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1                                   A bill to be entitled  
 2           An act relating to the Florida Comprehensive Assessment  
 3           Test; amending s. 1008.22, F.S.; discontinuing use of the  
 4           Florida Comprehensive Assessment Test (FCAT) under the  
 5           statewide assessment program in the public schools;  
 6           continuing use of end-of-course assessments as required or  
 7           developed and implemented under the section; amending ss.  
 8           1002.33, 1003.03, 1003.413, 1003.4156, 1003.428, 1003.429,  
 9           1003.4295, 1003.433, 1008.25, 1008.30, 1008.34, 1008.341,  
 10          1011.62, and 1012.22, F.S.; conforming provisions to  
 11          changes made by the act; providing an effective date.

12  
 13   Be It Enacted by the Legislature of the State of Florida:

14  
 15           Section 1. Paragraph (c) of subsection (3), subsection  
 16           (6), paragraph (a) of subsection (7), and subsections (10)  
 17           through (13) of section 1008.22, Florida Statutes, as amended by  
 18           chapters 2010-22 and 2010-48, Laws of Florida, are amended to  
 19           read:

20           1008.22 Student assessment program for public schools.—

21           (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
 22           design and implement a statewide program of educational  
 23           assessment that provides information for the improvement of the  
 24           operation and management of the public schools, including  
 25           schools operating for the purpose of providing educational  
 26           services to youth in Department of Juvenile Justice programs.  
 27           The commissioner may enter into contracts for the continued  
 28           administration of the assessment, testing, and evaluation

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29 programs authorized and funded by the Legislature. Contracts may  
30 be initiated in 1 fiscal year and continue into the next and may  
31 be paid from the appropriations of either or both fiscal years.  
32 The commissioner is authorized to negotiate for the sale or  
33 lease of tests, scoring protocols, test scoring services, and  
34 related materials developed pursuant to law. Pursuant to the  
35 statewide assessment program, the commissioner shall:

36 (c) Develop and implement a student achievement testing  
37 program as follows:

38 ~~1. The Florida Comprehensive Assessment Test (FCAT)~~  
39 ~~measures a student's content knowledge and skills in reading,~~  
40 ~~writing, science, and mathematics. The content knowledge and~~  
41 ~~skills assessed by the FCAT must be aligned to the core~~  
42 ~~curricular content established in the Next Generation Sunshine~~  
43 ~~State Standards. Other content areas may be included as directed~~  
44 ~~by the commissioner. Comprehensive assessments of reading and~~  
45 ~~mathematics shall be administered annually in grades 3 through~~  
46 ~~10 except, beginning with the 2010-2011 school year, the~~  
47 ~~administration of grade 9 FCAT Mathematics shall be~~  
48 ~~discontinued, and beginning with the 2011-2012 school year, the~~  
49 ~~administration of grade 10 FCAT Mathematics shall be~~  
50 ~~discontinued, except as required for students who have not~~  
51 ~~attained minimum performance expectations for graduation as~~  
52 ~~provided in paragraph (9) (c). FCAT Writing and FCAT Science~~  
53 ~~shall be administered at least once at the elementary, middle,~~  
54 ~~and high school levels except, beginning with the 2011-2012~~  
55 ~~school year, the administration of FCAT Science at the high~~  
56 ~~school level shall be discontinued.~~

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57        1.2.a. End-of-course assessments for a subject shall be  
58 administered as required or otherwise implemented under this  
59 section in addition to the comprehensive assessments required  
60 ~~under subparagraph 1.~~ End-of-course assessments must be  
61 rigorous, statewide, standardized, and developed or approved by  
62 the department. The content knowledge and skills assessed by  
63 end-of-course assessments must be aligned to the core curricular  
64 content established in the Next Generation Sunshine State  
65 Standards.

66        (I) Statewide, standardized end-of-course assessments in  
67 mathematics shall be administered according to this sub-sub-  
68 subparagraph. Beginning with the 2010-2011 school year, all  
69 students enrolled in Algebra I or an equivalent course must take  
70 the Algebra I end-of-course assessment. ~~Students who earned high~~  
71 ~~school credit in Algebra I while in grades 6 through 8 during~~  
72 ~~the 2007-2008 through 2009-2010 school years and who have not~~  
73 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~  
74 ~~course assessment during the 2010-2011 school year. For students~~  
75 ~~entering grade 9 during the 2010-2011 school year and who are~~  
76 ~~enrolled in Algebra I or an equivalent, each student's~~  
77 ~~performance on the end-of-course assessment in Algebra I shall~~  
78 ~~constitute 30 percent of the student's final course grade.~~  
79 Beginning with students entering grade 9 in the 2011-2012 school  
80 year, a student who is enrolled in Algebra I or an equivalent  
81 must earn a passing score on the end-of-course assessment in  
82 Algebra I or attain an equivalent score as described in  
83 subsection (11) in order to earn course credit. Beginning with  
84 the 2011-2012 school year, all students enrolled in geometry or

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85 | an equivalent course must take the geometry end-of-course  
86 | assessment. For students entering grade 9 during the 2011-2012  
87 | school year, each student's performance on the end-of-course  
88 | assessment in geometry shall constitute 30 percent of the  
89 | student's final course grade. Beginning with students entering  
90 | grade 9 during the 2012-2013 school year, a student must earn a  
91 | passing score on the end-of-course assessment in geometry or  
92 | attain an equivalent score as described in subsection (11) in  
93 | order to earn course credit.

94 |       (II) Statewide, standardized end-of-course assessments in  
95 | science shall be administered according to this sub-sub-  
96 | subparagraph. Beginning with the 2011-2012 school year, all  
97 | students enrolled in Biology I or an equivalent course must take  
98 | the Biology I end-of-course assessment. For the 2011-2012 school  
99 | year, each student's performance on the end-of-course assessment  
100 | in Biology I shall constitute 30 percent of the student's final  
101 | course grade. Beginning with students entering grade 9 during  
102 | the 2012-2013 school year, a student must earn a passing score  
103 | on the end-of-course assessment in Biology I in order to earn  
104 | course credit.

105 |       b. During the 2012-2013 school year, an end-of-course  
106 | assessment in civics education shall be administered as a field  
107 | test at the middle school level. During the 2013-2014 school  
108 | year, each student's performance on the statewide, standardized  
109 | end-of-course assessment in civics education shall constitute 30  
110 | percent of the student's final course grade. Beginning with the  
111 | 2014-2015 school year, a student must earn a passing score on  
112 | the end-of-course assessment in civics education in order to

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113 | pass the course and receive course credit.

114 |       c. The commissioner may select one or more nationally  
 115 | developed comprehensive examinations, which may include, but  
 116 | need not be limited to, examinations for a College Board  
 117 | Advanced Placement course, International Baccalaureate course,  
 118 | or Advanced International Certificate of Education course, or  
 119 | industry-approved examinations to earn national industry  
 120 | certifications identified in the Industry Certification Funding  
 121 | List, pursuant to rules adopted by the State Board of Education,  
 122 | for use as end-of-course assessments under this paragraph, if  
 123 | the commissioner determines that the content knowledge and  
 124 | skills assessed by the examinations meet or exceed the grade  
 125 | level expectations for the core curricular content established  
 126 | for the course in the Next Generation Sunshine State Standards.  
 127 | The commissioner may collaborate with the American Diploma  
 128 | Project in the adoption or development of rigorous end-of-course  
 129 | assessments that are aligned to the Next Generation Sunshine  
 130 | State Standards.

131 |       d. Contingent upon funding provided in the General  
 132 | Appropriations Act, including the appropriation of funds  
 133 | received through federal grants, the Commissioner of Education  
 134 | shall establish an implementation schedule for the development  
 135 | and administration of additional statewide, standardized end-of-  
 136 | course assessments in English/Language Arts II, Algebra II,  
 137 | chemistry, physics, earth/space science, United States history,  
 138 | and world history. Priority shall be given to the development of  
 139 | end-of-course assessments in English/Language Arts II. ~~The~~  
 140 | ~~Commissioner of Education shall evaluate the feasibility and~~

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141 ~~effect of transitioning from the grade 9 and grade 10 FCAT~~  
142 ~~Reading and high school level FCAT Writing to an end-of-course~~  
143 ~~assessment in English/Language Arts II. The commissioner shall~~  
144 ~~report the results of the evaluation to the President of the~~  
145 ~~Senate and the Speaker of the House of Representatives no later~~  
146 ~~than July 1, 2011.~~

147 2.3. The testing program shall measure student content  
148 knowledge and skills adopted by the State Board of Education as  
149 specified in paragraph (a) and measure and report student  
150 performance levels of all students assessed in reading, writing,  
151 mathematics, and science. The commissioner shall provide for the  
152 tests to be developed or obtained, as appropriate, through  
153 contracts and project agreements with private vendors, public  
154 vendors, public agencies, postsecondary educational  
155 institutions, or school districts. The commissioner shall obtain  
156 input with respect to the design and implementation of the  
157 testing program from state educators, assistive technology  
158 experts, and the public.

159 3.4. The testing program shall be composed of criterion-  
160 referenced tests that shall, to the extent determined by the  
161 commissioner, include test items that require the student to  
162 produce information or perform tasks in such a way that the core  
163 content knowledge and skills he or she uses can be measured.

164 4.5. ~~FCAT Reading, Mathematics, and Science and All~~  
165 statewide, standardized end-of-course assessments shall measure  
166 the content knowledge and skills a student has attained on the  
167 assessment by the use of scaled scores and achievement levels.  
168 Achievement levels shall range from 1 through 5, with level 1

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169 being the lowest achievement level, level 5 being the highest  
170 achievement level, and level 3 indicating satisfactory  
171 performance on an assessment. ~~For purposes of FCAT Writing,~~  
172 ~~student achievement shall be scored using a scale of 1 through 6~~  
173 ~~and the score earned shall be used in calculating school grades.~~  
174 A score shall be designated for each subject area tested, below  
175 which score a student's performance is deemed inadequate. The  
176 school districts shall provide appropriate remedial instruction  
177 to students who score below these levels.

178 ~~5.6.~~ The State Board of Education shall, by rule,  
179 designate a passing score for each ~~part of the grade 10~~  
180 ~~assessment test and end-of-course assessment assessments.~~ Any  
181 rule that has the effect of raising the required passing scores  
182 may apply only to students taking the assessment for the first  
183 time after the rule is adopted by the State Board of Education.  
184 ~~Except as otherwise provided in this subparagraph and as~~  
185 ~~provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students~~  
186 ~~must earn a passing score on grade 10 FCAT Reading and grade 10~~  
187 ~~FCAT Mathematics or attain concordant scores as described in~~  
188 ~~subsection (10) in order to qualify for a standard high school~~  
189 ~~diploma.~~

190 ~~6.7.~~ In addition to designating a passing score under  
191 subparagraph ~~5. 6.~~, the State Board of Education shall also  
192 designate, by rule, a score for each statewide, standardized  
193 end-of-course assessment which indicates that a student is high  
194 achieving and has the potential to meet college-readiness  
195 standards by the time the student graduates from high school.

196 ~~7.8.~~ Participation in the testing program is mandatory for

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197 all students attending public school, including students served  
198 in Department of Juvenile Justice programs, except as otherwise  
199 prescribed by the commissioner. ~~A student who has not earned~~  
200 ~~passing scores on the grade 10 FCAT as provided in subparagraph~~  
201 ~~6. must participate in each retake of the assessment until the~~  
202 ~~student earns passing scores or achieves scores on a~~  
203 ~~standardized assessment which are concordant with passing scores~~  
204 ~~pursuant to subsection (10). If a student does not participate~~  
205 ~~in the statewide assessment, the district must notify the~~  
206 ~~student's parent and provide the parent with information~~  
207 ~~regarding the implications of such nonparticipation. A parent~~  
208 ~~must provide signed consent for a student to receive classroom~~  
209 ~~instructional accommodations that would not be available or~~  
210 ~~permitted on the statewide assessments and must acknowledge in~~  
211 ~~writing that he or she understands the implications of such~~  
212 ~~instructional accommodations.~~ The State Board of Education shall  
213 adopt rules, based upon recommendations of the commissioner, for  
214 the provision of test accommodations for students in exceptional  
215 education programs and for students who have limited English  
216 proficiency. ~~Accommodations that negate the validity of a~~  
217 ~~statewide assessment are not allowable in the administration of~~  
218 ~~the FCAT or an end-of-course assessment. However,~~ Instructional  
219 accommodations are allowable in the classroom if included in a  
220 student's individual education plan. ~~Students using~~  
221 ~~instructional accommodations in the classroom that are not~~  
222 ~~allowable as accommodations on the FCAT or an end-of-course~~  
223 ~~assessment may have the FCAT or an end-of-course assessment~~  
224 ~~requirement waived pursuant to the requirements of s.~~



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225 ~~1003.428(8)(b) or s. 1003.43(11)(b).~~

226 8.9. A student seeking an adult high school diploma must  
 227 meet the same testing requirements that a regular high school  
 228 student must meet.

229 9.10. District school boards must provide instruction to  
 230 prepare students in the core curricular content established in  
 231 the Next Generation Sunshine State Standards adopted under s.  
 232 1003.41, including the core content knowledge and skills  
 233 necessary for successful grade-to-grade progression and high  
 234 school graduation. ~~If a student is provided with instructional~~  
 235 ~~accommodations in the classroom that are not allowable as~~  
 236 ~~accommodations in the statewide assessment program, as described~~  
 237 ~~in the test manuals, the district must inform the parent in~~  
 238 ~~writing and must provide the parent with information regarding~~  
 239 ~~the impact on the student's ability to meet expected performance~~  
 240 ~~levels in reading, writing, mathematics, and science. The~~  
 241 commissioner shall conduct studies as necessary to verify that  
 242 the required core curricular content is part of the district  
 243 instructional programs.

244 10.11. District school boards must provide opportunities  
 245 for students to demonstrate an acceptable performance level on  
 246 an alternative standardized assessment approved by the State  
 247 Board of Education following enrollment in summer academies.

248 11.12. The Department of Education must develop, or  
 249 select, and implement a common battery of assessment tools that  
 250 will be used in all juvenile justice programs in the state.  
 251 These tools must accurately measure the core curricular content  
 252 established in the Next Generation Sunshine State Standards.

253        12.13. For students seeking a special diploma pursuant to  
 254 s. 1003.438, the Department of Education must develop or select  
 255 and implement an alternate assessment tool that accurately  
 256 measures the core curricular content established in the Next  
 257 Generation Sunshine State Standards for students with  
 258 disabilities under s. 1003.438.

259        ~~14. The Commissioner of Education shall establish~~  
 260 ~~schedules for the administration of statewide assessments and~~  
 261 ~~the reporting of student test results. When establishing the~~  
 262 ~~schedules for the administration of statewide assessments, the~~  
 263 ~~commissioner shall consider the observance of religious and~~  
 264 ~~school holidays. The commissioner shall, by August 1 of each~~  
 265 ~~year, notify each school district in writing and publish on the~~  
 266 ~~department's Internet website the testing and reporting~~  
 267 ~~schedules for, at a minimum, the school year following the~~  
 268 ~~upcoming school year. The testing and reporting schedules shall~~  
 269 ~~require that:~~

270        ~~a. There is the latest possible administration of~~  
 271 ~~statewide assessments and the earliest possible reporting to the~~  
 272 ~~school districts of student test results which is feasible~~  
 273 ~~within available technology and specific appropriations;~~  
 274 ~~however, test results for the FCAT must be made available no~~  
 275 ~~later than the week of June 8. Student results for end-of-course~~  
 276 ~~assessments must be provided no later than 1 week after the~~  
 277 ~~school district completes testing for each course.~~

278        ~~b. Beginning with the 2010-2011 school year, FCAT Writing~~  
 279 ~~is not administered earlier than the week of March 1 and a~~  
 280 ~~comprehensive statewide assessment of any other subject is not~~

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281 ~~administered earlier than the week of April 15.~~

282       13.e. A statewide, standardized end-of-course assessment  
283 is administered during a 3-week period at the end of the course.  
284 The commissioner shall select a 3-week administration period for  
285 assessments that meets the intent of end-of-course assessments  
286 and provides student results prior to the end of the course.  
287 School districts shall select 1 testing week within the 3-week  
288 administration period for each end-of-course assessment. For an  
289 end-of-course assessment administered at the end of the first  
290 semester, the commissioner shall determine the most appropriate  
291 testing dates based on a school district's academic calendar.

292  
293 The commissioner may, based on collaboration and input from  
294 school districts, design and implement student testing programs,  
295 for any grade level and subject area, necessary to effectively  
296 monitor educational achievement in the state, including the  
297 measurement of educational achievement of the Next Generation  
298 Sunshine State Standards for students with disabilities.  
299 Development and refinement of assessments shall include  
300 universal design principles and accessibility standards that  
301 will prevent any unintended obstacles for students with  
302 disabilities while ensuring the validity and reliability of the  
303 test. These principles should be applicable to all technology  
304 platforms and assistive devices available for the assessments.  
305 The field testing process and psychometric analyses for the  
306 statewide assessment program must include an appropriate  
307 percentage of students with disabilities and an evaluation or  
308 determination of the effect of test items on such students.

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309 (6) SCHOOL TESTING PROGRAMS.—Each public school shall  
310 participate in the statewide assessment program in accordance  
311 with the testing and reporting schedules published by the  
312 Commissioner of Education under subparagraph (3)(c) 11.12, unless  
313 specifically exempted by state board rule based on serving a  
314 specialized population for which standardized testing is not  
315 appropriate. Student performance data shall be analyzed and  
316 reported to parents, the community, and the state. Student  
317 performance data shall be used in developing objectives of the  
318 school improvement plan, evaluation of instructional personnel,  
319 evaluation of administrative personnel, assignment of staff,  
320 allocation of resources, acquisition of instructional materials  
321 and technology, performance-based budgeting, and promotion and  
322 assignment of students into educational programs. The analysis  
323 of student performance data also must identify strengths and  
324 needs in the educational program and trends over time. The  
325 analysis must be used in conjunction with the budgetary planning  
326 processes developed pursuant to s. 1008.385 and the development  
327 of the programs of remediation.

328 (7) REQUIRED ANALYSES.—The commissioner shall provide, at  
329 a minimum, for the following analyses of data produced by the  
330 student achievement testing program:

331 (a) The statistical system for the annual assessments  
332 shall use measures of student learning, such as the end-of-  
333 course assessments ~~FCAT~~, to determine teacher, school, and  
334 school district statistical distributions, which shall be  
335 determined using available data from the end-of-course  
336 assessments ~~FCAT~~, and other data collection as deemed

337 appropriate by the Department of Education, to measure the  
 338 differences in student prior year achievement compared to the  
 339 current year achievement for the purposes of accountability and  
 340 recognition.

341 ~~(10) CONCORDANT SCORES FOR THE FCAT.—~~

342 ~~(a) The Commissioner of Education shall analyze the~~  
 343 ~~content and concordant data sets for nationally recognized high~~  
 344 ~~school achievement tests, including, but not limited to, the~~  
 345 ~~PSAT, PLAN, SAT, ACT, and College Placement Test, to assess if~~  
 346 ~~concordant scores for FCAT scores can be determined for high~~  
 347 ~~school graduation. When content alignment and concordant scores~~  
 348 ~~can be determined, the Commissioner of Education shall adopt~~  
 349 ~~those scores as meeting the graduation requirement in lieu of~~  
 350 ~~achieving the FCAT passing score and may adopt those scores as~~  
 351 ~~being sufficient to achieve additional purposes as determined by~~  
 352 ~~rule. Each time that test content or scoring procedures change~~  
 353 ~~for the FCAT or for a high school achievement test for which a~~  
 354 ~~concordant score is determined, new concordant scores must be~~  
 355 ~~determined.~~

356 ~~(b) The State Board of Education may define by rule the~~  
 357 ~~allowable uses, other than to satisfy the high school graduation~~  
 358 ~~requirement, for concordant scores as described in this~~  
 359 ~~subsection. Such uses may include, but need not be limited to,~~  
 360 ~~achieving appropriate standardized test scores required for the~~  
 361 ~~awarding of Florida Bright Futures Scholarships and college~~  
 362 ~~placement.~~

363 (10) ~~(11)~~ EQUIVALENT SCORES FOR END-OF-COURSE ASSESSMENTS.—

364 (a) The Commissioner of Education shall analyze the

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365 content and equivalent data sets for nationally recognized high  
 366 school achievement tests and industry certification tests under  
 367 the Industry Certification Funding List, pursuant to rules  
 368 adopted by the State Board of Education, including, but not  
 369 limited to, ~~grade 10 FCAT Mathematics retakes until such retakes~~  
 370 ~~are discontinued pursuant to subsection (9)~~, the PSAT, the PLAN,  
 371 the SAT, the ACT, and the College Placement Test, to assess if  
 372 equivalent scores for end-of-course assessment scores can be  
 373 determined for passage of an end-of-course assessment. When  
 374 content alignment and equivalent scores can be determined, the  
 375 Commissioner of Education shall adopt those scores as meeting  
 376 the requirement to pass the end-of-course assessment and as  
 377 being sufficient to achieve additional purposes as determined by  
 378 rule. Each time that assessment content or scoring procedures  
 379 change for an end-of-course assessment or for a high school  
 380 achievement test or an industry certification test under the  
 381 Industry Certification Funding List, pursuant to rules adopted  
 382 by the State Board of Education for which an equivalent score is  
 383 determined, new equivalent scores must be determined.

384 (b) Use of an equivalent score adopted by the State Board  
 385 of Education under paragraph (a) for purposes of grade  
 386 adjustment, grade forgiveness, or course credit recovery is  
 387 contingent upon and subject to district school board rules.

388 (11)~~(12)~~ REPORTS.—The Department of Education shall  
 389 annually provide a report to the Governor, the President of the  
 390 Senate, and the Speaker of the House of Representatives on the  
 391 following:

392 (a) Longitudinal performance of students in mathematics

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393 and reading.

394 (b) Longitudinal performance of students by grade level in  
395 mathematics and reading.

396 (c) Longitudinal performance regarding efforts to close  
397 the achievement gap.

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

402 (12)~~(13)~~ RULES.—The State Board of Education shall adopt  
403 rules pursuant to ss. 120.536(1) and 120.54 to implement the  
404 provisions of this section.

405 Section 2. Paragraph (a) of subsection (20) of section  
406 1002.33, Florida Statutes, as amended by chapter 2010-154, Laws  
407 of Florida, is amended to read:

408 1002.33 Charter schools.—

409 (20) SERVICES.—

410 (a)1. A sponsor shall provide certain administrative and  
411 educational services to charter schools. These services shall  
412 include contract management services; full-time equivalent and  
413 data reporting services; exceptional student education  
414 administration services; services related to eligibility and  
415 reporting duties required to ensure that school lunch services  
416 under the federal lunch program, consistent with the needs of  
417 the charter school, are provided by the school district at the  
418 request of the charter school, that any funds due to the charter  
419 school under the federal lunch program be paid to the charter  
420 school as soon as the charter school begins serving food under

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421 the federal lunch program, and that the charter school is paid  
422 at the same time and in the same manner under the federal lunch  
423 program as other public schools serviced by the sponsor or the  
424 school district; test administration services, including payment  
425 of the costs of state-required or district-required student  
426 assessments; processing of teacher certificate data services;  
427 and information services, including equal access to student  
428 information systems that are used by public schools in the  
429 district in which the charter school is located. Student  
430 performance data for each student in a charter school,  
431 including, but not limited to, ~~FCAT scores~~, standardized test  
432 scores, previous public school student report cards, and student  
433 performance measures, shall be provided by the sponsor to a  
434 charter school in the same manner provided to other public  
435 schools in the district.

436 2. A total administrative fee for the provision of such  
437 services shall be calculated based upon up to 5 percent of the  
438 available funds defined in paragraph (17) (b) for all students.  
439 However, a sponsor may only withhold up to a 5-percent 250  
440 students. For charter schools with a population of 251 or more  
441 students, the difference between the total administrative fee  
442 calculation and the amount of the administrative fee withheld  
443 may only be used for capital outlay purposes specified in s.  
444 1013.62(2).

445 3. In addition, a sponsor may withhold only up to a 5-  
446 percent administrative fee for enrollment for up to and  
447 including 500 students within a system of charter schools which  
448 meets all of the following:



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- 449 a. Includes both conversion charter schools and
- 450 nonconversion charter schools;
- 451 b. Has all schools located in the same county;
- 452 c. Has a total enrollment exceeding the total enrollment
- 453 of at least one school district in the state;
- 454 d. Has the same governing board; and
- 455 e. Does not contract with a for-profit service provider
- 456 for management of school operations.

457 4. The difference between the total administrative fee  
 458 calculation and the amount of the administrative fee withheld  
 459 pursuant to subparagraph 3. may be used for instructional and  
 460 administrative purposes as well as for capital outlay purposes  
 461 specified in s. 1013.62(2).

462 5. Each charter school shall receive 100 percent of the  
 463 funds awarded to that school pursuant to s. 1012.225. Sponsors  
 464 shall not charge charter schools any additional fees or  
 465 surcharges for administrative and educational services in  
 466 addition to the maximum 5-percent administrative fee withheld  
 467 pursuant to this paragraph.

468 Section 3. Paragraph (c) of subsection (3) of section  
 469 1003.03, Florida Statutes, as amended by section 11 of chapter  
 470 2010-154, Laws of Florida, and, if Senate Joint Resolution 2 is  
 471 approved by the electors at the 2010 General Election, as  
 472 amended by section 12 of chapter 2010-154, Laws of Florida, is  
 473 amended to read:

474 1003.03 Maximum class size.—

475 (3) IMPLEMENTATION OPTIONS.—District school boards must  
 476 consider, but are not limited to, implementing the following

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477 items in order to meet the constitutional class size maximums  
 478 described in subsection (1):

479 (c)1. Repeal district school board policies that require  
 480 students to have more than 24 credits to graduate from high  
 481 school.

482 2. Adopt policies to allow students to graduate from high  
 483 school as soon as they pass all end-of-course assessments  
 484 required for ~~the~~ grade 10 ~~FCAT~~ and complete the courses required  
 485 for high school graduation.

486 Section 4. Paragraph (d) of subsection (3) of section  
 487 1003.413, Florida Statutes, as amended by chapter 2010-22, Laws  
 488 of Florida, is amended to read:

489 1003.413 Florida Secondary School Redesign Act.—

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

494 (d) Credit recovery courses and intensive reading and  
 495 mathematics intervention courses ~~based on student performance on~~  
 496 ~~FCAT Reading and Mathematics~~. These courses should be competency  
 497 based and offered through innovative delivery systems, including  
 498 computer-assisted instruction. School districts should use  
 499 learning gains as well as other appropriate data and provide  
 500 incentives to identify and reward high-performing teachers who  
 501 teach credit recovery and intensive intervention courses.

502 Section 5. Subsection (1) of section 1003.4156, Florida  
 503 Statutes, as amended by chapters 2010-22 and 2010-48, Laws of  
 504 Florida, is amended to read:

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505 1003.4156 General requirements for middle grades  
 506 promotion.—

507 (1) Beginning with students entering grade 6 in the 2006-  
 508 2007 school year, promotion from a school composed of middle  
 509 grades 6, 7, and 8 requires that:

510 (a) The student must successfully complete academic  
 511 courses as follows:

512 1. Three middle school or higher courses in English. These  
 513 courses shall emphasize literature, composition, and technical  
 514 text.

515 2. Three middle school or higher courses in mathematics.  
 516 Each middle school must offer at least one high school level  
 517 mathematics course for which students may earn high school  
 518 credit. Successful completion of a high school level Algebra I  
 519 or geometry course is not contingent upon the student's  
 520 performance on the end-of-course assessment required under s.  
 521 1008.22(3)(c)1.a.(I) ~~s. 1008.22(3)(c)2.a.(I)~~. However, beginning  
 522 with the 2011-2012 school year, to earn high school credit for  
 523 an Algebra I course, a middle school student must pass the  
 524 Algebra I end-of-course assessment, and beginning with the 2012-  
 525 2013 school year, to earn high school credit for a geometry  
 526 course, a middle school student must pass the geometry end-of-  
 527 course assessment.

528 3. Three middle school or higher courses in social  
 529 studies, one semester of which must include the study of state  
 530 and federal government and civics education. Beginning with  
 531 students entering grade 6 in the 2012-2013 school year, one of  
 532 these courses must be at least a one-semester civics education

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533 course that a student successfully completes in accordance with  
 534 s. 1008.22(3)(c) and that includes the roles and  
 535 responsibilities of federal, state, and local governments; the  
 536 structures and functions of the legislative, executive, and  
 537 judicial branches of government; and the meaning and  
 538 significance of historic documents, such as the Articles of  
 539 Confederation, the Declaration of Independence, and the  
 540 Constitution of the United States.

541 4. Three middle school or higher courses in science.  
 542 Successful completion of a high school level Biology I course is  
 543 not contingent upon the student's performance on the end-of-  
 544 course assessment required under s. 1008.22(3)(c)1.a.(II) ~~s.~~  
 545 ~~1008.22(3)(c)2.a.(II)~~. However, beginning with the 2012-2013  
 546 school year, to earn high school credit for a Biology I course,  
 547 a middle school student must pass the Biology I end-of-course  
 548 assessment.

549 5. One course in career and education planning to be  
 550 completed in 7th or 8th grade. The course may be taught by any  
 551 member of the instructional staff; must include career  
 552 exploration using Florida CHOICES or a comparable cost-effective  
 553 program; must include educational planning using the online  
 554 student advising system known as Florida Academic Counseling and  
 555 Tracking for Students at the Internet website FACTS.org; and  
 556 shall result in the completion of a personalized academic and  
 557 career plan. The required personalized academic and career plan  
 558 must inform students of high school graduation requirements,  
 559 high school assessment and college entrance test requirements,  
 560 Florida Bright Futures Scholarship Program requirements, state

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561 university and Florida college admission requirements, and  
 562 programs through which a high school student can earn college  
 563 credit, including Advanced Placement, International  
 564 Baccalaureate, Advanced International Certificate of Education,  
 565 dual enrollment, career academy opportunities, and courses that  
 566 lead to national industry certification.

567  
 568 Each school must hold a parent meeting either in the evening or  
 569 on a weekend to inform parents about the course curriculum and  
 570 activities. Each student shall complete an electronic personal  
 571 education plan that must be signed by the student; the student's  
 572 instructor, guidance counselor, or academic advisor; and the  
 573 student's parent. The Department of Education shall develop  
 574 course frameworks and professional development materials for the  
 575 career exploration and education planning course. The course may  
 576 be implemented as a stand-alone course or integrated into  
 577 another course or courses. The Commissioner of Education shall  
 578 collect longitudinal high school course enrollment data by  
 579 student ethnicity in order to analyze course-taking patterns.

580 (b) For each year in which a student scores below grade  
 581 level in reading at Level 1 on FCAT Reading, the student must be  
 582 enrolled in and complete an intensive reading course the  
 583 following year. ~~Placement of Level 2 readers in either an~~  
 584 ~~intensive reading course or a content area course in which~~  
 585 ~~reading strategies are delivered shall be determined by~~  
 586 ~~diagnosis of reading needs.~~ The department shall provide  
 587 guidance on appropriate strategies for diagnosing and meeting  
 588 the varying instructional needs of students reading below grade

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589 level. Reading courses shall be designed and offered pursuant to  
590 the comprehensive reading plan required by s. 1011.62(9).

591 (c) For each year in which a student scores below grade  
592 level in mathematics ~~at Level 1 or Level 2 on FCAT Mathematics,~~  
593 the student must receive remediation the following year, which  
594 may be integrated into the student's required mathematics  
595 course.

596 Section 6. Subsections (2) and (4), paragraph (b) of  
597 subsection (7), and subsection (8) of section 1003.428, Florida  
598 Statutes, as amended by chapter 2010-22, Laws of Florida, are  
599 amended to read:

600 1003.428 General requirements for high school graduation;  
601 revised.—

602 (2) The 24 credits may be earned through applied,  
603 integrated, and combined courses approved by the Department of  
604 Education. The 24 credits shall be distributed as follows:

605 (a) Sixteen core curriculum credits:

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

608 2. Four credits in mathematics, one of which must be  
609 Algebra I, a series of courses equivalent to Algebra I, or a  
610 higher-level mathematics course. Beginning with students  
611 entering grade 9 in the 2010-2011 school year, in addition to  
612 the Algebra I credit requirement, one of the four credits in  
613 mathematics must be geometry or a series of courses equivalent  
614 to geometry as approved by the State Board of Education.  
615 Beginning with students entering grade 9 in the 2010-2011 school  
616 year, the end-of-course assessment requirements under s.

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617 1008.22(3)(c)1.a.(I) ~~s. 1008.22(3)(e)2.a.(I)~~ must be met in  
618 order for a student to earn the required credit in Algebra I.  
619 Beginning with students entering grade 9 in the 2011-2012 school  
620 year, the end-of-course assessment requirements under s.  
621 1008.22(3)(c)1.a.(I) ~~s. 1008.22(3)(e)2.a.(I)~~ must be met in  
622 order for a student to earn the required credit in geometry.  
623 Beginning with students entering grade 9 in the 2012-2013 school  
624 year, in addition to the Algebra I and geometry credit  
625 requirements, one of the four credits in mathematics must be  
626 Algebra II or a series of courses equivalent to Algebra II as  
627 approved by the State Board of Education.

628       3. Three credits in science, two of which must have a  
629 laboratory component. Beginning with students entering grade 9  
630 in the 2011-2012 school year, one of the three credits in  
631 science must be Biology I or a series of courses equivalent to  
632 Biology I as approved by the State Board of Education. Beginning  
633 with students entering grade 9 in the 2011-2012 school year, the  
634 end-of-course assessment requirements under s.  
635 1008.22(3)(c)1.a.(II) ~~s. 1008.22(3)(e)2.a.(II)~~ must be met in  
636 order for a student to earn the required credit in Biology I.  
637 Beginning with students entering grade 9 in the 2013-2014 school  
638 year, one of the three credits must be Biology I or a series of  
639 courses equivalent to Biology I as approved by the State Board  
640 of Education, one credit must be chemistry or physics or a  
641 series of courses equivalent to chemistry or physics as approved  
642 by the State Board of Education, and one credit must be an  
643 equally rigorous course, as determined by the State Board of  
644 Education.

645 4. Three credits in social studies as follows: one credit  
646 in United States history; one credit in world history; one-half  
647 credit in economics; and one-half credit in United States  
648 government.

649 5. One credit in fine or performing arts, speech and  
650 debate, or a practical arts course that incorporates artistic  
651 content and techniques of creativity, interpretation, and  
652 imagination. Eligible practical arts courses shall be identified  
653 through the Course Code Directory.

654 6. One credit in physical education to include integration  
655 of health. Participation in an interscholastic sport at the  
656 junior varsity or varsity level for two full seasons shall  
657 satisfy the one-credit requirement in physical education if the  
658 student passes a competency test on personal fitness with a  
659 score of "C" or better. The competency test on personal fitness  
660 must be developed by the Department of Education. A district  
661 school board may not require that the one credit in physical  
662 education be taken during the 9th grade year. Completion of one  
663 semester with a grade of "C" or better in a marching band class,  
664 in a physical activity class that requires participation in  
665 marching band activities as an extracurricular activity, or in a  
666 dance class shall satisfy one-half credit in physical education  
667 or one-half credit in performing arts. This credit may not be  
668 used to satisfy the personal fitness requirement or the  
669 requirement for adaptive physical education under an individual  
670 education plan (IEP) or 504 plan. Completion of 2 years in a  
671 Reserve Officer Training Corps (R.O.T.C.) class, a significant  
672 component of which is drills, shall satisfy the one-credit



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673 requirement in physical education and the one-credit requirement  
674 in performing arts. This credit may not be used to satisfy the  
675 personal fitness requirement or the requirement for adaptive  
676 physical education under an individual education plan (IEP) or  
677 504 plan.

678 (b) Eight credits in electives.

679 1. For each year in which a student scores below grade  
680 level in reading ~~at Level 1 on FCAT Reading,~~ the student must be  
681 enrolled in and complete an intensive reading course the  
682 following year. ~~Placement of Level 2 readers in either an~~  
683 ~~intensive reading course or a content area course in which~~  
684 ~~reading strategies are delivered shall be determined by~~  
685 ~~diagnosis of reading needs.~~ The department shall provide  
686 guidance on appropriate strategies for diagnosing and meeting  
687 the varying instructional needs of students reading below grade  
688 level. Reading courses shall be designed and offered pursuant to  
689 the comprehensive reading plan required by s. 1011.62(9).

690 2. For each year in which a student scores below grade  
691 level in mathematics ~~at Level 1 or Level 2 on FCAT Mathematics,~~  
692 the student must receive remediation the following year. These  
693 courses may be taught through applied, integrated, or combined  
694 courses and are subject to approval by the department for  
695 inclusion in the Course Code Directory.

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

698 (a) Successful completion of the academic credit or  
699 curriculum requirements of subsections (1) and (2). For courses  
700 that require statewide, standardized end-of-course assessments

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701 under s. 1008.22(3)(c)1.d. ~~s. 1008.22(3)(c)2.e.~~, a minimum of 30  
 702 percent of a student's course grade shall be comprised of  
 703 performance on the statewide, standardized end-of-course  
 704 assessment.

705 ~~(b) Earning passing scores on the FCAT, as defined in s.~~  
 706 ~~1008.22(3)(c), or scores on a standardized test that are~~  
 707 ~~concordant with passing scores on the FCAT as defined in s.~~  
 708 ~~1008.22(10).~~

709 (b)(e) Completion of all other applicable requirements  
 710 prescribed by the district school board pursuant to s. 1008.25.

711 (c)(d) Achievement of a cumulative grade point average of  
 712 2.0 on a 4.0 scale, or its equivalent, in the courses required  
 713 by this section.

714  
 715 Each district school board shall adopt policies designed to  
 716 assist students in meeting the requirements of this subsection.  
 717 These policies may include, but are not limited to: forgiveness  
 718 policies, summer school or before or after school attendance,  
 719 special counseling, volunteers or peer tutors, school-sponsored  
 720 help sessions, homework hotlines, and study skills classes.  
 721 Forgiveness policies for required courses shall be limited to  
 722 replacing a grade of "D" or "F," or the equivalent of a grade of  
 723 "D" or "F," with a grade of "C" or higher, or the equivalent of  
 724 a grade of "C" or higher, earned subsequently in the same or  
 725 comparable course. Forgiveness policies for elective courses  
 726 shall be limited to replacing a grade of "D" or "F," or the  
 727 equivalent of a grade of "D" or "F," with a grade of "C" or  
 728 higher, or the equivalent of a grade of "C" or higher, earned

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729 subsequently in another course. The only exception to these  
730 forgiveness policies shall be made for a student in the middle  
731 grades who takes any high school course for high school credit  
732 and earns a grade of "C," "D," or "F" or the equivalent of a  
733 grade of "C," "D," or "F." In such case, the district  
734 forgiveness policy must allow the replacement of the grade with  
735 a grade of "C" or higher, or the equivalent of a grade of "C" or  
736 higher, earned subsequently in the same or comparable course. In  
737 all cases of grade forgiveness, only the new grade shall be used  
738 in the calculation of the student's grade point average. Any  
739 course grade not replaced according to a district school board  
740 forgiveness policy shall be included in the calculation of the  
741 cumulative grade point average required for graduation.

742 (7)

743 (b) A student who completes the minimum number of credits  
744 and other requirements prescribed by subsections (1), (2), and  
745 (3), but who is unable to meet the standards of paragraph (4) (b)  
746 or, paragraph (4) (c), ~~or paragraph (4) (d)~~, shall be awarded a  
747 certificate of completion in a form prescribed by the State  
748 Board of Education. However, any student who is otherwise  
749 entitled to a certificate of completion may elect to remain in  
750 the secondary school either as a full-time student or a part-  
751 time student for up to 1 additional year and receive special  
752 instruction designed to remedy his or her identified  
753 deficiencies.

754 (8) ~~(a)~~ Each district school board must provide instruction  
755 to prepare students with disabilities to demonstrate proficiency  
756 in the core content knowledge and skills necessary for

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757 successful grade-to-grade progression and high school  
758 graduation.

759 ~~(b)1. A student with a disability, as defined in s.~~  
760 ~~1007.02(2), for whom the individual education plan (IEP)~~  
761 ~~committee determines that the FCAT cannot accurately measure the~~  
762 ~~student's abilities taking into consideration all allowable~~  
763 ~~accommodations, shall have the FCAT requirement of paragraph~~  
764 ~~(4)(b) waived for the purpose of receiving a standard high~~  
765 ~~school diploma, if the student:~~

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

768 ~~b. Does not meet the requirements of paragraph (4)(b)~~  
769 ~~after one opportunity in 10th grade and one opportunity in 11th~~  
770 ~~grade.~~

771 ~~2. A student with a disability, as defined in s.~~  
772 ~~1007.02(2), for whom the IEP committee determines that an end-~~  
773 ~~of-course assessment cannot accurately measure the student's~~  
774 ~~abilities, taking into consideration all allowable~~  
775 ~~accommodations, shall have the end-of-course assessment results~~  
776 ~~waived for the purpose of determining the student's course grade~~  
777 ~~and credit as required in paragraph (4)(a).~~

778 Section 7. Subsections (1), (5), (6), and (8) of section  
779 1003.429, Florida Statutes, as amended by chapter 2010-22, Laws  
780 of Florida, are amended to read:

781 1003.429 Accelerated high school graduation options.—

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

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785 graduation options:

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

788 (b) Completion of a 3-year standard college preparatory  
789 program requiring successful completion of a minimum of 18  
790 academic credits in grades 9 through 12. At least 6 of the 18  
791 credits required for completion of this program must be received  
792 in classes that are offered pursuant to the International  
793 Baccalaureate Program, the Advanced Placement Program, dual  
794 enrollment, Advanced International Certificate of Education, or  
795 specifically listed or identified by the Department of Education  
796 as rigorous pursuant to s. 1009.531(3). The 18 credits required  
797 for completion of this program shall be primary requirements and  
798 shall be distributed as follows:

799 1. Four credits in English, with major concentration in  
800 composition and literature;

801 2. Three credits and, beginning with students entering  
802 grade 9 in the 2010-2011 school year, four credits in  
803 mathematics at the Algebra I level or higher from the list of  
804 courses that qualify for state university admission. Beginning  
805 with students entering grade 9 in the 2010-2011 school year, in  
806 addition to the Algebra I credit requirement, one of the four  
807 credits in mathematics must be geometry or a series of courses  
808 equivalent to geometry as approved by the State Board of  
809 Education. Beginning with students entering grade 9 in the 2010-  
810 2011 school year, the end-of-course assessment requirements  
811 under s. 1008.22(3)(c)1.a.(I) ~~s. 1008.22(3)(c)2.a.(I)~~ must be  
812 met in order for a student to earn the required credit in

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813 Algebra I. Beginning with students entering grade 9 in the 2011-  
 814 2012 school year, the end-of-course assessment requirements  
 815 under s. 1008.22(3)(c)1.a.(I) ~~s. 1008.22(3)(c)2.a.(I)~~ must be  
 816 met in order for a student to earn the required credit in  
 817 geometry. Beginning with students entering grade 9 in the 2012-  
 818 2013 school year, in addition to the Algebra I and geometry  
 819 credit requirements, one of the four credits in mathematics must  
 820 be Algebra II or a series of courses equivalent to Algebra II as  
 821 approved by the State Board of Education;

822 3. Three credits in science, two of which must have a  
 823 laboratory component. Beginning with students entering grade 9  
 824 in the 2011-2012 school year, one of the three credits in  
 825 science must be Biology I or a series of courses equivalent to  
 826 Biology I as approved by the State Board of Education. Beginning  
 827 with students entering grade 9 in the 2011-2012 school year, the  
 828 end-of-course assessment requirements under s.  
 829 1008.22(3)(c)1.a.(II) ~~s. 1008.22(3)(c)2.a.(II)~~ must be met in  
 830 order for a student to earn the required credit in Biology I.  
 831 Beginning with students entering grade 9 in the 2013-2014 school  
 832 year, one of the three credits must be Biology I or a series of  
 833 courses equivalent to Biology I as approved by the State Board  
 834 of Education, one credit must be chemistry or physics or a  
 835 series of courses equivalent to chemistry or physics as approved  
 836 by the State Board of Education, and one credit must be an  
 837 equally rigorous course, as approved by the State Board of  
 838 Education;

839 4. Three credits in social sciences, which must include  
 840 one credit in United States history, one credit in world

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841 history, one-half credit in United States government, and one-  
 842 half credit in economics;

843 5. Two credits in the same second language unless the  
 844 student is a native speaker of or can otherwise demonstrate  
 845 competency in a language other than English. If the student  
 846 demonstrates competency in another language, the student may  
 847 replace the language requirement with two credits in other  
 848 academic courses; and

849 6. Three credits in electives and, beginning with students  
 850 entering grade 9 in the 2010-2011 school year, two credits in  
 851 electives; or

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

856 1. Four credits in English, with major concentration in  
 857 composition and literature;

858 2. Three credits and, beginning with students entering  
 859 grade 9 in the 2010-2011 school year, four credits in  
 860 mathematics, one of which must be Algebra I. Beginning with  
 861 students entering grade 9 in the 2010-2011 school year, in  
 862 addition to the Algebra I credit requirement, one of the four  
 863 credits in mathematics must be geometry or a series of courses  
 864 equivalent to geometry as approved by the State Board of  
 865 Education. Beginning with students entering grade 9 in the 2010-  
 866 2011 school year, the end-of-course assessment requirements  
 867 under s. 1008.22(3)(c)1.a.(I) ~~s. 1008.22(3)(c)2.a.(I)~~ must be  
 868 met in order for a student to earn the required credit in

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869 Algebra I. Beginning with students entering grade 9 in the 2011-  
870 2012 school year, the end-of-course assessment requirements  
871 under s. 1008.22(3)(c)1.a.(I) ~~s. 1008.22(3)(c)2.a.(I)~~ must be  
872 met in order for a student to earn the required credit in  
873 geometry. Beginning with students entering grade 9 in the 2012-  
874 2013 school year, in addition to the Algebra I and geometry  
875 credit requirements, one of the four credits in mathematics must  
876 be Algebra II or a series of courses equivalent to Algebra II as  
877 approved by the State Board of Education;

878 3. Three credits in science, two of which must have a  
879 laboratory component. Beginning with students entering grade 9  
880 in the 2011-2012 school year, one of the three credits in  
881 science must be Biology I or a series of courses equivalent to  
882 Biology I as approved by the State Board of Education. Beginning  
883 with students entering grade 9 in the 2011-2012 school year, the  
884 end-of-course assessment requirements under s.  
885 1008.22(3)(c)1.a.(II) ~~s. 1008.22(3)(c)2.a.(II)~~ must be met in  
886 order for a student to earn the required credit in Biology I.  
887 Beginning with students entering grade 9 in the 2013-2014 school  
888 year, one of the three credits must be Biology I or a series of  
889 courses equivalent to Biology I as approved by the State Board  
890 of Education, one credit must be chemistry or physics or a  
891 series of courses equivalent to chemistry or physics as approved  
892 by the State Board of Education, and one credit must be an  
893 equally rigorous course, as approved by the State Board of  
894 Education;

895 4. Three credits in social sciences, which must include  
896 one credit in United States history, one credit in world



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897 history, one-half credit in United States government, and one-  
 898 half credit in economics;

899 5. Three credits in a single vocational or career  
 900 education program, three credits in career and technical  
 901 certificate dual enrollment courses, or five credits in  
 902 vocational or career education courses; and

903 6. Two credits and, beginning with students entering grade  
 904 9 in the 2010-2011 school year, one credit in electives unless  
 905 five credits are earned pursuant to subparagraph 5.

906

907 Any student who selected an accelerated graduation program  
 908 before July 1, 2004, may continue that program, and all  
 909 statutory program requirements that were applicable when the  
 910 student made the program choice shall remain applicable to the  
 911 student as long as the student continues that program.

912 (5) District school boards may not establish requirements  
 913 for accelerated 3-year high school graduation options in excess  
 914 of the requirements in paragraphs (1) (b) and (c). For courses  
 915 that require statewide, standardized end-of-course assessments  
 916 under s. 1008.22(3)(c)1.d. ~~s. 1008.22(3)(e)2.e.~~, a minimum of 30  
 917 percent of a student's course grade shall be comprised of  
 918 performance on the statewide, standardized end-of-course  
 919 assessment.

920 (6) Students pursuing accelerated 3-year high school  
 921 graduation options pursuant to paragraph (1) (b) or paragraph  
 922 (1) (c) are required to:

923 ~~(a) Earn passing scores on the FCAT as defined in s.~~  
 924 ~~1008.22(3)(c) or scores on a standardized test that are~~

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925 ~~concordant with passing scores on the FCAT as defined in s.~~  
 926 ~~1008.22(10).~~

927 (a)~~(b)~~1. Achieve a cumulative weighted grade point average  
 928 of 3.5 on a 4.0 scale, or its equivalent, in the courses  
 929 required for the college preparatory accelerated 3-year high  
 930 school graduation option pursuant to paragraph (1) (b); or

931 2. Achieve a cumulative weighted grade point average of  
 932 3.0 on a 4.0 scale, or its equivalent, in the courses required  
 933 for the career preparatory accelerated 3-year high school  
 934 graduation option pursuant to paragraph (1) (c).

935 (b)~~(e)~~ Receive a weighted or unweighted grade that earns  
 936 at least 3.0 points, or its equivalent, to earn course credit  
 937 toward the 18 credits required for the college preparatory  
 938 accelerated 3-year high school graduation option pursuant to  
 939 paragraph (1) (b).

940 (c)~~(d)~~ Receive a weighted or unweighted grade that earns  
 941 at least 2.0 points, or its equivalent, to earn course credit  
 942 toward the 18 credits required for the career preparatory  
 943 accelerated 3-year high school graduation option pursuant to  
 944 paragraph (1) (c).

945  
 946 Weighted grades referred to in paragraphs (a), (b), and (c),~~and~~  
 947 ~~(d)~~ shall be applied to those courses specifically listed or  
 948 identified by the department as rigorous pursuant to s.  
 949 1009.531(3) or weighted by the district school board for class  
 950 ranking purposes.

951 (8) A student who selected one of the accelerated 3-year  
 952 graduation options shall automatically move to the 4-year

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953 program set forth in s. 1003.428 or s. 1003.43, if applicable,  
 954 if the student:

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

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

959 (c) Performs below grade level in writing in ~~Does not~~  
 960 ~~achieve a score of 3 or higher on the grade 10 FCAT Writing~~  
 961 ~~assessment~~; or

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

964 Section 8. Subsection (3) of section 1003.4295, Florida  
 965 Statutes, as created by chapter 2010-22, Laws of Florida, is  
 966 amended to read:

967 1003.4295 Acceleration courses.—

968 (3) The Credit Acceleration Program (CAP) is created for  
 969 the purpose of allowing a secondary student to earn high school  
 970 credit in a course that requires a statewide, standardized end-  
 971 of-course assessment if the student attains a specified score on  
 972 the assessment. Notwithstanding s. 1003.436, a school district  
 973 shall award course credit to a student who is not enrolled in  
 974 the course, or who has not completed the course, if the student  
 975 attains a score indicating satisfactory performance, as defined  
 976 in s. 1008.22(3)(c)4. ~~s. 1008.22(3)(c)5.~~, on the corresponding  
 977 statewide, standardized end-of-course assessment. The school  
 978 district shall permit a student who is not enrolled in the  
 979 course, or who has not completed the course, to take the  
 980 standardized end-of-course assessment during the regular

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981 administration of the assessment.

982 Section 9. Subsections (1), (2), and (3) of section  
 983 1003.433, Florida Statutes, are amended to read:

984 1003.433 Learning opportunities for out-of-state and out-  
 985 of-country transfer students and students needing additional  
 986 instruction to meet high school graduation requirements.-

987 (1) Students who enter a Florida public school at the  
 988 eleventh or twelfth grade from out of state or from a foreign  
 989 country shall not be required to spend additional time in a  
 990 Florida public school in order to meet the high school course  
 991 requirements if the student has met all requirements of the  
 992 school district, state, or country from which he or she is  
 993 transferring. Such students who are not proficient in English  
 994 should receive immediate and intensive instruction in English  
 995 language acquisition. However, to receive a standard high school  
 996 diploma, a transfer student must earn a 2.0 grade point average  
 997 and pass all end-of-course assessments required for the grade 10  
 998 ~~FCAT required in s. 1008.22(3) or an alternate assessment as~~  
 999 ~~described in s. 1008.22(10).~~

1000 (2) Students who have met all requirements for the  
 1001 standard high school diploma except for passage of all end-of-  
 1002 course assessments required for the grade 10 FCAT or an  
 1003 ~~alternate assessment~~ by the end of grade 12 must be provided the  
 1004 following learning opportunities:

1005 (a) Participation in an accelerated high school  
 1006 equivalency diploma preparation program during the summer.

1007 (b) Upon receipt of a certificate of completion, be  
 1008 allowed to take the College Placement Test and be admitted to

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1009 remedial or credit courses at a state community college, as  
 1010 appropriate.

1011 (c) Participation in an adult general education program as  
 1012 provided in s. 1004.93 for such time as the student requires to  
 1013 master English, reading, mathematics, or any other subject  
 1014 required for high school graduation. Students attending adult  
 1015 basic, adult secondary, or vocational-preparatory instruction  
 1016 are exempt from any requirement for the payment of tuition and  
 1017 fees, including lab fees, pursuant to s. 1009.25. A student  
 1018 attending an adult general education program shall have the  
 1019 opportunity to take any end-of-course assessment required for  
 1020 ~~the grade 10 FCAT~~ an unlimited number of times in order to  
 1021 receive a standard high school diploma.

1022 (3) Students who have been enrolled in an ESOL program for  
 1023 less than 2 school years and have met all requirements for the  
 1024 standard high school diploma except for passage of all end-of-  
 1025 course assessments required for ~~the grade 10 FCAT or alternate~~  
 1026 ~~assessment~~ may receive immersion English language instruction  
 1027 during the summer following their senior year. Students  
 1028 receiving such instruction are eligible to take any end-of-  
 1029 course assessment required for grade 10 ~~the FCAT or alternate~~  
 1030 ~~assessment~~ and receive a standard high school diploma upon  
 1031 passage of all end-of-course assessments required for ~~the grade~~  
 1032 ~~10 FCAT or the alternate assessment~~. This subsection shall be  
 1033 implemented to the extent funding is provided in the General  
 1034 Appropriations Act.

1035 Section 10. Paragraph (a) of subsection (4), paragraph (c)  
 1036 of subsection (5), paragraph (b) of subsection (6), paragraph

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1037 (b) of subsection (7), and paragraph (b) of subsection (8) of  
 1038 section 1008.25, Florida Statutes, as amended by chapter 2010-  
 1039 22, Laws of Florida, are amended to read:

1040 1008.25 Public school student progression; remedial  
 1041 instruction; reporting requirements.—

1042 (4) ASSESSMENT AND REMEDIATION.—

1043 (a) Each student must participate in the statewide  
 1044 assessment tests required by s. 1008.22. Each student who does  
 1045 not meet specific levels of performance as determined by the  
 1046 district school board in FCAT reading, writing, science, and  
 1047 mathematics for each grade level, ~~or who scores below Level 3 in~~  
 1048 ~~FCAT reading or FCAT mathematics~~, must be provided with  
 1049 additional diagnostic assessments to determine the nature of the  
 1050 student's difficulty, the areas of academic need, and strategies  
 1051 for appropriate intervention and instruction as described in  
 1052 paragraph (b).

1053 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

1054 (c) The parent of any student who exhibits a substantial  
 1055 deficiency in reading, as described in paragraph (a), must be  
 1056 notified in writing of the following:

1057 1. That his or her child has been identified as having a  
 1058 substantial deficiency in reading.

1059 2. A description of the current services that are provided  
 1060 to the child.

1061 3. A description of the proposed supplemental  
 1062 instructional services and supports that will be provided to the  
 1063 child that are designed to remediate the identified area of  
 1064 reading deficiency.

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1065           4. That if the child's reading deficiency is not  
 1066 remediated by the end of grade 3, the child must be retained  
 1067 unless he or she is exempt from mandatory retention for good  
 1068 cause.

1069           5. Strategies for parents to use in helping their child  
 1070 succeed in reading proficiency.

1071           6. That an end-of-course assessment in reading ~~the Florida~~  
 1072 ~~Comprehensive Assessment Test (FCAT)~~ is not the sole determiner  
 1073 of promotion and that additional evaluations, portfolio reviews,  
 1074 and assessments are available to the child to assist parents and  
 1075 the school district in knowing when a child is reading at or  
 1076 above grade level and ready for grade promotion.

1077           7. The district's specific criteria and policies for  
 1078 midyear promotion. Midyear promotion means promotion of a  
 1079 retained student at any time during the year of retention once  
 1080 the student has demonstrated ability to read at grade level.

1081           (6) ELIMINATION OF SOCIAL PROMOTION.—

1082           (b) The district school board may only exempt students  
 1083 from mandatory retention, as provided in paragraph (5) (b), for  
 1084 good cause. Good cause exemptions shall be limited to the  
 1085 following:

1086           1. Limited English proficient students who have had less  
 1087 than 2 years of instruction in an English for Speakers of Other  
 1088 Languages program.

1089           2. Students with disabilities whose individual education  
 1090 plan indicates that participation in the statewide assessment  
 1091 program is not appropriate, consistent with the requirements of  
 1092 State Board of Education rule.

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1093           3. Students who demonstrate an acceptable level of  
 1094 performance on an alternative standardized reading assessment  
 1095 approved by the State Board of Education.

1096           4. Students who demonstrate, through a student portfolio,  
 1097 that the student is reading on grade level ~~as evidenced by~~  
 1098 ~~demonstration of mastery of the Sunshine State Standards in~~  
 1099 ~~reading equal to at least a Level 2 performance on the FCAT.~~

1100           5. Students with disabilities who ~~participate in the FCAT~~  
 1101 ~~and who~~ have an individual education plan or a Section 504 plan  
 1102 that reflects that the student has received intensive  
 1103 remediation in reading for more than 2 years but still  
 1104 demonstrates a deficiency in reading and was previously retained  
 1105 in kindergarten, grade 1, grade 2, or grade 3.

1106           6. Students who have received intensive remediation in  
 1107 reading for 2 or more years but still demonstrate a deficiency  
 1108 in reading and who were previously retained in kindergarten,  
 1109 grade 1, grade 2, or grade 3 for a total of 2 years. Intensive  
 1110 reading instruction for students so promoted must include an  
 1111 altered instructional day that includes specialized diagnostic  
 1112 information and specific reading strategies for each student.  
 1113 The district school board shall assist schools and teachers to  
 1114 implement reading strategies that research has shown to be  
 1115 successful in improving reading among low-performing readers.

1116           (7) SUCCESSFUL PROGRESSION FOR RETAINED READERS.—

1117           (b) Beginning with the 2004-2005 school year, each school  
 1118 district shall:

1119           1. Conduct a review of student progress monitoring plans  
 1120 for all students who did not achieve grade level in reading



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1121 ~~score above Level 1 on the reading portion of the FCAT~~ and did  
 1122 not meet the criteria for one of the good cause exemptions in  
 1123 paragraph (6) (b). The review shall address additional supports  
 1124 and services, as described in this subsection, needed to  
 1125 remediate the identified areas of reading deficiency. The school  
 1126 district shall require a student portfolio to be completed for  
 1127 each such student.

1128         2. Provide students who are retained under the provisions  
 1129 of paragraph (5) (b) with intensive instructional services and  
 1130 supports to remediate the identified areas of reading  
 1131 deficiency, including a minimum of 90 minutes of daily,  
 1132 uninterrupted, scientifically research-based reading instruction  
 1133 and other strategies prescribed by the school district, which  
 1134 may include, but are not limited to:

- 1135             a. Small group instruction.
- 1136             b. Reduced teacher-student ratios.
- 1137             c. More frequent progress monitoring.
- 1138             d. Tutoring or mentoring.
- 1139             e. Transition classes containing 3rd and 4th grade  
 1140 students.
- 1141             f. Extended school day, week, or year.
- 1142             g. Summer reading camps.

1143         3. Provide written notification to the parent of any  
 1144 student who is retained under the provisions of paragraph (5) (b)  
 1145 that his or her child has not met the proficiency level required  
 1146 for promotion and the reasons the child is not eligible for a  
 1147 good cause exemption as provided in paragraph (6) (b). The  
 1148 notification must comply with the provisions of s. 1002.20(15)

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1149 and must include a description of proposed interventions and  
 1150 supports that will be provided to the child to remediate the  
 1151 identified areas of reading deficiency.

1152 4. Implement a policy for the midyear promotion of any  
 1153 student retained under the provisions of paragraph (5) (b) who  
 1154 can demonstrate that he or she is a successful and independent  
 1155 reader, reading at or above grade level, and ready to be  
 1156 promoted to grade 4. Tools that school districts may use in  
 1157 reevaluating any student retained may include subsequent  
 1158 assessments, alternative assessments, and portfolio reviews, in  
 1159 accordance with rules of the State Board of Education. ~~Students~~  
 1160 ~~promoted during the school year after November 1 must~~  
 1161 ~~demonstrate proficiency above that required to score at Level 2~~  
 1162 ~~on the grade 3 FCAT, as determined by the State Board of~~  
 1163 ~~Education.~~ The State Board of Education shall adopt standards  
 1164 that provide a reasonable expectation that the student's  
 1165 progress is sufficient to master appropriate 4th grade level  
 1166 reading skills.

1167 5. Provide students who are retained under the provisions  
 1168 of paragraph (5) (b) with a high-performing teacher as determined  
 1169 by student performance data and above-satisfactory performance  
 1170 appraisals.

1171 6. In addition to required reading enhancement and  
 1172 acceleration strategies, provide parents of students to be  
 1173 retained with at least one of the following instructional  
 1174 options:

1175 a. Supplemental tutoring in scientifically research-based  
 1176 reading services in addition to the regular reading block,

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1177 including tutoring before and/or after school.  
 1178       b. A "Read at Home" plan outlined in a parental contract,  
 1179 including participation in "Families Building Better Readers  
 1180 Workshops" and regular parent-guided home reading.  
 1181       c. A mentor or tutor with specialized reading training.  
 1182       7. Establish a Reading Enhancement and Acceleration  
 1183 Development (READ) Initiative. The focus of the READ Initiative  
 1184 shall be to prevent the retention of grade 3 students and to  
 1185 offer intensive accelerated reading instruction to grade 3  
 1186 students who failed to meet standards for promotion to grade 4  
 1187 and to each K-3 student who is assessed as exhibiting a reading  
 1188 deficiency. The READ Initiative shall:  
 1189       a. Be provided to all K-3 students at risk of retention as  
 1190 identified by the statewide assessment system used in Reading  
 1191 First schools. The assessment must measure phonemic awareness,  
 1192 phonics, fluency, vocabulary, and comprehension.  
 1193       b. Be provided during regular school hours in addition to  
 1194 the regular reading instruction.  
 1195       c. Provide a state-identified reading curriculum that has  
 1196 been reviewed by the Florida Center for Reading Research at  
 1197 Florida State University and meets, at a minimum, the following  
 1198 specifications:  
 1199           (I) Assists students assessed as exhibiting a reading  
 1200 deficiency in developing the ability to read at grade level.  
 1201           (II) Provides skill development in phonemic awareness,  
 1202 phonics, fluency, vocabulary, and comprehension.  
 1203           (III) Provides scientifically based and reliable  
 1204 assessment.

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1205 (IV) Provides initial and ongoing analysis of each  
1206 student's reading progress.

1207 (V) Is implemented during regular school hours.

1208 (VI) Provides a curriculum in core academic subjects to  
1209 assist the student in maintaining or meeting proficiency levels  
1210 for the appropriate grade in all academic subjects.

1211 8. Establish at each school, where applicable, an  
1212 Intensive Acceleration Class for retained grade 3 students who  
1213 subsequently score below grade level in reading ~~at Level 1 on~~  
1214 ~~the reading portion of the FCAT~~. The focus of the Intensive  
1215 Acceleration Class shall be to increase a child's reading level  
1216 at least two grade levels in 1 school year. The Intensive  
1217 Acceleration Class shall:

1218 a. Be provided to any student in grade 3 who scores below  
1219 grade level in reading ~~at Level 1 on the reading portion of the~~  
1220 ~~FCAT~~ and who was retained in grade 3 the prior year because of  
1221 scoring below grade level in reading ~~at Level 1 on the reading~~  
1222 ~~portion of the FCAT~~.

1223 b. Have a reduced teacher-student ratio.

1224 c. Provide uninterrupted reading instruction for the  
1225 majority of student contact time each day and incorporate  
1226 opportunities to master the grade 4 Sunshine State Standards in  
1227 other core subject areas.

1228 d. Use a reading program that is scientifically research-  
1229 based and has proven results in accelerating student reading  
1230 achievement within the same school year.

1231 e. Provide intensive language and vocabulary instruction  
1232 using a scientifically research-based program, including use of

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1233 a speech-language therapist.

1234 f. Include weekly progress monitoring measures to ensure  
1235 progress is being made.

1236 g. Report to the Department of Education, in the manner  
1237 described by the department, the progress of students in the  
1238 class at the end of the first semester.

1239 9. Report to the State Board of Education, as requested,  
1240 on the specific intensive reading interventions and supports  
1241 implemented at the school district level. The Commissioner of  
1242 Education shall annually prescribe the required components of  
1243 requested reports.

1244 10. Provide a student who has been retained in grade 3 and  
1245 has received intensive instructional services but is still not  
1246 ready for grade promotion, as determined by the school district,  
1247 the option of being placed in a transitional instructional  
1248 setting. Such setting shall specifically be designed to produce  
1249 learning gains sufficient to meet grade 4 performance standards  
1250 while continuing to remediate the areas of reading deficiency.

1251 (8) ANNUAL REPORT.—

1252 (b) Each district school board must annually publish in  
1253 the local newspaper, and report in writing to the State Board of  
1254 Education by September 1 of each year, the following information  
1255 on the prior school year:

1256 1. The provisions of this section relating to public  
1257 school student progression and the district school board's  
1258 policies and procedures on student retention and promotion.

1259 2. By grade, the number and percentage of all students in  
1260 grades 3 through 10 performing below grade level in reading ~~at~~

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1261 ~~Levels 1 and 2 on the reading portion of the FCAT.~~

1262 3. By grade, the number and percentage of all students  
1263 retained in grades 3 through 10.

1264 4. Information on the total number of students who were  
1265 promoted for good cause, by each category of good cause as  
1266 specified in paragraph (6) (b).

1267 5. Any revisions to the district school board's policy on  
1268 student retention and promotion from the prior year.

1269 Section 11. Subsection (3) of section 1008.30, Florida  
1270 Statutes, as amended by chapter 2010-22, Laws of Florida, is  
1271 amended to read:

1272 1008.30 Common placement testing for public postsecondary  
1273 education.—

1274 (3) The State Board of Education shall adopt rules that  
1275 require high schools to evaluate before the beginning of grade  
1276 12 the college readiness of each student who indicates an  
1277 interest in postsecondary education and scores below grade level  
1278 in reading or mathematics in at Level 2 or Level 3 on the  
1279 reading portion of the grade 10 FCAT or Level 2, Level 3, or  
1280 Level 4 on the mathematics assessments under s. 1008.22(3)(c).

1281 High schools shall perform this evaluation using results from  
1282 the corresponding component of the common placement test  
1283 prescribed in this section, or an equivalent test identified by  
1284 the State Board of Education. The Department of Education shall  
1285 purchase or develop the assessments necessary to perform the  
1286 evaluations required by this subsection and shall work with the  
1287 school districts to administer the assessments. The State Board  
1288 of Education shall establish by rule the minimum test scores a

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1289 student must achieve to demonstrate readiness. Students who  
 1290 demonstrate readiness by achieving the minimum test scores  
 1291 established by the state board and enroll in a community college  
 1292 within 2 years of achieving such scores shall not be required to  
 1293 enroll in remediation courses as a condition of acceptance to  
 1294 any community college. The high school shall use the results of  
 1295 the test to advise the students of any identified deficiencies  
 1296 and to the maximum extent practicable provide 12th grade  
 1297 students access to appropriate remedial instruction prior to  
 1298 high school graduation. The remedial instruction provided under  
 1299 this subsection shall be a collaborative effort between  
 1300 secondary and postsecondary educational institutions. To the  
 1301 extent courses are available, the Florida Virtual School may be  
 1302 used to provide the remedial instruction required by this  
 1303 subsection.

1304 Section 12. Paragraphs (b) and (c) of subsection (3) of  
 1305 section 1008.34, Florida Statutes, as amended by chapters 2010-  
 1306 22 and 2010-48, Laws of Florida, are amended to read:

1307 1008.34 School grading system; school report cards;  
 1308 district grade.—

1309 (3) DESIGNATION OF SCHOOL GRADES.—

1310 (b)1. A school's grade shall be based on a combination of:

1311 a. Student achievement scores, including achievement on  
 1312 ~~all FCAT assessments administered under s. 1008.22(3)(c)1.,~~ end-  
 1313 of-course assessments administered under s. 1008.22(3)(c)1.a. ~~s.~~  
 1314 ~~1008.22(3)(c)2.a.,~~ and achievement scores for students seeking a  
 1315 special diploma.

1316 b. Student learning gains in subjects ~~reading and~~

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1317 ~~mathematics~~ as measured by ~~FCAT~~ and end-of-course assessments,  
 1318 as described in s. 1008.22(3)(c)1.a. ~~and 2.a.~~ Learning gains for  
 1319 students seeking a special diploma, as measured by an alternate  
 1320 assessment tool, shall be included not later than the 2009-2010  
 1321 school year.

1322 c. Improvement of the lowest 25th percentile of students  
 1323 in the school in subjects ~~reading and mathematics~~ on the ~~FCAT~~ or  
 1324 end-of-course assessments described in s. 1008.22(3)(c)1.a. ~~s.~~  
 1325 ~~1008.22(3)(c)2.a.~~, unless these students are exhibiting  
 1326 satisfactory performance.

1327 2. Beginning with the 2009-2010 school year for schools  
 1328 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
 1329 11, and 12, 50 percent of the school grade shall be based on a  
 1330 combination of the factors listed in sub-subparagraphs 1.a.-c.  
 1331 and the remaining 50 percent on the following factors:

- 1332 a. The high school graduation rate of the school;
- 1333 b. As valid data becomes available, the performance and  
 1334 participation of the school's students in College Board Advanced  
 1335 Placement courses, International Baccalaureate courses, dual  
 1336 enrollment courses, and Advanced International Certificate of  
 1337 Education courses; and the students' achievement of national  
 1338 industry certification identified in the Industry Certification  
 1339 Funding List, pursuant to rules adopted by the State Board of  
 1340 Education;

1341 c. Postsecondary readiness of the school's students as  
 1342 measured by the SAT, ACT, or the common placement test;

1343 d. The high school graduation rate of at-risk students who  
 1344 scored below grade level in reading and mathematics in at-level



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1345 ~~2 or lower on the grade 8 FCAT Reading and Mathematics~~  
 1346 ~~examinations;~~

1347 e. As valid data becomes available, the performance of the  
 1348 school's students on statewide standardized end-of-course  
 1349 assessments administered under s. 1008.22(3)(c)1.c. and d. ~~s.~~  
 1350 ~~1008.22(3)(c)2.b. and e.~~; and

1351 f. The growth or decline in the components listed in sub-  
 1352 subparagraphs a.-e. from year to year.

1353 (c) Student assessment data used in determining school  
 1354 grades shall include:

1355 1. The aggregate scores of all eligible students enrolled  
 1356 in the school who have been assessed on ~~the FCAT and~~ statewide,  
 1357 standardized end-of-course assessments in courses required for  
 1358 high school graduation, including, beginning with the 2010-2011  
 1359 school year, the end-of-course assessment in Algebra I; and  
 1360 beginning with the 2011-2012 school year, the end-of-course  
 1361 assessments in geometry and Biology; and beginning with the  
 1362 2013-2014 school year, on the statewide, standardized end-of-  
 1363 course assessment in civics education at the middle school  
 1364 level.

1365 2. The aggregate scores of all eligible students enrolled  
 1366 in the school who have been assessed on ~~the FCAT and~~ end-of-  
 1367 course assessments as described in s. 1008.22(3)(c)1.a. ~~s.~~  
 1368 ~~1008.22(3)(c)2.a.~~, and who have scored at or in the lowest 25th  
 1369 percentile of students in the school in the subjects of those  
 1370 assessments ~~reading and mathematics~~, unless these students are  
 1371 exhibiting satisfactory performance.

1372 3. The achievement scores and learning gains of eligible

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1373 students attending alternative schools that provide dropout  
 1374 prevention and academic intervention services pursuant to s.  
 1375 1003.53. The term "eligible students" in this subparagraph does  
 1376 not include students attending an alternative school who are  
 1377 subject to district school board policies for expulsion for  
 1378 repeated or serious offenses, who are in dropout retrieval  
 1379 programs serving students who have officially been designated as  
 1380 dropouts, or who are in programs operated or contracted by the  
 1381 Department of Juvenile Justice. The student performance data for  
 1382 eligible students identified in this subparagraph shall be  
 1383 included in the calculation of the home school's grade. As used  
 1384 in this section and s. 1008.341, the term "home school" means  
 1385 the school to which the student would be assigned if the student  
 1386 were not assigned to an alternative school. If an alternative  
 1387 school chooses to be graded under this section, student  
 1388 performance data for eligible students identified in this  
 1389 subparagraph shall not be included in the home school's grade  
 1390 but shall be included only in the calculation of the alternative  
 1391 school's grade. A school district that fails to assign the ~~FCAT~~  
 1392 ~~and~~ end-of-course assessment as described in s.  
 1393 1008.22(3)(c)1.a. ~~s. 1008.22(3)(c)2.a.~~ scores of each of its  
 1394 students to his or her home school or to the alternative school  
 1395 that receives a grade shall forfeit Florida School Recognition  
 1396 Program funds for 1 fiscal year. School districts must require  
 1397 collaboration between the home school and the alternative school  
 1398 in order to promote student success. This collaboration must  
 1399 include an annual discussion between the principal of the  
 1400 alternative school and the principal of each student's home

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1401 school concerning the most appropriate school assignment of the  
 1402 student.

1403 4. For schools comprised of high school grades 9, 10, 11,  
 1404 and 12, or grades 10, 11, and 12, the data listed in  
 1405 subparagraphs 1.-3. and the following data as the Department of  
 1406 Education determines such data are valid and available:

1407 a. The high school graduation rate of the school as  
 1408 calculated by the Department of Education;

1409 b. The participation rate of all eligible students  
 1410 enrolled in the school and enrolled in College Board Advanced  
 1411 Placement courses; International Baccalaureate courses; dual  
 1412 enrollment courses; Advanced International Certificate of  
 1413 Education courses; and courses or sequence of courses leading to  
 1414 national industry certification identified in the Industry  
 1415 Certification Funding List, pursuant to rules adopted by the  
 1416 State Board of Education;

1417 c. The aggregate scores of all eligible students enrolled  
 1418 in the school in College Board Advanced Placement courses,  
 1419 International Baccalaureate courses, and Advanced International  
 1420 Certificate of Education courses;

1421 d. Earning of college credit by all eligible students  
 1422 enrolled in the school in dual enrollment programs under s.  
 1423 1007.271;

1424 e. Earning of a national industry certification identified  
 1425 in the Industry Certification Funding List, pursuant to rules  
 1426 adopted by the State Board of Education;

1427 f. The aggregate scores of all eligible students enrolled  
 1428 in the school in reading, mathematics, and other subjects as

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1429 measured by the SAT, the ACT, and the common placement test for  
1430 postsecondary readiness;

1431 g. The high school graduation rate of all eligible at-risk  
1432 students enrolled in the school who scored below grade level in  
1433 reading and mathematics in at Level 2 or lower on the grade 8  
1434 ~~FCAT Reading and Mathematics examinations;~~

1435 h. The performance of the school's students on statewide  
1436 standardized end-of-course assessments administered under s.  
1437 1008.22(3)(c)1.c. and d. s. 1008.22(3)(e)2.b. and e.; and

1438 i. The growth or decline in the data components listed in  
1439 sub-subparagraphs a.-h. from year to year.

1440  
1441 The State Board of Education shall adopt appropriate criteria  
1442 for each school grade. The criteria must also give added weight  
1443 to student achievement in reading. Schools designated with a  
1444 grade of "C," making satisfactory progress, shall be required to  
1445 demonstrate that adequate progress has been made by students in  
1446 the school who are in the lowest 25th percentile in ~~reading and~~  
1447 ~~mathematics on the FCAT and~~ end-of-course assessments as  
1448 described in s. 1008.22(3)(c)1.a. s. 1008.22(3)(e)2.a., unless  
1449 these students are exhibiting satisfactory performance.

1450 Beginning with the 2009-2010 school year for schools comprised  
1451 of high school grades 9, 10, 11, and 12, or grades 10, 11, and  
1452 12, the criteria for school grades must also give added weight  
1453 to the graduation rate of all eligible at-risk students, as  
1454 defined in this paragraph. Beginning in the 2009-2010 school  
1455 year, in order for a high school to be designated as having a  
1456 grade of "A," making excellent progress, the school must

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1457 demonstrate that at-risk students, as defined in this paragraph,  
 1458 in the school are making adequate progress.

1459 Section 13. Subsection (3) of section 1008.341, Florida  
 1460 Statutes, as amended by chapter 2010-22, Laws of Florida, is  
 1461 amended to read:

1462 1008.341 School improvement rating for alternative  
 1463 schools.—

1464 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data  
 1465 used in determining an alternative school's school improvement  
 1466 rating shall include:

1467 (a) The aggregate scores on statewide assessments  
 1468 administered under s. 1008.22 for all eligible students who were  
 1469 assigned to and enrolled in the school during the October or  
 1470 February FTE count and who have end-of-course assessment ~~FCAT~~ or  
 1471 comparable scores for the preceding school year.

1472 (b) The aggregate scores on statewide assessments  
 1473 administered under s. 1008.22 for all eligible students who were  
 1474 assigned to and enrolled in the school during the October or  
 1475 February FTE count and who have scored in the lowest 25th  
 1476 percentile of students in the state on end-of-course assessments  
 1477 in reading ~~FCAT Reading~~.

1478  
 1479 The assessment scores of students who are subject to district  
 1480 school board policies for expulsion for repeated or serious  
 1481 offenses, who are in dropout retrieval programs serving students  
 1482 who have officially been designated as dropouts, or who are in  
 1483 programs operated or contracted by the Department of Juvenile  
 1484 Justice may not be included in an alternative school's school

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1485 improvement rating.

1486 Section 14. Paragraph (c) of subsection (9) of section  
1487 1011.62, Florida Statutes, is amended to read:

1488 1011.62 Funds for operation of schools.—If the annual  
1489 allocation from the Florida Education Finance Program to each  
1490 district for operation of schools is not determined in the  
1491 annual appropriations act or the substantive bill implementing  
1492 the annual appropriations act, it shall be determined as  
1493 follows:

1494 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

1495 (c) Funds allocated under this subsection must be used to  
1496 provide a system of comprehensive reading instruction to  
1497 students enrolled in the K-12 programs, which may include the  
1498 following:

1499 1. The provision of highly qualified reading coaches.

1500 2. Professional development for school district teachers  
1501 in scientifically based reading instruction, including  
1502 strategies to teach reading in content areas and with an  
1503 emphasis on technical and informational text.

1504 3. The provision of summer reading camps for students who  
1505 are reading below grade level ~~score at Level 1 on FCAT Reading.~~

1506 4. The provision of supplemental instructional materials  
1507 that are grounded in scientifically based reading research.

1508 5. The provision of intensive interventions for middle and  
1509 high school students reading below grade level.

1510 Section 15. Paragraph (b) of subsection (1) of section  
1511 1012.22, Florida Statutes, is amended to read:

1512 1012.22 Public school personnel; powers and duties of the

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1513 district school board.—The district school board shall:

1514 (1) Designate positions to be filled, prescribe  
1515 qualifications for those positions, and provide for the  
1516 appointment, compensation, promotion, suspension, and dismissal  
1517 of employees as follows, subject to the requirements of this  
1518 chapter:

1519 (b) Time to act on nominations.—The district school board  
1520 shall act not later than 3 weeks following the receipt of ~~FCAT~~  
1521 ~~scores and data, including~~ school grades, or June 30, whichever  
1522 is later, on the district school superintendent's nominations of  
1523 supervisors, principals, and members of the instructional staff.

1524 Section 16. This act shall take effect upon becoming a  
1525 law.