

**By** the Committee on Education Pre-K - 12; and Senators Detert, Thrasher, Wise, Gaetz, Richter, Storms, Peaden, Fasano, Negrón, and Altman

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1                                   A bill to be entitled  
2       An act relating to education accountability; amending  
3       s. 1003.413, F.S., relating to secondary school  
4       redesign, to delete obsolete provisions and to conform  
5       to changes made by the act; amending s. 1003.4156,  
6       F.S.; revising requirements for middle grades  
7       promotion; providing that successful completion of a  
8       high school level Algebra I, geometry, or Biology I  
9       course is not contingent upon a student's performance  
10      on the end-of-course assessment; requiring a student  
11      to pass the end-of-course assessment to earn high  
12      school credit for such courses; specifying information  
13      that must be provided to students as part of the  
14      personalized academic and career plan; amending s.  
15      1003.428, F.S.; revising requirements for high school  
16      graduation; requiring students entering grade 9 in  
17      specified school years to meet end-of-course  
18      assessment requirements and revised credit  
19      requirements in mathematics and science for high  
20      school graduation; requiring credit in a virtual  
21      instruction course; providing a definition for the  
22      term "virtual instruction course"; requiring district  
23      school board standards for grades in certain courses;  
24      providing for waiver of end-of-course assessment  
25      results for the purpose of receiving a course grade  
26      and credit for students with disabilities; amending s.  
27      1003.429, F.S.; revising requirements for accelerated  
28      high school graduation options; updating cross-  
29      references; requiring students entering grade 9 in

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30 specified school years to meet end-of-course  
31 assessment requirements and revised credit  
32 requirements in mathematics and science for high  
33 school graduation; requiring credit in a virtual  
34 instruction course; providing a definition for the  
35 term "virtual instruction course"; requiring district  
36 school board standards for grades in certain courses;  
37 creating s. 1003.4295, F.S.; requiring high schools to  
38 advise students of, and offer, acceleration courses;  
39 creating the Credit Acceleration Program; amending s.  
40 1003.493, F.S., relating to career and professional  
41 academies, to conform to changes made by the act;  
42 amending s. 1007.35, F.S., relating to the Florida  
43 Partnership for Minority and Underrepresented Student  
44 Achievement, to conform to changes made by the act;  
45 amending s. 1008.22, F.S.; revising the statewide  
46 student achievement testing program; requiring end-of-  
47 course assessments in mathematics and science to  
48 replace FCAT Mathematics and FCAT Science beginning  
49 with students entering grade 9 in specified school  
50 years; providing requirements for the administration  
51 of, and student performance on, statewide,  
52 standardized end-of-course assessments in mathematics  
53 and science; providing for establishment of an  
54 implementation schedule to develop and administer end-  
55 of-course assessments in certain courses; requiring  
56 evaluation and reporting of the transition to  
57 specified end-of-course assessments; requiring the use  
58 of scaled scores and student achievement levels for

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59 describing student success on assessments; requiring  
60 the State Board of Education to designate passing  
61 scores for end-of-course assessments and scores that  
62 indicate high achievement; providing requirements for  
63 retaking specified assessments; providing for waiver  
64 of end-of-course assessment requirements for students  
65 in exceptional education programs and students who  
66 have limited English proficiency; revising provisions  
67 relating to testing and reporting schedules; requiring  
68 that the Commissioner of Education consider the  
69 observance of religious and school holidays when  
70 establishing the schedules for the administration of  
71 statewide assessments; conforming provisions and  
72 cross-references; authorizing the State Board of  
73 Education to adopt concordant scores for the FCAT and  
74 equivalent scores for end-of-course assessments;  
75 deleting retake requirements for use of concordant  
76 scores; providing requirements for use of equivalent  
77 scores; amending s. 1008.25, F.S., relating to public  
78 school student progression, to conform to changes made  
79 by the act; amending s. 1008.30, F.S., relating to the  
80 common placement test, to conform to changes made by  
81 the act; amending s. 1008.34, F.S.; revising  
82 provisions that specify the basis for determining  
83 school grades to include student performance on end-  
84 of-course assessments and to conform provisions to  
85 current FCAT assessments; amending s. 1008.341, F.S.;  
86 revising provisions that specify the basis for  
87 determining an alternative school's school improvement

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88 rating to include student performance on end-of-course  
89 assessments; amending s. 1008.36, F.S.; revising  
90 provisions relating to the use of school recognition  
91 awards; providing an effective date.

92

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

94

95 Section 1. Paragraph (d) of subsection (3) and subsections  
96 (4) and (5) of section 1003.413, Florida Statutes, are amended  
97 to read:

98 1003.413 Florida Secondary School Redesign Act.—

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

103 (d) Credit recovery courses and intensive reading and  
104 mathematics intervention courses based on student performance on  
105 ~~the FCAT~~ Reading and Mathematics. These courses should be  
106 competency based and offered through innovative delivery  
107 systems, including computer-assisted instruction. School  
108 districts should use learning gains as well as other appropriate  
109 data and provide incentives to identify and reward high-  
110 performing teachers who teach credit recovery and intensive  
111 intervention courses.

112 (4) In order to support the successful implementation of  
113 this section by district school boards, the Department of  
114 Education shall:

115 ~~(a) By February 1, 2007, increase the number of approved~~  
116 ~~applied, integrated, and combined courses available to school~~

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117 ~~districts.~~

118 ~~(b) By the beginning of the 2006-2007 school year, make~~  
119 ~~available a professional development package designed to provide~~  
120 ~~the information that content area teachers need to become~~  
121 ~~proficient in applying scientifically based reading strategies~~  
122 ~~through their content areas.~~

123 (a)~~(e)~~ Share best practices for providing a complete  
124 education program to students enrolled in course recovery,  
125 credit recovery, intensive reading intervention, or intensive  
126 mathematics intervention.

127 (b)~~(d)~~ Expedite assistance and decisions and coordinate  
128 policies throughout all divisions within the department to  
129 provide school districts with support to implement this section.

130 ~~(c) Use data to provide the Legislature with an annual~~  
131 ~~longitudinal analysis of the success of this reform effort,~~  
132 ~~including the progress of 6th grade students and 9th grade~~  
133 ~~students scoring at Level 1 on FCAT Reading or FCAT Mathematics.~~

134 ~~(5) The Commissioner of Education shall create and~~  
135 ~~implement the Secondary School Improvement Award Program to~~  
136 ~~reward public secondary schools that demonstrate continuous~~  
137 ~~student academic improvement and show the greatest gains in~~  
138 ~~student academic achievement in reading and mathematics.~~

139 Section 2. Paragraph (a) of subsection (1) of section  
140 1003.4156, Florida Statutes, is amended to read:

141 1003.4156 General requirements for middle grades  
142 promotion.—

143 (1) Beginning with students entering grade 6 in the 2006-  
144 2007 school year, promotion from a school composed of middle  
145 grades 6, 7, and 8 requires that:

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146 (a) The student must successfully complete academic courses  
147 as follows:

148 1. Three middle school or higher courses in English. These  
149 courses shall emphasize literature, composition, and technical  
150 text.

151 2. Three middle school or higher courses in mathematics.  
152 Each middle school must offer at least one high school level  
153 mathematics course for which students may earn high school  
154 credit. Successful completion of a high school level Algebra I  
155 or geometry course is not contingent upon the student's  
156 performance on the end-of-course assessment required under s.  
157 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012  
158 school year, to earn high school credit for an Algebra I course,  
159 a middle school student must pass the Algebra I end-of-course  
160 assessment, and beginning with the 2012-2013 school year, to  
161 earn high school credit for a geometry course, a middle school  
162 student must pass the geometry end-of-course assessment.

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

166 4. Three middle school or higher courses in science.  
167 Successful completion of a high school level Biology I course is  
168 not contingent upon the student's performance on the end-of-  
169 course assessment required under s. 1008.22(3)(c)2.a.(II).  
170 However, beginning with the 2012-2013 school year, to earn high  
171 school credit for a Biology I course, a middle school student  
172 must pass the Biology I end-of-course assessment.

173 5. One course in career and education planning to be  
174 completed in 7th or 8th grade. The course may be taught by any

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175 member of the instructional staff; must include career  
176 exploration using Florida CHOICES ~~for the 21st Century~~ or a  
177 comparable cost-effective program; must include educational  
178 planning using the online student advising system known as  
179 Florida Academic Counseling and Tracking for Students at the  
180 Internet website FACTS.org; and shall result in the completion  
181 of a personalized academic and career plan. The required  
182 personalized academic and career plan must inform students of  
183 high school graduation requirements, high school assessment and  
184 college entrance test requirements, Florida Bright Futures  
185 Scholarship Program requirements, state university and Florida  
186 college admission requirements, and programs through which a  
187 high school student can earn college credit, including Advanced  
188 Placement, International Baccalaureate, Advanced International  
189 Certificate of Education, dual enrollment, career academy  
190 opportunities, and courses that lead to national industry  
191 certification.

192  
193 Each school must hold a parent meeting either in the evening or  
194 on a weekend to inform parents about the course curriculum and  
195 activities. Each student shall complete an electronic personal  
196 education plan that must be signed by the student; the student's  
197 instructor, guidance counselor, or academic advisor; and the  
198 student's parent. ~~By January 1, 2007,~~ The Department of  
199 Education shall develop course frameworks and professional  
200 development materials for the career exploration and education  
201 planning course. The course may be implemented as a stand-alone  
202 course or integrated into another course or courses. The  
203 Commissioner of Education shall collect longitudinal high school

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204 course enrollment data by student ethnicity in order to analyze  
205 course-taking patterns.

206 Section 3. Subsections (1) and (2), paragraph (a) of  
207 subsection (4), and paragraph (b) of subsection (8) of section  
208 1003.428, Florida Statutes, are amended to read:

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

211 (1) Except as otherwise authorized pursuant to s. 1003.429,  
212 beginning with students entering grade 9 ~~their first year of~~  
213 ~~high school~~ in the 2007-2008 school year, graduation requires  
214 the successful completion of a minimum of 24 credits, an  
215 International Baccalaureate curriculum, or an Advanced  
216 International Certificate of Education curriculum. Students must  
217 be advised of eligibility requirements for state scholarship  
218 programs and postsecondary admissions.

219 (2) The 24 credits may be earned through applied,  
220 integrated, and combined courses approved by the Department of  
221 Education. Beginning with students entering grade 9 in the 2013-  
222 2014 school year, one of the 24 credits must be earned through a  
223 virtual instruction course. For purposes of this subsection, the  
224 term "virtual instruction course" means a course of instruction  
225 provided in an interactive learning environment created through  
226 technology in which students are separated from their teachers  
227 by time or space. This requirement shall be met through a  
228 virtual instruction course that significantly integrates content  
229 aligned to appropriate state curriculum standards, as determined  
230 by the Department of Education, and for which a standardized  
231 end-of-course assessment, as approved by the department, is  
232 administered. A student who is enrolled in a full-time virtual



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233 instruction program under s. 1002.45 meets this requirement. The  
234 24 credits ~~and~~ shall be distributed as follows:

235 (a) Sixteen core curriculum credits:

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

238 2. Four credits in mathematics, one of which must be  
239 Algebra I, a series of courses equivalent to Algebra I, or a  
240 higher-level mathematics course. Beginning with students  
241 entering grade 9 in the 2010-2011 school year, in addition to  
242 the Algebra I credit requirement, one of the four credits in  
243 mathematics must be geometry or a series of courses equivalent  
244 to geometry as approved by the State Board of Education.  
245 Beginning with students entering grade 9 in the 2010-2011 school  
246 year, the end-of-course assessment requirements under s.  
247 1008.22(3)(c)2.a.(I) must be met in order for a student to earn  
248 a passing grade for the course and receive the required credit  
249 in Algebra I. Beginning with students entering grade 9 in the  
250 2011-2012 school year, the end-of-course assessment requirements  
251 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
252 to earn a passing grade for the course and receive the required  
253 credit in geometry. Beginning with students entering grade 9 in  
254 the 2012-2013 school year, in addition to the Algebra I and  
255 geometry credit requirements, one of the four credits in  
256 mathematics must be Algebra II or a series of courses equivalent  
257 to Algebra II as approved by the State Board of Education.  
258 Beginning with students entering grade 9 in the 2013-2014 school  
259 year, the end-of-course requirements under s.  
260 1008.22(3)(c)2.a.(I) must be met in order for a student to earn  
261 the required credit in Algebra II. ~~School districts are~~

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262 ~~encouraged to set specific goals to increase enrollments in, and~~  
263 ~~successful completion of, geometry and Algebra II.~~

264 3. Three credits in science, two of which must have a  
265 laboratory component. Beginning with students entering grade 9  
266 in the 2011-2012 school year, one of the three credits in  
267 science must be Biology I or a series of courses equivalent to  
268 Biology I as approved by the State Board of Education. Beginning  
269 with students entering grade 9 in the 2011-2012 school year, the  
270 end-of-course assessment requirements under s.

271 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
272 the required credit in Biology I. Beginning with students  
273 entering grade 9 in the 2013-2014 school year, one of the three  
274 credits must be Biology I or a series of courses equivalent to  
275 Biology I as approved by the State Board of Education, one  
276 credit must be chemistry or physics or a series of courses  
277 equivalent to chemistry or physics as approved by the State  
278 Board of Education, and one credit must be an equally rigorous  
279 course, as determined by the State Board of Education. Beginning  
280 with students entering grade 9 in the 2014-2015 school year, the  
281 end-of-course requirements under s. 1008.22(3)(c)2.a.(I) must be  
282 met in order for a student to earn the required credit in  
283 chemistry or physics.

284 4. Three credits in social studies as follows: one credit  
285 in United States ~~American~~ history; one credit in world history;  
286 one-half credit in economics; and one-half credit in United  
287 States ~~American~~ government.

288 5. One credit in fine or performing arts, speech and  
289 debate, or a practical arts course that incorporates artistic  
290 content and techniques of creativity, interpretation, and

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291 imagination. Eligible practical arts courses shall be identified  
292 through the Course Code Directory.

293         6. One credit in physical education to include integration  
294 of health. Participation in an interscholastic sport at the  
295 junior varsity or varsity level for two full seasons shall  
296 satisfy the one-credit requirement in physical education if the  
297 student passes a competency test on personal fitness with a  
298 score of "C" or better. The competency test on personal fitness  
299 must be developed by the Department of Education. A district  
300 school board may not require that the one credit in physical  
301 education be taken during the 9th grade year. Completion of one  
302 semester with a grade of "C" or better in a marching band class,  
303 in a physical activity class that requires participation in  
304 marching band activities as an extracurricular activity, or in a  
305 dance class shall satisfy one-half credit in physical education  
306 or one-half credit in performing arts. This credit may not be  
307 used to satisfy the personal fitness requirement or the  
308 requirement for adaptive physical education under an individual  
309 education plan (IEP) or 504 plan. Completion of 2 years in a  
310 Reserve Officer Training Corps (R.O.T.C.) class, a significant  
311 component of which is drills, shall satisfy the one-credit  
312 requirement in physical education and the one-credit requirement  
313 in performing arts. This credit may not be used to satisfy the  
314 personal fitness requirement or the requirement for adaptive  
315 physical education under an individual education plan (IEP) or  
316 504 plan.

317         (b) Eight credits in ~~majors, minors, or~~ electives.~~;~~

318         ~~1. Four credits in a major area of interest, such as~~  
319 ~~sequential courses in a career and technical program, fine and~~

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320 ~~performing arts, or academic content area, selected by the~~  
321 ~~student as part of the education plan required by s. 1003.4156.~~  
322 ~~Students may revise major areas of interest each year as part of~~  
323 ~~annual course registration processes and should update their~~  
324 ~~education plan to reflect such revisions. Annually by October 1,~~  
325 ~~the district school board shall approve major areas of interest~~  
326 ~~and submit the list of majors to the Commissioner of Education~~  
327 ~~for approval. Each major area of interest shall be deemed~~  
328 ~~approved unless specifically rejected by the commissioner within~~  
329 ~~60 days. Upon approval, each district's major areas of interest~~  
330 ~~shall be available for use by all school districts and shall be~~  
331 ~~posted on the department's website.~~

332 ~~2. Four credits in elective courses selected by the student~~  
333 ~~as part of the education plan required by s. 1003.4156. These~~  
334 ~~credits may be combined to allow for a second major area of~~  
335 ~~interest pursuant to subparagraph 1., a minor area of interest,~~  
336 ~~elective courses, or intensive reading or mathematics~~  
337 ~~intervention courses as described in this subparagraph.~~

338 ~~a. Minor areas of interest are composed of three credits~~  
339 ~~selected by the student as part of the education plan required~~  
340 ~~by s. 1003.4156 and approved by the district school board.~~

341 ~~b. Elective courses are selected by the student in order to~~  
342 ~~pursue a complete education program as described in s.~~  
343 ~~1001.41(3) and to meet eligibility requirements for~~  
344 ~~scholarships.~~

345 ~~1.e.~~ For each year in which a student scores at Level 1 on  
346 FCAT Reading, the student must be enrolled in and complete an  
347 intensive reading course the following year. Placement of Level  
348 2 readers in either an intensive reading course or a content

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349 area course in which reading strategies are delivered shall be  
350 determined by diagnosis of reading needs. The department shall  
351 provide guidance on appropriate strategies for diagnosing and  
352 meeting the varying instructional needs of students reading  
353 below grade level. Reading courses shall be designed and offered  
354 pursuant to the comprehensive reading plan required by s.  
355 1011.62(9).

356 ~~2.d.~~ For each year in which a student scores at Level 1 or  
357 Level 2 on FCAT Mathematics, the student must receive  
358 remediation the following year. These courses may be taught  
359 through applied, integrated, or combined courses and are subject  
360 to approval by the department for inclusion in the Course Code  
361 Directory.

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

364 (a) Successful completion of the academic credit or  
365 curriculum requirements of subsections (1) and (2). For courses  
366 that require statewide, standardized end-of-course assessments  
367 under s. 1008.22 and standardized end-of-course assessments  
368 under s. 1008.222, passage of the end-of-course assessment.  
369

370 Each district school board shall adopt policies designed to  
371 assist students in meeting the requirements of this subsection.  
372 These policies may include, but are not limited to: forgiveness  
373 policies, summer school or before or after school attendance,  
374 special counseling, volunteers or peer tutors, school-sponsored  
375 help sessions, homework hotlines, and study skills classes.  
376 Forgiveness policies for required courses shall be limited to  
377 replacing a grade of "D" or "F," or the equivalent of a grade of

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378 "D" or "F," with a grade of "C" or higher, or the equivalent of  
379 a grade of "C" or higher, earned subsequently in the same or  
380 comparable course. Forgiveness policies for elective courses  
381 shall be limited to replacing a grade of "D" or "F," or the  
382 equivalent of a grade of "D" or "F," with a grade of "C" or  
383 higher, or the equivalent of a grade of "C" or higher, earned  
384 subsequently in another course. The only exception to these  
385 forgiveness policies shall be made for a student in the middle  
386 grades who takes any high school course for high school credit  
387 and earns a grade of "C," "D," or "F" or the equivalent of a  
388 grade of "C," "D," or "F." In such case, the district  
389 forgiveness policy must allow the replacement of the grade with  
390 a grade of "C" or higher, or the equivalent of a grade of "C" or  
391 higher, earned subsequently in the same or comparable course. In  
392 all cases of grade forgiveness, only the new grade shall be used  
393 in the calculation of the student's grade point average. Any  
394 course grade not replaced according to a district school board  
395 forgiveness policy shall be included in the calculation of the  
396 cumulative grade point average required for graduation.

397 (8)

398 (b)1. A student with a disability, as defined in s.  
399 1007.02(2), for whom the individual education plan (IEP)  
400 committee determines that the FCAT cannot accurately measure the  
401 student's abilities taking into consideration all allowable  
402 accommodations, shall have the FCAT requirement of paragraph  
403 (4)(b) waived for the purpose of receiving a standard high  
404 school diploma, if the student:

405 a.1. Completes the minimum number of credits and other  
406 requirements prescribed by subsections (1), (2), and (3).

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407 ~~b.2.~~ Does not meet the requirements of paragraph (4) (b)  
408 after one opportunity in 10th grade and one opportunity in 11th  
409 grade.

410 2. A student with a disability, as defined in s.  
411 1007.02(2), for whom the IEP committee determines that an end-  
412 of-course assessment cannot accurately measure the student's  
413 abilities, taking into consideration all allowable  
414 accommodations and alternate assessments, shall have the end-of-  
415 course assessment results waived for the purpose of determining  
416 the student's course grade and credit as required in paragraph  
417 (4) (a). However, the student is not eligible for a standard high  
418 school diploma. The student is eligible for a special diploma.

419 Section 4. Subsections (1) and (5), paragraph (c) of  
420 subsection (7), and subsection (8) of section 1003.429, Florida  
421 Statutes, are amended to read:

422 1003.429 Accelerated high school graduation options.-

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

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

429 (b) Completion of a 3-year standard college preparatory  
430 program requiring successful completion of a minimum of 18  
431 academic credits in grades 9 through 12. At least 6 of the 18  
432 credits required for completion of this program must be received  
433 in classes that are offered pursuant to the International  
434 Baccalaureate Program, the Advanced Placement Program, dual  
435 enrollment, Advanced International Certificate of Education, or

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436 specifically listed or identified by the Department of Education  
437 as rigorous pursuant to s. 1009.531(3). Beginning with students  
438 entering grade 9 in the 2013-2014 school year, one of the 18  
439 credits must be earned through a virtual instruction course. For  
440 purposes of this paragraph, the term "virtual instruction  
441 course" means a course of instruction provided in an interactive  
442 learning environment created through technology in which  
443 students are separated from their teachers by time or space.  
444 This requirement shall be met through a virtual instruction  
445 course that significantly integrates content aligned to  
446 appropriate state curriculum standards, as determined by the  
447 Department of Education, and for which a standardized end-of-  
448 course assessment, as approved by the department, is  
449 administered. A student who is enrolled in a full-time virtual  
450 instruction program under s. 1002.45 meets this requirement. The  
451 18 credits required for completion of this program shall be  
452 primary requirements and shall be distributed as follows:

- 453 1. Four credits in English, with major concentration in  
454 composition and literature;
- 455 2. Three credits and, beginning with students entering  
456 grade 9 in the 2010-2011 school year, four credits in  
457 mathematics at the Algebra I level or higher from the list of  
458 courses that qualify for state university admission. Beginning  
459 with students entering grade 9 in the 2010-2011 school year, in  
460 addition to the Algebra I credit requirement, one of the four  
461 credits in mathematics must be geometry or a series of courses  
462 equivalent to geometry as approved by the State Board of  
463 Education. Beginning with students entering grade 9 in the 2010-  
464 2011 school year, the end-of-course assessment requirements



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465 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
466 to earn a passing grade for the course and receive the required  
467 credit in Algebra I. Beginning with students entering grade 9 in  
468 the 2011-2012 school year, the end-of-course assessment  
469 requirements under s. 1008.22(3)(c)2.a.(I) must be met in order  
470 for a student to earn a passing grade for the course and receive  
471 the required credit in geometry. Beginning with students  
472 entering grade 9 in the 2012-2013 school year, in addition to  
473 the Algebra I and geometry credit requirements, one of the four  
474 credits in mathematics must be Algebra II or a series of courses  
475 equivalent to Algebra II as approved by the State Board of  
476 Education. Beginning with students entering grade 9 in the 2013-  
477 2014 school year, the end-of-course assessment requirements  
478 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
479 to earn the required credits in Algebra II;

480 3. Three credits in ~~natural~~ science, two of which must have  
481 a laboratory component. Beginning with students entering grade 9  
482 in the 2011-2012 school year, one of the three credits in  
483 science must be Biology I or a series of courses equivalent to  
484 Biology I as approved by the State Board of Education. Beginning  
485 with students entering grade 9 in the 2011-2012 school year, the  
486 end-of-course assessment requirements under s.  
487 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
488 the required credit in Biology I. Beginning with students  
489 entering grade 9 in the 2013-2014 school year, one of the three  
490 credits must be Biology I or a series of courses equivalent to  
491 Biology I as approved by the State Board of Education, one  
492 credit must be chemistry or physics or a series of courses  
493 equivalent to chemistry or physics as approved by the State

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494 Board of Education, and one credit must be an equally rigorous  
495 course, as approved by the State Board of Education. Beginning  
496 with students entering grade 9 in the 2013-2014 school year, the  
497 end-of-course assessment requirements under s.  
498 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
499 the required credit in chemistry or physics;

500 4. Three credits in social sciences, which must include one  
501 credit in United States ~~American~~ history, one credit in world  
502 history, one-half credit in United States ~~American~~ government,  
503 and one-half credit in economics;

504 5. Two credits in the same second language unless the  
505 student is a native speaker of or can otherwise demonstrate  
506 competency in a language other than English. If the student  
507 demonstrates competency in another language, the student may  
508 replace the language requirement with two credits in other  
509 academic courses; and

510 6. Three credits in electives and, beginning with students  
511 entering grade 9 in the 2010-2011 school year, two credits in  
512 electives; or

513 (c) Completion of a 3-year career preparatory program  
514 requiring successful completion of a minimum of 18 academic  
515 credits in grades 9 through 12. Beginning with students entering  
516 grade 9 in the 2013-2014 school year, one of the 18 credits must  
517 be earned through a virtual instruction course. For purposes of  
518 this paragraph, the term "virtual instruction course" means a  
519 course of instruction provided in an interactive learning  
520 environment created through technology in which students are  
521 separated from their teachers by time or space. This requirement  
522 shall be met through a virtual instruction course that

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523 significantly integrates content aligned to appropriate state  
524 curriculum standards, as determined by the Department of  
525 Education, and for which a standardized end-of-course  
526 assessment, as approved by the department, is administered. A  
527 student who is enrolled in a full-time virtual instruction  
528 program under s. 1002.45 meets this requirement. The 18 credits  
529 shall be primary requirements and shall be distributed as  
530 follows:

- 531 1. Four credits in English, with major concentration in  
532 composition and literature;
- 533 2. Three credits and, beginning with students entering  
534 grade 9 in the 2010-2011 school year, four credits in  
535 mathematics, one of which must be Algebra I. Beginning with  
536 students entering grade 9 in the 2010-2011 school year, in  
537 addition to the Algebra I credit requirement, one of the four  
538 credits in mathematics must be geometry or a series of courses  
539 equivalent to geometry as approved by the State Board of  
540 Education. Beginning with students entering grade 9 in the 2010-  
541 2011 school year, the end-of-course assessment requirements  
542 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
543 to earn a passing grade for the course and receive the required  
544 credit in Algebra I. Beginning with students entering grade 9 in  
545 the 2011-2012 school year, the end-of-course assessment  
546 requirements under s. 1008.22(3)(c)2.a.(I) must be met in order  
547 for a student to earn a passing grade for the course and receive  
548 the required credit in geometry. Beginning with students  
549 entering grade 9 in the 2012-2013 school year, in addition to  
550 the Algebra I and geometry credit requirements, one of the four  
551 credits in mathematics must be Algebra II or a series of courses

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552 equivalent to Algebra II as approved by the State Board of  
553 Education. Beginning with students entering grade 9 in the 2013-  
554 2014 school year, the end-of-course assessment requirements  
555 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
556 to earn the required credits in Algebra II;

557       3. Three credits in ~~natural~~ science, two of which must have  
558 a laboratory component. Beginning with students entering grade 9  
559 in the 2011-2012 school year, one of the three credits in  
560 science must be Biology I or a series of courses equivalent to  
561 Biology I as approved by the State Board of Education. Beginning  
562 with students entering grade 9 in the 2011-2012 school year, the  
563 end-of-course assessment requirements under s.  
564 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
565 the required credit in Biology I. Beginning with students  
566 entering grade 9 in the 2013-2014 school year, one of the three  
567 credits must be Biology I or a series of courses equivalent to  
568 Biology I as approved by the State Board of Education, one  
569 credit must be chemistry or physics or a series of courses  
570 equivalent to chemistry or physics as approved by the State  
571 Board of Education, and one credit must be an equally rigorous  
572 course, as approved by the State Board of Education. Beginning  
573 with students entering grade 9 in the 2013-2014 school year, the  
574 end-of-course assessment requirements under s.  
575 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
576 the required credit in chemistry or physics;

577       4. Three credits in social sciences, which must include one  
578 credit in United States ~~American~~ history, one credit in world  
579 history, one-half credit in United States ~~American~~ government,  
580 and one-half credit in economics;

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581 5. Three credits in a single vocational or career education  
582 program, three credits in career and technical certificate dual  
583 enrollment courses, or five credits in vocational or career  
584 education courses; and

585 6. Two credits and, beginning with students entering grade  
586 9 in the 2010-2011 school year, one credit in electives unless  
587 five credits are earned pursuant to subparagraph 5.

588  
589 Any student who selected an accelerated graduation program  
590 before July 1, 2004, may continue that program, and all  
591 statutory program requirements that were applicable when the  
592 student made the program choice shall remain applicable to the  
593 student as long as the student continues that program.

594 (5) District school boards may not establish requirements  
595 for accelerated 3-year high school graduation options in excess  
596 of the requirements in paragraphs (1)(b) and (c). For courses  
597 that require statewide, standardized end-of-course assessments  
598 under s. 1008.22 and standardized end-of-course assessments  
599 under s. 1008.222, passage of the end-of-course assessment.  
600 Students enrolled in the accelerated high school graduation  
601 option are eligible to participate in the Credit Acceleration  
602 Program pursuant to s. 1003.4295(3).

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

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

609 (8) A student who selected one of the accelerated 3-year

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610 graduation options shall automatically move to the 4-year  
611 program set forth in s. 1003.428 or s. 1003.43, if applicable,  
612 if the student:

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

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

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

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

621 Section 5. Section 1003.4295, Florida Statutes, is created  
622 to read:

623 1003.4295 Acceleration courses.-

624 (1) Each high school shall advise each student of programs  
625 through which a high school student can earn college credit,  
626 including Advanced Placement, International Baccalaureate,  
627 Advanced International Certificate of Education, dual enrollment  
628 courses, career academy courses, and courses that lead to  
629 national industry certification, as well as the availability of  
630 course offerings through virtual instruction.

631 (2) Beginning with the 2011-2012 school year, each high  
632 school shall offer an International Baccalaureate Program, an  
633 Advanced International Certificate of Education Program, or a  
634 combination of at least four courses in dual enrollment or  
635 Advanced Placement, including one course each in English,  
636 mathematics, science, and social studies. To meet this  
637 requirement, school districts may provide courses through  
638 virtual instruction, if the virtual course significantly

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639 integrates postsecondary level content for which a student may  
640 earn college credit, as determined by the Department of  
641 Education, and for which a standardized end-of-course  
642 assessment, as approved by the department, is administered.

643 (3) The Credit Acceleration Program (CAP) is created for  
644 the purpose of allowing a secondary student to earn high school  
645 credit in a course that requires a statewide, standardized end-  
646 of-course assessment under s. 1008.22(3)(c) or a standardized  
647 end-of-course assessment under s. 1008.222, if the student  
648 attains a specified score on the assessment. Notwithstanding s.  
649 1003.436, a school district shall award course credit to a  
650 student who is not enrolled in the course, or who has not  
651 completed the course, if the student attains a score indicating  
652 satisfactory performance, as defined in s. 1008.22(3)(c)5., on  
653 the corresponding standardized end-of-course assessment. The  
654 school district shall permit a student who is not enrolled in  
655 the course, or who has not completed the course, to take the  
656 standardized end-of-course assessment during the regular  
657 administration of the assessment.

658 Section 6. Paragraph (k) of subsection (4) of section  
659 1003.493, Florida Statutes, is amended to read:

660 1003.493 Career and professional academies.—

661 (4) Each career and professional academy must:

662 (k) Include an evaluation plan developed jointly with the  
663 Department of Education and the local workforce board. The  
664 evaluation plan must include an assessment tool based on  
665 national industry standards, such as the Career Academy National  
666 Standards of Practice, and outcome measures, including, but not  
667 limited to, achievement of national industry certifications

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668 identified in the Industry Certified Funding List, pursuant to  
669 rules adopted by the State Board of Education, graduation rates,  
670 enrollment in postsecondary education, business and industry  
671 satisfaction, employment and earnings, awards of postsecondary  
672 credit and scholarships, and ~~student FCAT~~ achievement levels and  
673 learning gains on statewide assessments administered under s.  
674 1008.22(3)(c) and standardized assessments administered under s.  
675 1008.222. The Department of Education shall use Workforce  
676 Florida, Inc., and Enterprise Florida, Inc., in identifying  
677 industry experts to participate in developing and implementing  
678 such assessments.

679 Section 7. Paragraph (c) of subsection (6) of section  
680 1007.35, Florida Statutes, is amended to read:

681 1007.35 Florida Partnership for Minority and  
682 Underrepresented Student Achievement.—

683 (6) The partnership shall:

684 (c) Provide teacher training and materials that are aligned  
685 with the Next Generation Sunshine State Standards and are  
686 consistent with best theory and practice regarding multiple  
687 learning styles and research on learning, instructional  
688 strategies, instructional design, and classroom assessment.  
689 Curriculum materials must be based on current, accepted, and  
690 essential academic knowledge. ~~Materials for prerequisite courses~~  
691 ~~should, at a minimum, address the skills assessed on the Florida~~  
692 ~~Comprehensive Assessment Test (FCAT).~~

693 Section 8. Paragraph (c) of subsection (3) and subsections  
694 (6), (9), (10), (11), and (12) of section 1008.22, Florida  
695 Statutes, are amended to read:

696 1008.22 Student assessment program for public schools.—



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697 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
698 design and implement a statewide program of educational  
699 assessment that provides information for the improvement of the  
700 operation and management of the public schools, including  
701 schools operating for the purpose of providing educational  
702 services to youth in Department of Juvenile Justice programs.  
703 The commissioner may enter into contracts for the continued  
704 administration of the assessment, testing, and evaluation  
705 programs authorized and funded by the Legislature. Contracts may  
706 be initiated in 1 fiscal year and continue into the next and may  
707 be paid from the appropriations of either or both fiscal years.  
708 The commissioner is authorized to negotiate for the sale or  
709 lease of tests, scoring protocols, test scoring services, and  
710 related materials developed pursuant to law. Pursuant to the  
711 statewide assessment program, the commissioner shall:

712 (c) Develop and implement a student achievement testing  
713 program as follows: ~~known as~~

714 1. The Florida Comprehensive Assessment Test (FCAT)  
715 measures as part of the statewide assessment program to measure  
716 a student's content knowledge and skills in reading, writing,  
717 science, and mathematics. The content knowledge and skills  
718 assessed by the FCAT must be aligned to the core curricular  
719 content established in the Next Generation Sunshine State  
720 Standards. Other content areas may be included as directed by  
721 the commissioner. Comprehensive assessments of reading and  
722 mathematics shall be administered annually in grades 3 through  
723 10 except, beginning with the 2010-2011 school year, the  
724 administration of grade 9 FCAT Mathematics shall be  
725 discontinued, and beginning with the 2011-2012 school year, the

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726 administration of grade 10 FCAT Mathematics shall be  
727 discontinued, except as required for students who have not  
728 attained minimum performance expectations for graduation as  
729 provided in paragraph (9) (c). FCAT ~~Comprehensive assessments of~~  
730 Writing and FCAT Science shall be administered at least once at  
731 the elementary, middle, and high school levels except, beginning  
732 with the 2011-2012 school year, the administration of FCAT  
733 Science at the high school level shall be discontinued.

734 2.a. End-of-course assessments for a subject shall ~~may~~ be  
735 administered in addition to the comprehensive assessments  
736 required ~~for that subject~~ under subparagraph 1. this paragraph.  
737 An End-of-course assessments ~~assessment~~ must be rigorous,  
738 statewide, standardized, and developed or approved by the  
739 department. The content knowledge and skills assessed by  
740 ~~comprehensive and~~ end-of-course assessments must be aligned to  
741 the core curricular content established in the Next Generation  
742 Sunshine State Standards.

743 (I) Statewide, standardized end-of-course assessments in  
744 mathematics shall be administered according to this sub-sub-  
745 subparagraph. Beginning with the 2010-2011 school year, all  
746 students enrolled in Algebra I or an equivalent course must take  
747 the Algebra I end-of-course assessment. Students who earned high  
748 school credit in Algebra I while in grades 6 through 8 during  
749 the 2007-2008 through 2009-2010 school years and who have not  
750 taken Grade 10 FCAT Mathematics must take the Algebra I end-of-  
751 course assessment during the 2010-2011 school year. For students  
752 entering grade 9 during the 2010-2011 school year and who are  
753 enrolled in Algebra I or an equivalent, each student's  
754 performance on the end-of-course assessment in Algebra I shall

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755 constitute 30 percent of the student's final course grade.  
756 Beginning with students entering grade 9 in the 2011-2012 school  
757 year, a student who is enrolled in Algebra I or an equivalent  
758 must earn a passing score on the end-of-course assessment in  
759 Algebra I or attain an equivalent score as described in  
760 subsection (11) in order to pass the course and earn course  
761 credit. Beginning with the 2011-2012 school year, all students  
762 enrolled in geometry or an equivalent course must take the  
763 geometry end-of-course assessment. For students entering grade 9  
764 during the 2011-2012 school year, each student's performance on  
765 the end-of-course assessment in geometry shall constitute 30  
766 percent of the student's final course grade. Beginning with  
767 students entering grade 9 during the 2012-2013 school year, a  
768 student must earn a passing score on the end-of-course  
769 assessment in geometry or attain an equivalent score as  
770 described in subsection (11) in order to pass the course and  
771 earn course credit. Beginning with the 2013-2014 school year,  
772 all students enrolled in Algebra II or an equivalent course must  
773 take the Algebra II end-of-course assessment. For students  
774 entering grade 9 in the 2013-2014 school year, each student's  
775 performance on the end-of-course assessment in Algebra II shall  
776 constitute 30 percent of the student's final course grade.  
777 Beginning with students entering grade 9 in the 2014-2015 school  
778 year, a student must earn a passing score on the end-of-course  
779 assessment in Algebra II in order to pass the course and earn  
780 course credit.

781 (II) Statewide, standardized end-of-course assessments in  
782 science shall be administered according to this sub-sub-  
783 subparagraph. Beginning with the 2011-2012 school year, all

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784 students enrolled in Biology I or an equivalent course must take  
785 the Biology I end-of-course assessment. For the 2011-2012 school  
786 year, each student's performance on the end-of-course assessment  
787 in Biology I shall constitute 30 percent of the student's final  
788 course grade. Beginning with students entering grade 9 during  
789 the 2012-2013 school year, a student must earn a passing score  
790 on the end-of-course assessment in Biology I in order to pass  
791 the course and earn course credit. Beginning with the 2013-2014  
792 school year, all students enrolled in chemistry or physics or an  
793 equivalent course must take the chemistry or physics end-of-  
794 course assessment. For students entering grade 9 in the 2013-  
795 2014 school year, each student's performance on the end-of-  
796 course assessment in chemistry or physics shall constitute 30  
797 percent of the student's final course grade. Beginning with  
798 students entering grade 9 during the 2014-2015 school year, a  
799 student must earn a passing score on the end-of-course  
800 assessment in chemistry or physics in order to pass the course  
801 and earn course credit.

802 b. The commissioner may select one or more nationally  
803 developed comprehensive examinations, which may include, but  
804 need not be limited to, examinations for a College Board  
805 Advanced Placement course, International Baccalaureate course,  
806 or Advanced International Certificate of Education course, or  
807 industry-approved examinations to earn national industry  
808 certifications identified in the Industry Certified Funding  
809 List, pursuant to rules adopted by the State Board of Education  
810 ~~as defined in s. 1003.492,~~ for use as end-of-course assessments  
811 under this paragraph, if the commissioner determines that the  
812 content knowledge and skills assessed by the examinations meet

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813 or exceed the grade level expectations for the core curricular  
814 content established for the course in the Next Generation  
815 Sunshine State Standards. The commissioner may collaborate with  
816 the American Diploma Project in the adoption or development of  
817 rigorous end-of-course assessments that are aligned to the Next  
818 Generation Sunshine State Standards. ~~The testing program must be~~  
819 ~~designed as follows:~~

820 c. Contingent upon funding provided in the General  
821 Appropriations Act, including the appropriation of funds  
822 received through federal grants, the Commissioner of Education  
823 shall establish an implementation schedule for the development  
824 and administration of additional statewide, standardized end-of-  
825 course assessments in English/Language Arts II, earth/space  
826 science, United States history, and world history. Priority  
827 shall be given to the development of end-of-course assessments  
828 in English/Language Arts II. The Commissioner of Education shall  
829 evaluate the feasibility and effect of transitioning from the  
830 grade 9 and grade 10 FCAT Reading and high school level FCAT  
831 Writing to an end-of-course assessment in English/Language Arts  
832 II. The commissioner shall report the results of the evaluation  
833 to the President of the Senate and the Speaker of the House of  
834 Representatives no later than July 1, 2011.

835 ~~3.1.~~ The testing program tests shall measure student  
836 content knowledge and skills and competencies adopted by the  
837 State Board of Education as specified in paragraph (a) and. ~~The~~  
838 ~~tests must~~ measure and report student performance proficiency  
839 levels of all students assessed in reading, writing,  
840 mathematics, and science. The commissioner shall provide for the  
841 tests to be developed or obtained, as appropriate, through

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842 contracts and project agreements with private vendors, public  
843 vendors, public agencies, postsecondary educational  
844 institutions, or school districts. The commissioner shall obtain  
845 input with respect to the design and implementation of the  
846 testing program from state educators, assistive technology  
847 experts, and the public.

848 ~~4.2.~~ The testing program shall be composed of criterion-  
849 referenced tests that shall, to the extent determined by the  
850 commissioner, include test items that require the student to  
851 produce information or perform tasks in such a way that the core  
852 content knowledge and skills he or she uses can be measured.

853 ~~3. Beginning with the 2008-2009 school year, the~~  
854 ~~commissioner shall discontinue administration of the selected-~~  
855 ~~response test items on the comprehensive assessments of writing.~~  
856 ~~Beginning with the 2012-2013 school year, the comprehensive~~  
857 ~~assessments of writing shall be composed of a combination of~~  
858 ~~selected response test items, short response performance tasks,~~  
859 ~~and extended-response performance tasks, which shall measure a~~  
860 ~~student's content knowledge of writing, including, but not~~  
861 ~~limited to, paragraph and sentence structure, sentence~~  
862 ~~construction, grammar and usage, punctuation, capitalization,~~  
863 ~~spelling, parts of speech, verb tense, irregular verbs, subject-~~  
864 ~~verb agreement, and noun-pronoun agreement.~~

865 5. FCAT Reading, Mathematics, and Science and all  
866 statewide, standardized end-of-course assessments shall measure  
867 the content knowledge and skills a student has attained on the  
868 assessment by the use of scaled scores and achievement levels.  
869 Achievement levels shall range from 1 through 5, with level 1  
870 being the lowest achievement level, level 5 being the highest

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871 achievement level, and level 3 indicating satisfactory  
872 performance on an assessment. For purposes of FCAT Writing,  
873 student achievement shall be scored using a scale of 1 through 6  
874 and the score earned shall be used in calculating school grades.

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

879 ~~6.5. Except as provided in s. 1003.428(8)(b) or s.~~  
880 ~~1003.43(11)(b), students must earn a passing score on the grade~~  
881 ~~10 assessment test described in this paragraph or attain~~  
882 ~~concordant scores as described in subsection (10) in reading,~~  
883 ~~writing, and mathematics to qualify for a standard high school~~  
884 ~~diploma.~~ The State Board of Education shall, by rule, designate  
885 a passing score for each part of the grade 10 assessment test  
886 and end-of-course assessments. ~~In establishing passing scores,~~  
887 ~~the state board shall consider any possible negative impact of~~  
888 ~~the test on minority students. The State Board of Education~~  
889 ~~shall adopt rules which specify the passing scores for the grade~~  
890 ~~10 FCAT. Any rule that has such rules, which have the effect of~~  
891 ~~raising the required passing scores may, shall~~ apply only to  
892 students taking the assessment grade 10 FCAT for the first time  
893 after the rule is ~~such rules~~ are adopted by the State Board of  
894 Education. Except as otherwise provided in this subparagraph and  
895 as provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students  
896 must earn a passing score on grade 10 FCAT Reading and grade 10  
897 FCAT Mathematics or attain concordant scores as described in  
898 subsection (10) in order to qualify for a standard high school  
899 diploma.

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900       7. In addition to designating a passing score under  
901 subparagraph 6., the State Board of Education shall also  
902 designate, by rule, a score for each statewide, standardized  
903 end-of-course assessment which indicates that a student is high  
904 achieving and has the potential to meet college-readiness  
905 standards by the time the student graduates from high school.

906       ~~8.6.~~ Participation in the testing program is mandatory for  
907 all students attending public school, including students served  
908 in Department of Juvenile Justice programs, except as otherwise  
909 prescribed by the commissioner. A student who has not earned  
910 passing scores on the grade 10 FCAT as provided in subparagraph  
911 6. must participate in each retake of the assessment until the  
912 student earns passing scores or achieves scores on a  
913 standardized assessment which are concordant with passing scores  
914 pursuant to subsection (10). If a student does not participate  
915 in the statewide assessment, the district must notify the  
916 student's parent and provide the parent with information  
917 regarding the implications of such nonparticipation. A parent  
918 must provide signed consent for a student to receive classroom  
919 instructional accommodations that would not be available or  
920 permitted on the statewide assessments and must acknowledge in  
921 writing that he or she understands the implications of such  
922 instructional accommodations. The State Board of Education shall  
923 adopt rules, based upon recommendations of the commissioner, for  
924 the provision of test accommodations for students in exceptional  
925 education programs and for students who have limited English  
926 proficiency. Accommodations that negate the validity of a  
927 statewide assessment are not allowable in the administration of  
928 the FCAT or an end-of-course assessment. However, instructional



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929 accommodations are allowable in the classroom if included in a  
930 student's individual education plan. Students using  
931 instructional accommodations in the classroom that are not  
932 allowable as accommodations on the FCAT or an end-of-course  
933 assessment may have the FCAT or an end-of-course assessment  
934 requirement waived pursuant to the requirements of s.  
935 1003.428(8)(b) or s. 1003.43(11)(b).

936 9.7. A student seeking an adult high school diploma must  
937 meet the same testing requirements that a regular high school  
938 student must meet.

939 10.8. District school boards must provide instruction to  
940 prepare students ~~to demonstrate proficiency~~ in the core  
941 curricular content established in the Next Generation Sunshine  
942 State Standards adopted under s. 1003.41, including the core  
943 content knowledge and skills necessary for successful grade-to-  
944 grade progression and high school graduation. If a student is  
945 provided with instructional accommodations in the classroom that  
946 are not allowable as accommodations in the statewide assessment  
947 program, as described in the test manuals, the district must  
948 inform the parent in writing and must provide the parent with  
949 information regarding the impact on the student's ability to  
950 meet expected performance ~~proficiency~~ levels in reading,  
951 writing, ~~and~~ mathematics, and science. The commissioner shall  
952 conduct studies as necessary to verify that the required core  
953 curricular content is part of the district instructional  
954 programs.

955 11.9. District school boards must provide opportunities for  
956 students to demonstrate an acceptable performance level ~~of~~  
957 ~~performance~~ on an alternative standardized assessment approved

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958 by the State Board of Education following enrollment in summer  
959 academies.

960 ~~12.10.~~ The Department of Education must develop, or select,  
961 and implement a common battery of assessment tools that will be  
962 used in all juvenile justice programs in the state. These tools  
963 must accurately measure the core curricular content established  
964 in the Next Generation Sunshine State Standards.

965 ~~13.11.~~ For students seeking a special diploma pursuant to  
966 s. 1003.438, the Department of Education must develop or select  
967 and implement an alternate assessment tool that accurately  
968 measures the core curricular content established in the Next  
969 Generation Sunshine State Standards for students with  
970 disabilities under s. 1003.438.

971 ~~14.12.~~ The Commissioner of Education shall establish  
972 schedules for the administration of statewide assessments and  
973 the reporting of student test results. When establishing the  
974 schedules for the administration of statewide assessments, the  
975 commissioner shall consider the observance of religious and  
976 school holidays. The commissioner shall, by August 1 of each  
977 year, notify each school district in writing and publish on the  
978 department's Internet website the testing and reporting  
979 schedules for, at a minimum, the school year following the  
980 upcoming school year. The testing and reporting schedules shall  
981 require that:

982 a. There is the latest possible administration of statewide  
983 assessments and the earliest possible reporting to the school  
984 districts of student test results which is feasible within  
985 available technology and specific appropriations; however, test  
986 results for the FCAT must be made available no later than the

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987 week of June 8. Student results for end-of-course assessments  
988 must be provided no later than 1 week after the school district  
989 completes testing for each course ~~final day of the regular~~  
990 ~~school year for students.~~

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

996 c. A statewide, standardized end-of-course assessment is  
997 administered during a 3-week period at the end ~~within the last 2~~  
998 ~~weeks~~ of the course. The commissioner shall select a 3-week  
999 administration period for assessments that meets the intent of  
1000 end-of-course assessments and provides student results prior to  
1001 the end of the course. School districts shall select one testing  
1002 week within the 3-week administration period for each end-of-  
1003 course assessment. For an end-of-course assessment administered  
1004 at the end of the first semester, the commissioner shall  
1005 determine the most appropriate testing dates based on a school  
1006 district's academic calendar.

1007  
1008 The commissioner may, based on collaboration and input from  
1009 school districts, design and implement student testing programs,  
1010 for any grade level and subject area, necessary to effectively  
1011 monitor educational achievement in the state, including the  
1012 measurement of educational achievement of the Next Generation  
1013 Sunshine State Standards for students with disabilities.  
1014 Development and refinement of assessments shall include  
1015 universal design principles and accessibility standards that

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1016 will prevent any unintended obstacles for students with  
1017 disabilities while ensuring the validity and reliability of the  
1018 test. These principles should be applicable to all technology  
1019 platforms and assistive devices available for the assessments.  
1020 The field testing process and psychometric analyses for the  
1021 statewide assessment program must include an appropriate  
1022 percentage of students with disabilities and an evaluation or  
1023 determination of the effect of test items on such students.

1024 (6) SCHOOL TESTING PROGRAMS.—Each public school shall  
1025 participate in the statewide assessment program in accordance  
1026 with the testing and reporting schedules published by the  
1027 Commissioner of Education under subparagraph (3)(c) 14.12. unless  
1028 specifically exempted by state board rule based on serving a  
1029 specialized population for which standardized testing is not  
1030 appropriate. Student performance data shall be analyzed and  
1031 reported to parents, the community, and the state. Student  
1032 performance data shall be used in developing objectives of the  
1033 school improvement plan, evaluation of instructional personnel,  
1034 evaluation of administrative personnel, assignment of staff,  
1035 allocation of resources, acquisition of instructional materials  
1036 and technology, performance-based budgeting, and promotion and  
1037 assignment of students into educational programs. The analysis  
1038 of student performance data also must identify strengths and  
1039 needs in the educational program and trends over time. The  
1040 analysis must be used in conjunction with the budgetary planning  
1041 processes developed pursuant to s. 1008.385 and the development  
1042 of the programs of remediation.

1043 (9) APPLICABILITY OF TESTING STANDARDS.—

1044 (a) If the Commissioner of Education revises a statewide

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1045 assessment and the revisions require the State Board of  
1046 Education to modify the assessment's performance proficiency  
1047 levels or modify the passing scores ~~required for a standard high~~  
1048 ~~school diploma~~, until the state board adopts the modifications  
1049 by rule, the commissioner shall use calculations for scoring the  
1050 assessment which adjust student scores on the revised assessment  
1051 for statistical equivalence to student scores on the former  
1052 assessment.

1053 (b) A student must attain the passing scores on the  
1054 statewide assessment required for a standard high school diploma  
1055 or for high school course credits under sub-sub-subparagraphs  
1056 (3)(c)2.a.(I) and (II) which are in effect at the time the  
1057 student enters grade 9. If a student transfers into a high  
1058 school, the school principal shall determine, in accordance with  
1059 State Board of Education rule, whether the student must take an  
1060 end-of-course assessment in a course for which the student has  
1061 credit that was earned from the previous school ~~if the student's~~  
1062 ~~enrollment is continuous.~~

1063 (c) If the commissioner revises a statewide assessment and  
1064 the revisions require the State Board of Education to modify the  
1065 passing scores required for a standard high school diploma or  
1066 for high school course credits under sub-sub-subparagraphs  
1067 (3)(c)2.a.(I) and (II), the commissioner may, with approval of  
1068 the state board, discontinue administration of the former  
1069 assessment upon the graduation, based on normal student  
1070 progression, of students participating in the final regular  
1071 administration of the former assessment. The state board shall  
1072 adopt by rule passing scores for the revised assessment which  
1073 are statistically equivalent to passing scores on the

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1074 discontinued assessment for a student required under paragraph  
1075 (b) to attain passing scores on the discontinued assessment.

1076 (10) CONCORDANT SCORES FOR THE FCAT.—

1077 (a) The Commissioner ~~State Board~~ of Education shall analyze  
1078 the content and concordant data sets for nationally recognized  
1079 ~~widely used~~ high school achievement tests, including, but not  
1080 limited to, the PSAT, PLAN, SAT, ACT, and College Placement  
1081 Test, to assess if concordant scores for FCAT scores can be  
1082 determined for high school graduation, ~~college placement, and~~  
1083 ~~scholarship awards.~~ When ~~In cases where~~ content alignment and  
1084 concordant scores can be determined, the Commissioner of  
1085 Education shall adopt those scores as meeting the graduation  
1086 requirement in lieu of achieving the FCAT passing score and may  
1087 adopt those scores as being sufficient to achieve additional  
1088 purposes as determined by rule. Each time that test content or  
1089 scoring procedures change for the FCAT or for a high school  
1090 achievement test for which a concordant score is determined, new  
1091 concordant scores must be determined.

1092 ~~(b) In order to use a concordant subject area score~~  
1093 ~~pursuant to this subsection to satisfy the assessment~~  
1094 ~~requirement for a standard high school diploma as provided in s.~~  
1095 ~~1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must~~  
1096 ~~take each subject area of the grade 10 FCAT a total of three~~  
1097 ~~times without earning a passing score. The requirements of this~~  
1098 ~~paragraph shall not apply to a new student who enters the~~  
1099 ~~Florida public school system in grade 12, who may either achieve~~  
1100 ~~a passing score on the FCAT or use an approved subject area~~  
1101 ~~concordant score to fulfill the graduation requirement.~~

1102 (b)(e) The State Board of Education may define by rule the

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1103 allowable uses, other than to satisfy the high school graduation  
1104 requirement, for concordant scores as described in this  
1105 subsection. Such uses may include, but need not be limited to,  
1106 achieving appropriate standardized test scores required for the  
1107 awarding of Florida Bright Futures Scholarships and college  
1108 placement.

1109 (11) EQUIVALENT SCORES FOR END-OF-COURSE ASSESSMENTS.-

1110 (a) The Commissioner of Education shall analyze the content  
1111 and equivalent data sets for nationally recognized high school  
1112 achievement tests and industry certification tests under the  
1113 Industry Certification Funding List, pursuant to rules adopted  
1114 by the State Board of Education, including, but not limited to,  
1115 grade 10 FCAT Mathematics retakes until such retakes are  
1116 discontinued pursuant to subsection (9), the PSAT, the PLAN, the  
1117 SAT, the ACT, and the College Placement Test, to assess if  
1118 equivalent scores for end-of-course assessment scores can be  
1119 determined for passage of an end-of-course assessment. When  
1120 content alignment and equivalent scores can be determined, the  
1121 Commissioner of Education shall adopt those scores as meeting  
1122 the requirement to pass the end-of-course assessment and as  
1123 being sufficient to achieve additional purposes as determined by  
1124 rule. Each time that assessment content or scoring procedures  
1125 change for an end-of-course assessment or for a high school  
1126 achievement test or an industry certification test under the  
1127 Industry Certification Funding List, pursuant to rules adopted  
1128 by the State Board of Education for which an equivalent score is  
1129 determined, new equivalent scores must be determined.

1130 (b) Use of an equivalent score adopted by the State Board  
1131 of Education under paragraph (a) for purposes of grade

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1132 adjustment, grade forgiveness, or course credit recovery is  
1133 contingent upon and subject to district school board rules.

1134 (12)~~(11)~~ REPORTS.—The Department of Education shall  
1135 annually provide a report to the Governor, the President of the  
1136 Senate, and the Speaker of the House of Representatives on the  
1137 following:

1138 (a) Longitudinal performance of students in mathematics and  
1139 reading.

1140 (b) Longitudinal performance of students by grade level in  
1141 mathematics and reading.

1142 (c) Longitudinal performance regarding efforts to close the  
1143 achievement gap.

1144 (d) Other student performance data based on national norm-  
1145 referenced and criterion-referenced tests, when available, and  
1146 numbers of students who after 8th grade enroll in adult  
1147 education rather than other secondary education.

1148 (13)~~(12)~~ RULES.—The State Board of Education shall adopt  
1149 rules pursuant to ss. 120.536(1) and 120.54 to implement the  
1150 provisions of this section.

1151 Section 9. Paragraph (a) of subsection (4) of section  
1152 1008.25, Florida Statutes, is amended to read:

1153 1008.25 Public school student progression; remedial  
1154 instruction; reporting requirements.—

1155 (4) ASSESSMENT AND REMEDIATION.—

1156 (a) Each student must participate in the statewide  
1157 assessment tests required by s. 1008.22. Each student who does  
1158 not meet specific levels of performance as determined by the  
1159 district school board in FCAT reading, writing, science, and  
1160 mathematics for each grade level, or who scores below Level 3 in



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1161 FCAT reading or FCAT mathematics ~~math~~, must be provided with  
1162 additional diagnostic assessments to determine the nature of the  
1163 student's difficulty, the areas of academic need, and strategies  
1164 for appropriate intervention and instruction as described in  
1165 paragraph (b).

1166 Section 10. Subsection (3) of section 1008.30, Florida  
1167 Statutes, is amended to read:

1168 1008.30 Common placement testing for public postsecondary  
1169 education.—

1170 (3) The State Board of Education shall adopt rules that  
1171 require high schools to evaluate before the beginning of grade  
1172 12 the college readiness of each student who indicates an  
1173 interest in postsecondary education and scores at Level 2 or  
1174 Level 3 on the reading portion of the grade 10 FCAT or Level 2,  
1175 Level 3, or Level 4 on the mathematics assessments under s.  
1176 1008.22(3)(c) ~~portion of the grade 10 FCAT~~. High schools shall  
1177 perform this evaluation using results from the corresponding  
1178 component of the common placement test prescribed in this  
1179 section, or an equivalent test identified by the State Board of  
1180 Education. The Department of Education shall purchase or develop  
1181 the assessments necessary to perform the evaluations required by  
1182 this subsection and shall work with the school districts to  
1183 administer the assessments. The State Board of Education shall  
1184 establish by rule the minimum test scores a student must achieve  
1185 to demonstrate readiness. Students who demonstrate readiness by  
1186 achieving the minimum test scores established by the state board  
1187 and enroll in a community college within 2 years of achieving  
1188 such scores shall not be required to enroll in remediation  
1189 courses as a condition of acceptance to any community college.

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1190 The high school shall use the results of the test to advise the  
1191 students of any identified deficiencies and to the maximum  
1192 extent practicable provide 12th grade students access to  
1193 appropriate remedial instruction prior to high school  
1194 graduation. The remedial instruction provided under this  
1195 subsection shall be a collaborative effort between secondary and  
1196 postsecondary educational institutions. To the extent courses  
1197 are available, the Florida Virtual School may be used to provide  
1198 the remedial instruction required by this subsection.

1199 Section 11. Paragraphs (b) and (c) of subsection (3) of  
1200 section 1008.34, Florida Statutes, are amended to read:

1201 1008.34 School grading system; school report cards;  
1202 district grade.—

1203 (3) DESIGNATION OF SCHOOL GRADES.—

1204 (b)1. A school's grade shall be based on a combination of:

1205 a. Student achievement scores, including achievement on all  
1206 FCAT and end-of-course assessments administered under s.  
1207 1008.22(3)(c)1., end-of-course assessments administered under s.  
1208 1008.22(3)(c)2.a., and achievement scores for students seeking a  
1209 special diploma.

1210 b. Student learning gains in reading and mathematics as  
1211 measured by ~~annual~~ FCAT and end-of-course assessments, as  
1212 described in s. 1008.22(3)(c)1. and 2.a. in grades 3 through 10;  
1213 Learning gains for students seeking a special diploma, as  
1214 measured by an alternate assessment tool, shall be included not  
1215 later than the 2009-2010 school year.

1216 c. Improvement of the lowest 25th percentile of students in  
1217 the school in reading and, ~~mathematics, or writing~~ on the FCAT  
1218 or end-of-course assessments described in s. 1008.22(3)(c)2.a.,

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1219 unless these students are exhibiting satisfactory performance.

1220 2. Beginning with the 2009-2010 school year for schools  
1221 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
1222 11, and 12, 50 percent of the school grade shall be based on a  
1223 combination of the factors listed in sub-subparagraphs 1.a.-c.  
1224 and the remaining 50 percent on the following factors:

1225 a. The high school graduation rate of the school;

1226 b. As valid data becomes available, the performance and  
1227 participation of the school's students in College Board Advanced  
1228 Placement courses, International Baccalaureate courses, dual  
1229 enrollment courses, and Advanced International Certificate of  
1230 Education courses; and the students' achievement of national  
1231 industry certification identified in the Industry Certified  
1232 Funding List, pursuant to rules adopted by the State Board of  
1233 Education, as determined by the Agency for Workforce Innovation  
1234 under s. 1003.492(2) in a career and professional academy, as  
1235 described in s. 1003.493;

1236 c. Postsecondary readiness of the school's students as  
1237 measured by the SAT, ACT, or the common placement test;

1238 d. The high school graduation rate of at-risk students who  
1239 scored at Level 2 or lower on the grade 8 FCAT Reading and  
1240 Mathematics examinations;

1241 e. As valid data becomes available, the performance of the  
1242 school's students on statewide standardized end-of-course  
1243 assessments administered under s. 1008.22 and standardized end-  
1244 of-course assessments administered under s. 1008.22(3)(c)2.b.  
1245 and c.; and

1246 f. The growth or decline in the components listed in sub-  
1247 subparagraphs a.-e. from year to year.

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1248 (c) Student assessment data used in determining school  
1249 grades shall include:

1250 1. The aggregate scores of all eligible students enrolled  
1251 in the school who have been assessed on the FCAT and statewide,  
1252 standardized end-of-course assessments in courses required for  
1253 high school graduation, including, beginning with the 2010-2011  
1254 school year, the end-of-course assessments in Algebra I and  
1255 geometry, beginning with the 2011-2012 school year, the end-of-  
1256 course assessment in Biology, and beginning with the 2013-2014  
1257 school year, end-of-course assessments in Algebra II, chemistry,  
1258 and physics.

1259 2. The aggregate scores of all eligible students enrolled  
1260 in the school who have been assessed on the FCAT and end-of-  
1261 course assessments as described in s. 1008.22(3)(c)2.a., and who  
1262 have scored at or in the lowest 25th percentile of students in  
1263 the school in reading and, mathematics, ~~or writing,~~ unless these  
1264 students are exhibiting satisfactory performance.

1265 3. ~~Effective with the 2005-2006 school year,~~ The  
1266 achievement scores and learning gains of eligible students  
1267 attending alternative schools that provide dropout prevention  
1268 and academic intervention services pursuant to s. 1003.53. The  
1269 term "eligible students" in this subparagraph does not include  
1270 students attending an alternative school who are subject to  
1271 district school board policies for expulsion for repeated or  
1272 serious offenses, who are in dropout retrieval programs serving  
1273 students who have officially been designated as dropouts, or who  
1274 are in programs operated or contracted by the Department of  
1275 Juvenile Justice. The student performance data for eligible  
1276 students identified in this subparagraph shall be included in

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1277 the calculation of the home school's grade. As used in this  
1278 section and s. 1008.341, the term "home school" means the school  
1279 to which the student would be assigned if the student were not  
1280 assigned to an alternative school. If an alternative school  
1281 chooses to be graded under this section, student performance  
1282 data for eligible students identified in this subparagraph shall  
1283 not be included in the home school's grade but shall be included  
1284 only in the calculation of the alternative school's grade. A  
1285 school district that fails to assign the FCAT and end-of-course  
1286 assessment as described in s. 1008.22(3)(c)2.a. scores of each  
1287 of its students to his or her home school or to the alternative  
1288 school that receives a grade shall forfeit Florida School  
1289 Recognition Program funds for 1 fiscal year. School districts  
1290 must require collaboration between the home school and the  
1291 alternative school in order to promote student success. This  
1292 collaboration must include an annual discussion between the  
1293 principal of the alternative school and the principal of each  
1294 student's home school concerning the most appropriate school  
1295 assignment of the student.

1296 4. ~~Beginning with the 2009-2010 school year~~ For schools  
1297 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
1298 11, and 12, the data listed in subparagraphs 1.-3. and the  
1299 following data as the Department of Education determines such  
1300 data are valid and available:

1301 a. The high school graduation rate of the school as  
1302 calculated by the Department of Education;

1303 b. The participation rate of all eligible students enrolled  
1304 in the school and enrolled in College Board Advanced Placement  
1305 courses; International Baccalaureate courses; dual enrollment

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1306 courses; Advanced International Certificate of Education  
1307 courses; and courses or sequence of courses leading to national  
1308 industry certification identified in the Industry Certification  
1309 Funding List, pursuant to rules adopted by the State Board of  
1310 Education, ~~as determined by the Agency for Workforce Innovation~~  
1311 ~~under s. 1003.492(2) in a career and professional academy, as~~  
1312 ~~described in s. 1003.493;~~

1313 c. The aggregate scores of all eligible students enrolled  
1314 in the school in College Board Advanced Placement courses,  
1315 International Baccalaureate courses, and Advanced International  
1316 Certificate of Education courses;

1317 d. Earning of college credit by all eligible students  
1318 enrolled in the school in dual enrollment programs under s.  
1319 1007.271;

1320 e. Earning of a national ~~an~~ industry certification  
1321 identified in the Industry Certification Funding List, pursuant  
1322 to rules adopted by the State Board of Education, ~~as determined~~  
1323 ~~by the Agency for Workforce Innovation under s. 1003.492(2) in a~~  
1324 ~~career and professional academy, as described in s. 1003.493;~~

1325 f. The aggregate scores of all eligible students enrolled  
1326 in the school in reading, mathematics, and other subjects as  
1327 measured by the SAT, the ACT, and the common placement test for  
1328 postsecondary readiness;

1329 g. The high school graduation rate of all eligible at-risk  
1330 students enrolled in the school who scored at Level 2 or lower  
1331 on the grade 8 FCAT Reading and Mathematics examinations;

1332 h. The performance of the school's students on statewide  
1333 standardized end-of-course assessments administered under s.  
1334 1008.22; and

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1335 i. The growth or decline in the data components listed in  
1336 sub-subparagraphs a.-h. from year to year.

1337  
1338 The State Board of Education shall adopt appropriate criteria  
1339 for each school grade. The criteria must also give added weight  
1340 to student achievement in reading. Schools designated with a  
1341 grade of "C," making satisfactory progress, shall be required to  
1342 demonstrate that adequate progress has been made by students in  
1343 the school who are in the lowest 25th percentile in reading and  
1344 ~~mathematics, or writing~~ on the FCAT and end-of-course  
1345 assessments as described in s. 1008.22(3)(c)2.a., unless these  
1346 students are exhibiting satisfactory performance. Beginning with  
1347 the 2009-2010 school year for schools comprised of high school  
1348 grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria  
1349 for school grades must also give added weight to the graduation  
1350 rate of all eligible at-risk students, as defined in this  
1351 paragraph. Beginning in the 2009-2010 school year, in order for  
1352 a high school to be designated as having a grade of "A," making  
1353 excellent progress, the school must demonstrate that at-risk  
1354 students, as defined in this paragraph, in the school are making  
1355 adequate progress.

1356 Section 12. Subsection (3) of section 1008.341, Florida  
1357 Statutes, is amended to read:

1358 1008.341 School improvement rating for alternative  
1359 schools.—

1360 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data  
1361 used in determining an alternative school's school improvement  
1362 rating shall include:

1363 (a) The aggregate scores on statewide assessments

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1364 administered under s. 1008.22 for ~~of~~ all eligible students who  
1365 were assigned to and enrolled in the school during the October  
1366 or February FTE count, ~~who have been assessed on the FCAT,~~ and  
1367 who have FCAT or comparable scores for the preceding school  
1368 year.

1369 (b) The aggregate scores on statewide assessments  
1370 administered under s. 1008.22 for ~~of~~ all eligible students who  
1371 were assigned to and enrolled in the school during the October  
1372 or February FTE count, ~~who have been assessed on the FCAT~~ and  
1373 who have scored in the lowest 25th percentile of students in the  
1374 state on FCAT Reading.

1375  
1376 The assessment scores of students who are subject to district  
1377 school board policies for expulsion for repeated or serious  
1378 offenses, who are in dropout retrieval programs serving students  
1379 who have officially been designated as dropouts, or who are in  
1380 programs operated or contracted by the Department of Juvenile  
1381 Justice may not be included in an alternative school's school  
1382 improvement rating.

1383 Section 13. Subsection (4) of section 1008.36, Florida  
1384 Statutes, is amended to read:

1385 1008.36 Florida School Recognition Program.—

1386 (4) All selected schools shall receive financial awards  
1387 depending on the availability of funds appropriated and the  
1388 number and size of schools selected to receive an award. Funds  
1389 must be distributed to the school's fiscal agent and placed in  
1390 the school's account and must be used for purposes listed in  
1391 subsection (5) as determined jointly by the school's staff and  
1392 school advisory council. If school staff and the school advisory



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1393 council cannot reach agreement by February ~~November~~ 1, the  
1394 awards must be equally distributed to all classroom teachers  
1395 currently teaching in the school. If a school selected to  
1396 receive a school recognition award is no longer in existence at  
1397 the time the award is paid, the district school superintendent  
1398 shall distribute the funds to teachers who taught at the school  
1399 in the previous year in the form of a bonus.

1400

1401 Notwithstanding statutory provisions to the contrary, incentive  
1402 awards are not subject to collective bargaining.

1403 Section 14. This act shall take effect July 1, 2010.