who have been assessed on the FCAT and, beginning
1025 with the 2012-2013 school year, the statewide, standardized end-
1026 of-course assessment in civics education at the middle school
1027 level.

1028 2. The aggregate scores of all eligible students enrolled
1029 in the school who have been assessed on the FCAT and who have
1030 scored at or in the lowest 25th percentile of students in the
1031 school in reading, mathematics, or writing, unless these
1032 students are exhibiting satisfactory performance.

1033 3. Effective with the 2005-2006 school year, the
1034 achievement scores and learning gains of eligible students
1035 attending alternative schools that provide dropout prevention
1036 and academic intervention services pursuant to s. 1003.53. The

1037 term "eligible students" in this subparagraph does not include
1038 students attending an alternative school who are subject to
1039 district school board policies for expulsion for repeated or
1040 serious offenses, who are in dropout retrieval programs serving
1041 students who have officially been designated as dropouts, or who
1042 are in programs operated or contracted by the Department of
1043 Juvenile Justice. The student performance data for eligible
1044 students identified in this subparagraph shall be included in
1045 the calculation of the home school's grade. As used in this
1046 section and s. 1008.341, the term "home school" means the school
1047 to which the student would be assigned if the student were not
1048 assigned to an alternative school. If an alternative school
1049 chooses to be graded under this section, student performance
1050 data for eligible students identified in this subparagraph shall
1051 not be included in the home school's grade but shall be included
1052 only in the calculation of the alternative school's grade. A
1053 school district that fails to assign the FCAT scores of each of
1054 its students to his or her home school or to the alternative
1055 school that receives a grade shall forfeit Florida School
1056 Recognition Program funds for 1 fiscal year. School districts
1057 must require collaboration between the home school and the
1058 alternative school in order to promote student success. This
1059 collaboration must include an annual discussion between the
1060 principal of the alternative school and the principal of each
1061 student's home school concerning the most appropriate school
1062 assignment of the student.

1063 4. Beginning with the 2009-2010 school year for schools
1064 comprised of high school grades 9, 10, 11, and 12, or grades 10,

1065 11, and 12, the data listed in subparagraphs 1.-3. and the
 1066 following data as the Department of Education determines such
 1067 data are valid and available:

1068 a. The high school graduation rate of the school as
 1069 calculated by the Department of Education;

1070 b. The participation rate of all eligible students
 1071 enrolled in the school and enrolled in College Board Advanced
 1072 Placement courses; International Baccalaureate courses; dual
 1073 enrollment courses; Advanced International Certificate of
 1074 Education courses; and courses or sequence of courses leading to
 1075 industry certification, as determined by the Agency for
 1076 Workforce Innovation under s. 1003.492(2) in a career and
 1077 professional academy, as described in s. 1003.493;

1078 c. The aggregate scores of all eligible students enrolled
 1079 in the school in College Board Advanced Placement courses,
 1080 International Baccalaureate courses, and Advanced International
 1081 Certificate of Education courses;

1082 d. Earning of college credit by all eligible students
 1083 enrolled in the school in dual enrollment programs under s.
 1084 1007.271;

1085 e. Earning of an industry certification, as determined by
 1086 the Agency for Workforce Innovation under s. 1003.492(2) in a
 1087 career and professional academy, as described in s. 1003.493;

1088 f. The aggregate scores of all eligible students enrolled
 1089 in the school in reading, mathematics, and other subjects as
 1090 measured by the SAT, the ACT, and the common placement test for
 1091 postsecondary readiness;

1092 g. The high school graduation rate of all eligible at-risk

1093 students enrolled in the school who scored at Level 2 or lower
 1094 on the grade 8 FCAT Reading and Mathematics examinations;

1095 h. The performance of the school's students on statewide
 1096 standardized end-of-course assessments administered under s.
 1097 1008.22; and

1098 i. The growth or decline in the data components listed in
 1099 sub-subparagraphs a.-h. from year to year.

1100
 1101 The State Board of Education shall adopt appropriate criteria
 1102 for each school grade. The criteria must also give added weight
 1103 to student achievement in reading. Schools designated with a
 1104 grade of "C," making satisfactory progress, shall be required to
 1105 demonstrate that adequate progress has been made by students in
 1106 the school who are in the lowest 25th percentile in reading,
 1107 mathematics, or writing on the FCAT, unless these students are
 1108 exhibiting satisfactory performance. Beginning with the 2009-
 1109 2010 school year for schools comprised of high school grades 9,
 1110 10, 11, and 12, or grades 10, 11, and 12, the criteria for
 1111 school grades must also give added weight to the graduation rate
 1112 of all eligible at-risk students, as defined in this paragraph.
 1113 Beginning in the 2009-2010 school year, in order for a high
 1114 school to be designated as having a grade of "A," making
 1115 excellent progress, the school must demonstrate that at-risk
 1116 students, as defined in this paragraph, in the school are making
 1117 adequate progress.

1118 Section 15. Subsection (1) and paragraph (a) of subsection
 1119 (2) of section 1003.428, Florida Statutes, are amended to read:
 1120 1003.428 General requirements for high school graduation;

1121 revised.--

1122 (1) Except as otherwise authorized pursuant to s.

1123 1003.429, beginning with students entering grade 9 ~~their first~~

1124 ~~year of high school~~ in the 2007-2008 school year, graduation

1125 requires the successful completion of a minimum of 24 credits,

1126 an International Baccalaureate curriculum, or an Advanced

1127 International Certificate of Education curriculum. Students must

1128 be advised of eligibility requirements for state scholarship

1129 programs and postsecondary admissions.

1130 (2) The 24 credits may be earned through applied,

1131 integrated, and combined courses approved by the Department of

1132 Education and shall be distributed as follows:

1133 (a) Sixteen core curriculum credits:

1134 1. Four credits in English, with major concentration in

1135 composition, reading for information, and literature.

1136 2. Four credits in mathematics, one of which must be

1137 Algebra I, a series of courses equivalent to Algebra I, or a

1138 higher-level mathematics course. School districts are encouraged

1139 to set specific goals to increase enrollments in, and successful

1140 completion of, geometry and Algebra II.

1141 3. Three credits in science, two of which must have a

1142 laboratory component. Beginning with students entering grade 9

1143 in the 2010-2011 school year, one of the three credits in

1144 science must be Biology I or a series of courses that have been

1145 approved by the State Board of Education as equivalent to

1146 Biology I.

1147 4. Three credits in social studies as follows: one credit

1148 in American history; one credit in world history; one-half

1149 credit in economics; and one-half credit in American government.

1150 5. One credit in fine or performing arts, speech and
 1151 debate, or a practical arts course that incorporates artistic
 1152 content and techniques of creativity, interpretation, and
 1153 imagination. Eligible practical arts courses shall be identified
 1154 through the Course Code Directory.

1155 6. One credit in physical education to include integration
 1156 of health. Participation in an interscholastic sport at the
 1157 junior varsity or varsity level for two full seasons shall
 1158 satisfy the one-credit requirement in physical education if the
 1159 student passes a competency test on personal fitness with a
 1160 score of "C" or better. The competency test on personal fitness
 1161 must be developed by the Department of Education. A district
 1162 school board may not require that the one credit in physical
 1163 education be taken during the 9th grade year. Completion of one
 1164 semester with a grade of "C" or better in a marching band class,
 1165 in a physical activity class that requires participation in
 1166 marching band activities as an extracurricular activity, or in a
 1167 dance class shall satisfy one-half credit in physical education
 1168 or one-half credit in performing arts. This credit may not be
 1169 used to satisfy the personal fitness requirement or the
 1170 requirement for adaptive physical education under an individual
 1171 education plan (IEP) or 504 plan. Completion of 2 years in a
 1172 Reserve Officer Training Corps (R.O.T.C.) class, a significant
 1173 component of which is drills, shall satisfy the one-credit
 1174 requirement in physical education and the one-credit requirement
 1175 in performing arts. This credit may not be used to satisfy the
 1176 personal fitness requirement or the requirement for adaptive

1177 physical education under an individual education plan (IEP) or
 1178 504 plan.

1179 Section 16. Subsection (1) of section 1003.429, Florida
 1180 Statutes, is amended to read:

1181 1003.429 Accelerated high school graduation options.--

1182 (1) Students who enter grade 9 in the 2006-2007 school
 1183 year and thereafter may select, upon receipt of each consent
 1184 required by this section, one of the following three high school
 1185 graduation options:

1186 (a) Completion of the general requirements for high school
 1187 graduation pursuant to s. 1003.43;

1188 (b) Completion of a 3-year standard college preparatory
 1189 program requiring successful completion of a minimum of 18
 1190 academic credits in grades 9 through 12. At least 6 of the 18
 1191 credits required for completion of this program must be received
 1192 in classes that are offered pursuant to the International
 1193 Baccalaureate Program, the Advanced Placement Program, dual
 1194 enrollment, Advanced International Certificate of Education, or
 1195 specifically listed or identified by the Department of Education
 1196 as rigorous pursuant to s. 1009.531(3). The 18 credits required
 1197 for completion of this program shall be primary requirements and
 1198 shall be distributed as follows:

1199 1. Four credits in English, with major concentration in
 1200 composition and literature;

1201 2. Three credits in mathematics at the Algebra I level or
 1202 higher from the list of courses that qualify for state
 1203 university admission;

1204 3. Three credits in natural science, two of which must

1205 have a laboratory component. Beginning with students entering
 1206 grade 9 in the 2010-2011 school year, one of the three credits
 1207 in science must be Biology I or a series of courses that have
 1208 been approved by the State Board of Education as equivalent to
 1209 Biology I;

1210 4. Three credits in social sciences, which must include
 1211 one credit in American history, one credit in world history,
 1212 one-half credit in American government, and one-half credit in
 1213 economics;

1214 5. Two credits in the same second language unless the
 1215 student is a native speaker of or can otherwise demonstrate
 1216 competency in a language other than English. If the student
 1217 demonstrates competency in another language, the student may
 1218 replace the language requirement with two credits in other
 1219 academic courses; and

1220 6. Three credits in electives; or

1221 (c) Completion of a 3-year career preparatory program
 1222 requiring successful completion of a minimum of 18 academic
 1223 credits in grades 9 through 12. The 18 credits shall be primary
 1224 requirements and shall be distributed as follows:

1225 1. Four credits in English, with major concentration in
 1226 composition and literature;

1227 2. Three credits in mathematics, one of which must be
 1228 Algebra I;

1229 3. Three credits in natural science, two of which must
 1230 have a laboratory component. Beginning with students entering
 1231 grade 9 in the 2010-2011 school year, one of the three credits
 1232 in science must be Biology I or a series of courses that have

1233 been approved by the State Board of Education as equivalent to
 1234 Biology I;

1235 4. Three credits in social sciences, which must include
 1236 one credit in American history, one credit in world history,
 1237 one-half credit in American government, and one-half credit in
 1238 economics;

1239 5. Three credits in a single vocational or career
 1240 education program, three credits in career and technical
 1241 certificate dual enrollment courses, or five credits in
 1242 vocational or career education courses; and

1243 6. Two credits in electives unless five credits are earned
 1244 pursuant to subparagraph 5.

1245
 1246 Any student who selected an accelerated graduation program
 1247 before July 1, 2004, may continue that program, and all
 1248 statutory program requirements that were applicable when the
 1249 student made the program choice shall remain applicable to the
 1250 student as long as the student continues that program.

1251 Section 17. Paragraph (c) of subsection (3) of section
 1252 1008.22, Florida Statutes, is amended to read:

1253 1008.22 Student assessment program for public schools.--

1254 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
 1255 design and implement a statewide program of educational
 1256 assessment that provides information for the improvement of the
 1257 operation and management of the public schools, including
 1258 schools operating for the purpose of providing educational
 1259 services to youth in Department of Juvenile Justice programs.
 1260 The commissioner may enter into contracts for the continued

1261 administration of the assessment, testing, and evaluation
1262 programs authorized and funded by the Legislature. Contracts may
1263 be initiated in 1 fiscal year and continue into the next and may
1264 be paid from the appropriations of either or both fiscal years.
1265 The commissioner is authorized to negotiate for the sale or
1266 lease of tests, scoring protocols, test scoring services, and
1267 related materials developed pursuant to law. Pursuant to the
1268 statewide assessment program, the commissioner shall:

1269 (c) Develop and implement a student achievement testing
1270 program known as the Florida Comprehensive Assessment Test
1271 (FCAT) as part of the statewide assessment program to measure a
1272 student's content knowledge and skills in reading, writing,
1273 science, and mathematics. Other content areas may be included as
1274 directed by the commissioner. Comprehensive assessments of
1275 reading and mathematics shall be administered annually in grades
1276 3 through 10. Comprehensive assessments of writing and science
1277 shall be administered at least once at the elementary, middle,
1278 and high school levels. During the 2010-2011 school year, an
1279 end-of-course assessment in biology shall be administered as a
1280 field test at the high school level. Beginning with the 2011-
1281 2012 school year, the end-of-course assessment in biology shall
1282 replace the comprehensive assessment of science administered at
1283 the high school level. During the 2011-2012 school year, each
1284 student's performance on the end-of-course assessment in biology
1285 shall constitute 30 percent of the student's final course grade.
1286 Beginning with the 2012-2013 school year, a student must earn a
1287 passing score on the end-of-course assessment in biology in
1288 order to pass the course and receive course credit. End-of-

1289 course assessments for a subject may be administered in addition
1290 to the comprehensive assessments required for that subject under
1291 this paragraph. An end-of-course assessment must be rigorous,
1292 statewide, standardized, and developed or approved by the
1293 department. The content knowledge and skills assessed by
1294 comprehensive and end-of-course assessments must be aligned to
1295 the core curricular content established in the Sunshine State
1296 Standards. The commissioner may select one or more nationally
1297 developed comprehensive examinations, which may include, but
1298 need not be limited to, examinations for a College Board
1299 Advanced Placement course, International Baccalaureate course,
1300 or Advanced International Certificate of Education course or
1301 industry-approved examinations to earn national industry
1302 certifications as defined in s. 1003.492, for use as end-of-
1303 course assessments under this paragraph, if the commissioner
1304 determines that the content knowledge and skills assessed by the
1305 examinations meet or exceed the grade level expectations for the
1306 core curricular content established for the course in the Next
1307 Generation Sunshine State Standards. The commissioner may
1308 collaborate with the American Diploma Project in the adoption or
1309 development of rigorous end-of-course assessments that are
1310 aligned to the Next Generation Sunshine State Standards. The
1311 testing program must be designed as follows:

1312 1. The tests shall measure student skills and competencies
1313 adopted by the State Board of Education as specified in
1314 paragraph (a). The tests must measure and report student
1315 proficiency levels of all students assessed in reading, writing,
1316 mathematics, and science. The commissioner shall provide for the

1317 tests to be developed or obtained, as appropriate, through
1318 contracts and project agreements with private vendors, public
1319 vendors, public agencies, postsecondary educational
1320 institutions, or school districts. The commissioner shall obtain
1321 input with respect to the design and implementation of the
1322 testing program from state educators, assistive technology
1323 experts, and the public.

1324 2. The testing program shall be composed of criterion-
1325 referenced tests that shall, to the extent determined by the
1326 commissioner, include test items that require the student to
1327 produce information or perform tasks in such a way that the core
1328 content knowledge and skills he or she uses can be measured.

1329 3. Beginning with the 2008-2009 school year, the
1330 commissioner shall discontinue administration of the selected-
1331 response test items on the comprehensive assessments of writing.
1332 Beginning with the 2012-2013 school year, the comprehensive
1333 assessments of writing shall be composed of a combination of
1334 selected-response test items, short-response performance tasks,
1335 and extended-response performance tasks, which shall measure a
1336 student's content knowledge of writing, including, but not
1337 limited to, paragraph and sentence structure, sentence
1338 construction, grammar and usage, punctuation, capitalization,
1339 spelling, parts of speech, verb tense, irregular verbs, subject-
1340 verb agreement, and noun-pronoun agreement.

1341 4. A score shall be designated for each subject area
1342 tested, below which score a student's performance is deemed
1343 inadequate. The school districts shall provide appropriate
1344 remedial instruction to students who score below these levels.

1345 5. Except as provided in s. 1003.428(8)(b) or s.
1346 1003.43(11)(b), students must earn a passing score on the grade
1347 10 assessment test described in this paragraph or attain
1348 concordant scores as described in subsection (10) in reading,
1349 writing, and mathematics to qualify for a standard high school
1350 diploma. The State Board of Education shall designate a passing
1351 score for each part of the grade 10 assessment test and the end-
1352 of-course assessment in biology. In establishing passing scores,
1353 the state board shall consider any possible negative impact of
1354 the test on minority students. The State Board of Education
1355 shall adopt rules which specify the passing scores for each part
1356 of the grade 10 assessment test and the end-of-course assessment
1357 in biology ~~FCAT~~. Any such rules, which have the effect of
1358 raising the required passing scores, shall apply only to
1359 students taking the assessment ~~grade 10 FCAT~~ for the first time
1360 after such rules are adopted by the State Board of Education.

1361 6. Participation in the testing program is mandatory for
1362 all students attending public school, including students served
1363 in Department of Juvenile Justice programs, except as otherwise
1364 prescribed by the commissioner. If a student does not
1365 participate in the statewide assessment, the district must
1366 notify the student's parent and provide the parent with
1367 information regarding the implications of such nonparticipation.
1368 A parent must provide signed consent for a student to receive
1369 classroom instructional accommodations that would not be
1370 available or permitted on the statewide assessments and must
1371 acknowledge in writing that he or she understands the
1372 implications of such instructional accommodations. The State

1373 Board of Education shall adopt rules, based upon recommendations
 1374 of the commissioner, for the provision of test accommodations
 1375 for students in exceptional education programs and for students
 1376 who have limited English proficiency. Accommodations that negate
 1377 the validity of a statewide assessment are not allowable in the
 1378 administration of the FCAT. However, instructional
 1379 accommodations are allowable in the classroom if included in a
 1380 student's individual education plan. Students using
 1381 instructional accommodations in the classroom that are not
 1382 allowable as accommodations on the FCAT may have the FCAT
 1383 requirement waived pursuant to the requirements of s.
 1384 1003.428(8)(b) or s. 1003.43(11)(b).

1385 7. A student seeking an adult high school diploma must
 1386 meet the same testing requirements that a regular high school
 1387 student must meet.

1388 8. District school boards must provide instruction to
 1389 prepare students to demonstrate proficiency in the core
 1390 curricular content established in the Next Generation Sunshine
 1391 State Standards adopted under s. 1003.41, including the core
 1392 content knowledge and skills necessary for successful grade-to-
 1393 grade progression and high school graduation. If a student is
 1394 provided with instructional accommodations in the classroom that
 1395 are not allowable as accommodations in the statewide assessment
 1396 program, as described in the test manuals, the district must
 1397 inform the parent in writing and must provide the parent with
 1398 information regarding the impact on the student's ability to
 1399 meet expected proficiency levels in reading, writing, and
 1400 mathematics. The commissioner shall conduct studies as necessary

1401 to verify that the required core curricular content is part of
1402 the district instructional programs.

1403 9. District school boards must provide opportunities for
1404 students to demonstrate an acceptable level of performance on an
1405 alternative standardized assessment approved by the State Board
1406 of Education following enrollment in summer academies.

1407 10. The Department of Education must develop, or select,
1408 and implement a common battery of assessment tools that will be
1409 used in all juvenile justice programs in the state. These tools
1410 must accurately measure the core curricular content established
1411 in the Sunshine State Standards.

1412 11. For students seeking a special diploma pursuant to s.
1413 1003.438, the Department of Education must develop or select and
1414 implement an alternate assessment tool that accurately measures
1415 the core curricular content established in the Sunshine State
1416 Standards for students with disabilities under s. 1003.438.

1417 12. The Commissioner of Education shall establish
1418 schedules for the administration of statewide assessments and
1419 the reporting of student test results. The commissioner shall,
1420 by August 1 of each year, notify each school district in writing
1421 and publish on the department's Internet website the testing and
1422 reporting schedules for, at a minimum, the school year following
1423 the upcoming school year. The testing and reporting schedules
1424 shall require that:

1425 a. There is the latest possible administration of
1426 statewide assessments and the earliest possible reporting to the
1427 school districts of student test results which is feasible
1428 within available technology and specific appropriations;

1429 however, test results must be made available no later than the
 1430 final day of the regular school year for students.

1431 b. Beginning with the 2010-2011 school year, a
 1432 comprehensive statewide assessment of writing is not
 1433 administered earlier than the week of March 1 and a
 1434 comprehensive statewide assessment of any other subject is not
 1435 administered earlier than the week of April 15.

1436 c. A statewide standardized end-of-course assessment is
 1437 administered within the last 2 weeks of the course.

1438
 1439 The commissioner may, based on collaboration and input from
 1440 school districts, design and implement student testing programs,
 1441 for any grade level and subject area, necessary to effectively
 1442 monitor educational achievement in the state, including the
 1443 measurement of educational achievement of the Sunshine State
 1444 Standards for students with disabilities. Development and
 1445 refinement of assessments shall include universal design
 1446 principles and accessibility standards that will prevent any
 1447 unintended obstacles for students with disabilities while
 1448 ensuring the validity and reliability of the test. These
 1449 principles should be applicable to all technology platforms and
 1450 assistive devices available for the assessments. The field
 1451 testing process and psychometric analyses for the statewide
 1452 assessment program must include an appropriate percentage of
 1453 students with disabilities and an evaluation or determination of
 1454 the effect of test items on such students.

1455 Section 18. Paragraphs (b) and (c) of subsection (3) of
 1456 section 1008.34, Florida Statutes, are amended to read:

1457 1008.34 School grading system; school report cards;
1458 district grade.--

1459 (3) DESIGNATION OF SCHOOL GRADES.--

1460 (b)1. A school's grade shall be based on a combination of:

1461 a. Student achievement scores, including achievement
1462 scores for students seeking a special diploma.

1463 b. Student learning gains as measured by annual FCAT
1464 assessments in grades 3 through 10; learning gains for students
1465 seeking a special diploma, as measured by an alternate
1466 assessment tool, shall be included not later than the 2009-2010
1467 school year.

1468 c. Improvement of the lowest 25th percentile of students
1469 in the school in reading, mathematics, or writing on the FCAT,
1470 unless these students are exhibiting satisfactory performance.

1471 2. Beginning with the 2009-2010 school year for schools
1472 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1473 11, and 12, 50 percent of the school grade shall be based on a
1474 combination of the factors listed in sub-subparagraphs 1.a.-c.
1475 and the remaining 50 percent on the following factors:

1476 a. The high school graduation rate of the school;

1477 b. As valid data becomes available, the performance and
1478 participation of the school's students in College Board Advanced
1479 Placement courses, International Baccalaureate courses, dual
1480 enrollment courses, and Advanced International Certificate of
1481 Education courses; and the students' achievement of industry
1482 certification, as determined by the Agency for Workforce
1483 Innovation under s. 1003.492(2) in a career and professional
1484 academy, as described in s. 1003.493;

1485 c. Postsecondary readiness of the school's students as
1486 measured by the SAT, ACT, or the common placement test;

1487 d. The high school graduation rate of at-risk students who
1488 scored at Level 2 or lower on the grade 8 FCAT Reading and
1489 Mathematics examinations;

1490 e. As valid data becomes available, the performance of the
1491 school's students on statewide standardized end-of-course
1492 assessments not required for high school graduation, which are
1493 administered under s. 1008.22; and

1494 f. The growth or decline in the components listed in sub-
1495 subparagraphs a.-e. from year to year.

1496 (c) Student assessment data used in determining school
1497 grades shall include:

1498 1. The aggregate scores of all eligible students enrolled
1499 in the school who have been assessed on the FCAT and
1500 standardized end-of-course assessments required for high school
1501 graduation, including, beginning with the 2011-2012 school year,
1502 the end-of-course assessment in biology.

1503 2. The aggregate scores of all eligible students enrolled
1504 in the school who have been assessed on the FCAT and who have
1505 scored at or in the lowest 25th percentile of students in the
1506 school in reading, mathematics, or writing, unless these
1507 students are exhibiting satisfactory performance.

1508 3. Effective with the 2005-2006 school year, the
1509 achievement scores and learning gains of eligible students
1510 attending alternative schools that provide dropout prevention
1511 and academic intervention services pursuant to s. 1003.53. The
1512 term "eligible students" in this subparagraph does not include

1513 students attending an alternative school who are subject to
1514 district school board policies for expulsion for repeated or
1515 serious offenses, who are in dropout retrieval programs serving
1516 students who have officially been designated as dropouts, or who
1517 are in programs operated or contracted by the Department of
1518 Juvenile Justice. The student performance data for eligible
1519 students identified in this subparagraph shall be included in
1520 the calculation of the home school's grade. As used in this
1521 section and s. 1008.341, the term "home school" means the school
1522 to which the student would be assigned if the student were not
1523 assigned to an alternative school. If an alternative school
1524 chooses to be graded under this section, student performance
1525 data for eligible students identified in this subparagraph shall
1526 not be included in the home school's grade but shall be included
1527 only in the calculation of the alternative school's grade. A
1528 school district that fails to assign the FCAT scores of each of
1529 its students to his or her home school or to the alternative
1530 school that receives a grade shall forfeit Florida School
1531 Recognition Program funds for 1 fiscal year. School districts
1532 must require collaboration between the home school and the
1533 alternative school in order to promote student success. This
1534 collaboration must include an annual discussion between the
1535 principal of the alternative school and the principal of each
1536 student's home school concerning the most appropriate school
1537 assignment of the student.

1538 4. Beginning with the 2009-2010 school year for schools
1539 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1540 11, and 12, the data listed in subparagraphs 1.-3. and the

1541 following data as the Department of Education determines such
1542 data are valid and available:

1543 a. The high school graduation rate of the school as
1544 calculated by the Department of Education;

1545 b. The participation rate of all eligible students
1546 enrolled in the school and enrolled in College Board Advanced
1547 Placement courses; International Baccalaureate courses; dual
1548 enrollment courses; Advanced International Certificate of
1549 Education courses; and courses or sequence of courses leading to
1550 industry certification, as determined by the Agency for
1551 Workforce Innovation under s. 1003.492(2) in a career and
1552 professional academy, as described in s. 1003.493;

1553 c. The aggregate scores of all eligible students enrolled
1554 in the school in College Board Advanced Placement courses,
1555 International Baccalaureate courses, and Advanced International
1556 Certificate of Education courses;

1557 d. Earning of college credit by all eligible students
1558 enrolled in the school in dual enrollment programs under s.
1559 1007.271;

1560 e. Earning of an industry certification, as determined by
1561 the Agency for Workforce Innovation under s. 1003.492(2) in a
1562 career and professional academy, as described in s. 1003.493;

1563 f. The aggregate scores of all eligible students enrolled
1564 in the school in reading, mathematics, and other subjects as
1565 measured by the SAT, the ACT, and the common placement test for
1566 postsecondary readiness;

1567 g. The high school graduation rate of all eligible at-risk
1568 students enrolled in the school who scored at Level 2 or lower

1569 on the grade 8 FCAT Reading and Mathematics examinations;
 1570 h. The performance of the school's students on statewide
 1571 standardized end-of-course assessments not required for high
 1572 school graduation, which are administered under s. 1008.22; and

1573 i. The growth or decline in the data components listed in
 1574 sub-subparagraphs a.-h. from year to year.

1575
 1576 The State Board of Education shall adopt appropriate criteria
 1577 for each school grade. The criteria must also give added weight
 1578 to student achievement in reading. Schools designated with a
 1579 grade of "C," making satisfactory progress, shall be required to
 1580 demonstrate that adequate progress has been made by students in
 1581 the school who are in the lowest 25th percentile in reading,
 1582 mathematics, or writing on the FCAT, unless these students are
 1583 exhibiting satisfactory performance. Beginning with the 2009-
 1584 2010 school year for schools comprised of high school grades 9,
 1585 10, 11, and 12, or grades 10, 11, and 12, the criteria for
 1586 school grades must also give added weight to the graduation rate
 1587 of all eligible at-risk students, as defined in this paragraph.
 1588 Beginning in the 2009-2010 school year, in order for a high
 1589 school to be designated as having a grade of "A," making
 1590 excellent progress, the school must demonstrate that at-risk
 1591 students, as defined in this paragraph, in the school are making
 1592 adequate progress.

1593 Section 19. Effective July 1, 2010, section 1003.572,
 1594 Florida Statutes, is created to read:

1595 1003.572 Gifted student education.--

1596 (1) For students in grades K through 12, each district

1597 school board shall annually:

1598 (a) Provide written notice to each student's parent of the
 1599 eligibility criteria for gifted student classification and the
 1600 procedures for requesting an evaluation of a student to
 1601 determine his or her eligibility for such classification.

1602 (b) Report to the department by school and grade level:

1603 1. The number of students classified as gifted. Such
 1604 reporting shall separately identify the number of students
 1605 classified as gifted under generally applicable criteria set
 1606 forth in State Board of Education rule and under a department-
 1607 approved school district plan for increasing the participation
 1608 of underrepresented groups.

1609 2. The types of gifted student education services that it
 1610 provides and the number of students receiving each service. Such
 1611 reporting shall:

1612 a. Separately identify gifted student education services
 1613 that provide: direct instruction to a class consisting only of
 1614 gifted students; differentiated instruction for gifted students
 1615 within a class that also includes students who are not gifted;
 1616 and noninstructional consultation services.

1617 b. Indicate the number of hours per week that each service
 1618 identified under sub-subparagraph a. is provided to each gifted
 1619 student and whether the service is provided by a teacher who has
 1620 received the gifted endorsement under State Board of Education
 1621 rule.

1622 3. Performance data for students receiving gifted student
 1623 education services.

1624

1625 When reporting the number of students under this paragraph,
 1626 district school boards shall classify students according to
 1627 race, ethnicity, limited English proficient status, and free or
 1628 reduced-price lunch eligibility status under the National School
 1629 Lunch Act.

1630 (2) The department shall develop data elements to
 1631 facilitate district school board reporting under paragraph
 1632 (1) (b) .

1633 (3) The State Board of Education shall adopt rules
 1634 pursuant to ss. 120.536(1) and 120.54 to implement this section.

1635 Section 20. Effective July 1, 2010, section 1003.573,
 1636 Florida Statutes, is created to read:

1637 1003.573 Whole-grade and subject matter acceleration.--

1638 (1) For students in grades K through 12, the department
 1639 shall develop, and district school boards shall implement,
 1640 statewide policies that set forth procedures and eligibility
 1641 criteria for whole-grade and subject matter acceleration.

1642 (2) Each district school board shall report annually to
 1643 the department by school and grade level: the number of, and
 1644 performance data for, students who were accelerated one or more
 1645 whole grades; the types of subject matter acceleration programs
 1646 offered; and the number of, and performance data for, students
 1647 who participated in subject matter acceleration programs. When
 1648 reporting the number of students, district school boards shall
 1649 classify students according to race, ethnicity, limited English
 1650 proficient status, and free or reduced-price lunch eligibility
 1651 status under the National School Lunch Act.

1652 (3) The department shall develop data elements to

1653 facilitate district school board reporting under subsection (2).

1654 (4) The State Board of Education shall adopt rules
 1655 pursuant to ss. 120.536(1) and 120.54 to implement this section.

1656 Section 21. Effective July 1, 2010, paragraph (c) of
 1657 subsection (3) of section 1004.04, Florida Statutes, is amended
 1658 to read:

1659 1004.04 Public accountability and state approval for
 1660 teacher preparation programs.--

1661 (3) DEVELOPMENT OF TEACHER PREPARATION PROGRAMS.--A system
 1662 developed by the Department of Education in collaboration with
 1663 postsecondary educational institutions shall assist departments
 1664 and colleges of education in the restructuring of their programs
 1665 in accordance with this section to meet the need for producing
 1666 quality teachers now and in the future.

1667 (c) State-approved teacher preparation programs must
 1668 incorporate:

1669 1. Appropriate English for Speakers of Other Languages
 1670 instruction so that program graduates will have completed the
 1671 requirements for teaching limited English proficient students in
 1672 Florida public schools.

1673 2. Scientifically researched, knowledge-based reading
 1674 literacy and computational skills instruction so that program
 1675 graduates will be able to provide the necessary academic
 1676 foundations for their students at whatever grade levels they
 1677 choose to teach.

1678 3. Gifted student instruction so that program graduates
 1679 will:

1680 a. Be able to recognize the characteristics of gifted

1681 students.

1682 b. Have knowledge of the eligibility criteria for gifted
1683 student classification and the procedures for referring a
1684 student for an evaluation to determine his or her eligibility
1685 for such classification.

1686 c. Have knowledge of how to differentiate the general
1687 education curriculum for gifted students.

1688 Section 22. Effective July 1, 2010, paragraph (e) of
1689 subsection (1) of section 1011.62, Florida Statutes, is amended
1690 to read:

1691 1011.62 Funds for operation of schools.--If the annual
1692 allocation from the Florida Education Finance Program to each
1693 district for operation of schools is not determined in the
1694 annual appropriations act or the substantive bill implementing
1695 the annual appropriations act, it shall be determined as
1696 follows:

1697 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
1698 OPERATION.--The following procedure shall be followed in
1699 determining the annual allocation to each district for
1700 operation:

1701 (e) Funding model for exceptional student education
1702 programs.--

1703 1.a. The funding model uses basic, at-risk, support levels
1704 IV and V for exceptional students and career Florida Education
1705 Finance Program cost factors, and a guaranteed allocation for
1706 exceptional student education programs. Exceptional education
1707 cost factors are determined by using a matrix of services to
1708 document the services that each exceptional student will

1709 receive. The nature and intensity of the services indicated on
1710 the matrix shall be consistent with the services described in
1711 each exceptional student's individual educational plan.

1712 b. In order to generate funds using one of the two
1713 weighted cost factors, a matrix of services must be completed at
1714 the time of the student's initial placement into an exceptional
1715 student education program and at least once every 3 years by
1716 personnel who have received approved training. Nothing listed in
1717 the matrix shall be construed as limiting the services a school
1718 district must provide in order to ensure that exceptional
1719 students are provided a free, appropriate public education.

1720 c. Students identified as exceptional, in accordance with
1721 chapter 6A-6, Florida Administrative Code, who do not have a
1722 matrix of services as specified in sub-subparagraph b. shall
1723 generate funds on the basis of full-time-equivalent student
1724 membership in the Florida Education Finance Program at the same
1725 funding level per student as provided for basic students.
1726 Additional funds for these exceptional students will be provided
1727 through the guaranteed allocation designated in subparagraph 2.

1728 2. For students identified as exceptional who do not have
1729 a matrix of services and students who are gifted in grades K
1730 through 8, there is created a guaranteed allocation to provide
1731 these students with a free appropriate public education, in
1732 accordance with s. 1001.42(4) (1) ~~(m)~~ and rules of the State Board
1733 of Education, which shall be allocated annually to each school
1734 district in the amount provided in the General Appropriations
1735 Act. These funds shall be in addition to the funds appropriated
1736 on the basis of FTE student membership in the Florida Education

1737 Finance Program, and the amount allocated for each school
 1738 district shall not be recalculated during the year. These funds
 1739 shall be used to provide special education and related services
 1740 for exceptional students and students who are gifted in grades K
 1741 through 8. Beginning with the 2007-2008 fiscal year, a
 1742 district's expenditure of funds from the guaranteed allocation
 1743 for students in grades 9 through 12 who are gifted may not be
 1744 greater than the amount expended during the 2006-2007 fiscal
 1745 year for gifted students in grades 9 through 12. Each district
 1746 school board in its annual financial report to the department
 1747 shall separately identify the following amounts expended from
 1748 the guaranteed allocation:

1749 a. The amount expended for students identified as
 1750 exceptional who do not have a matrix of services.

1751 b. The amount expended for gifted students in grades K
 1752 through 12 according to grade level.

1753 Section 23. Gifted and Academically Talented Student Task
 1754 Force.--

1755 (1) There is created the Gifted and Academically Talented
 1756 Student Task Force. The task force is composed of the following
 1757 seven members:

1758 (a) The chair of the State Board of Education or his or
 1759 her designee, who shall serve as chair.

1760 (b) The Commissioner of Education or his or her designee,
 1761 who shall serve as vice chair.

1762 (c) Four members who collectively have experience in
 1763 gifted and academically talented student screening,
 1764 identification, and education, one of whom shall be appointed by

1765 the Governor, one of whom shall be appointed by the President of
1766 the Senate, one of whom shall be appointed by the Speaker of the
1767 House of Representatives, and one of whom shall be appointed by
1768 the chair of the State Board of Education.

1769 (d) One member who represents an advocacy group for
1770 parents of gifted children who shall be appointed by the
1771 Governor.

1772 (2) The members of the task force shall be appointed by
1773 October 1, 2009, and shall convene the initial meeting of the
1774 task force by November 1, 2009.

1775 (3) The task force is assigned to the Department of
1776 Education for administrative purposes. Members of the task force
1777 shall serve without compensation and are not entitled to receive
1778 reimbursement for per diem and travel expenses under s. 112.061.
1779 Meetings may be held via teleconference or other electronic
1780 means. Members of the task force are subject to the Code of
1781 Ethics for Public Officers and Employees under part III of
1782 chapter 112, Florida Statutes.

1783 (4) By February 1, 2010, the task force shall submit a
1784 report to the Governor, the President of the Senate, and the
1785 Speaker of the House of Representatives that includes, but is
1786 not limited to, recommendations, based upon peer-reviewed
1787 research and the members' collective expertise, for the
1788 following:

1789 (a) Revisions to statute and rule governing eligibility
1790 criteria for gifted student classification generally and in
1791 underrepresented groups.

1792 (b) Eligibility criteria for academically talented student

1793 classification. Such criteria shall identify students who are
1794 not classified as gifted but who possess high achievement
1795 capability in one or more academic subject areas and who would
1796 benefit from participation in accelerated or differentiated
1797 curricula learning opportunities.

1798 (c) Annual screening procedures for the determination of
1799 students who should be further evaluated for identification as
1800 gifted or academically talented students. These procedures, at a
1801 minimum, shall identify:

1802 1. The most appropriate grade or grades within each of the
1803 elementary, middle, and high school levels to administer such
1804 screenings for all students.

1805 2. One or more recommended screening instruments.

1806 (d) Model gifted and academically talented student
1807 education programs. The programs must include, but are not
1808 limited to:

1809 1. Classroom-based, school-based, and district-based
1810 implementation options.

1811 2. Subject matter acceleration opportunities,
1812 differentiated curricula that address the exceptional learning
1813 needs of gifted and academically talented students, and
1814 enrichment activities that extend learning opportunities
1815 available in the classroom.

1816 (e) Procedures for annually evaluating the effectiveness
1817 of model gifted and academically talented student education
1818 programs.

1819 (f) Procedures for evaluating students participating in
1820 gifted or academically talented student education programs to

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1821 determine student performance and whether the students are
1822 benefiting from, and continue to be eligible to participate in,
1823 the programs.

1824 (5) Upon delivery of its final report and recommendations,
1825 the task force is abolished.

1826 Section 24. Except as otherwise expressly provided in this
1827 act, this act shall take effect July 1, 2009.

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