

1 A bill to be entitled
2 An act relating to education accountability; amending s.
3 1001.20, F.S.; deleting a provision that requires the
4 Florida Virtual School to be administratively housed
5 within the Office of Technology and Information Services
6 within the Office of the Commissioner of Education;
7 amending s. 1001.42, F.S.; revising the powers and duties
8 of district school boards relating to student access to
9 Florida Virtual School courses; creating s. 1001.421,
10 F.S.; prohibiting district school board members and their
11 relatives from accepting certain gifts; amending s.
12 1002.37, F.S.; conforming provisions to changes made by
13 the act; amending s. 1002.38, F.S.; limiting the basis for
14 designation of school grades for purposes of the
15 Opportunity Scholarship Program; amending s. 1002.45,
16 F.S.; revising provisions relating to virtual instruction
17 program provider qualifications; amending s. 1002.67,
18 F.S.; requiring that the State Board of Education
19 periodically review and revise the performance standards
20 for the statewide kindergarten screening; amending s.
21 1002.69, F.S.; revising provisions relating to the minimum
22 kindergarten readiness rate and criteria for good cause
23 exemptions from meeting the requirement; amending s.
24 1003.4156, F.S.; revising the general requirements for
25 middle grades promotion; providing that a student with a
26 disability may have end-of-course assessment results
27 waived under certain circumstances; providing that a
28 middle grades student may be exempt from reading

29 remediation requirements under certain circumstances;
30 creating s. 1003.4203, F.S.; authorizing each district
31 school board to develop and implement a digital curriculum
32 for students in grades 6 through 12; requiring the
33 Department of Education to develop a model digital
34 curriculum; authorizing partnerships with private
35 businesses and consultants; amending s. 1003.428, F.S.;
36 revising provisions relating to the general requirements
37 for high school graduation; providing that a high school
38 student may be exempt from reading remediation
39 requirements under certain circumstances; amending s.
40 1003.493, F.S.; revising provisions relating to career and
41 professional academies to include middle schools;
42 requiring that the middle school career and professional
43 academy curriculum align with that of high school career
44 and professional academies; requiring partnerships with
45 high schools or other entities; amending s. 1003.575,
46 F.S.; providing requirements for completion of an
47 assistive technology assessment; amending s. 1008.22,
48 F.S.; revising provisions relating to the student
49 assessment program for public schools; requiring that the
50 Commissioner of Education direct school districts to
51 participate in certain international assessment programs;
52 authorizing a school principal to exempt certain students
53 from the end-of-course assessment in civics education;
54 amending s. 1008.33, F.S.; revising provisions relating to
55 public school improvement; requiring the Department of
56 Education to categorize public schools based on the

57 | portion of a school's grade that relies on statewide
58 | assessments; amending s. 1008.34, F.S.; revising the basis
59 | for the designation of school grades; including
60 | achievement scores and learning gains for students who are
61 | hospital or homebound; requiring a school that does not
62 | meet minimal proficiency standards to receive a specified
63 | school grade; amending s. 1011.01, F.S.; revising
64 | provisions relating to the annual operating budgets of
65 | district school boards and Florida College System
66 | institution boards of trustees; amending s. 1011.03, F.S.;
67 | revising provisions relating to adopted district school
68 | board budgets; creating s. 1011.035, F.S.; requiring each
69 | school district to post budgetary information its website;
70 | amending s. 1012.39, F.S.; revising provisions relating to
71 | the qualifications for nondegreed teachers of career
72 | education; providing effective dates.

73 |
74 | Be It Enacted by the Legislature of the State of Florida:

75 |
76 | Section 1. Paragraph (a) of subsection (4) of section
77 | 1001.20, Florida Statutes, is amended to read:

78 | 1001.20 Department under direction of state board.—

79 | (4) The Department of Education shall establish the
80 | following offices within the Office of the Commissioner of
81 | Education which shall coordinate their activities with all other
82 | divisions and offices:

83 | (a) Office of Technology and Information Services.—

84 | Responsible for developing a systemwide technology plan, making

85 budget recommendations to the commissioner, providing data
 86 collection and management for the system, assisting school
 87 districts in securing Internet access and telecommunications
 88 services, including those eligible for funding under the Schools
 89 and Libraries Program of the federal Universal Service Fund, and
 90 coordinating services with other state, local, and private
 91 agencies. The office shall develop a method to address the need
 92 for a statewide approach to planning and operations of library
 93 and information services to achieve a single K-20 education
 94 system library information portal and a unified higher education
 95 library management system. ~~The Florida Virtual School shall be~~
 96 ~~administratively housed within the office.~~

97 Section 2. Subsection (23) of section 1001.42, Florida
 98 Statutes, is amended to read:

99 1001.42 Powers and duties of district school board.—The
 100 district school board, acting as a board, shall exercise all
 101 powers and perform all duties listed below:

102 (23) FLORIDA VIRTUAL SCHOOL.—Provide students with access
 103 to ~~enroll in~~ courses available through the Florida Virtual
 104 School and award credit for successful completion of such
 105 courses. Access shall be available to students during and ~~or~~
 106 after the normal school day and through summer school
 107 enrollment.

108 Section 3. Section 1001.421, Florida Statutes, is created
 109 to read:

110 1001.421 Gifts.—Notwithstanding ss. 112.3148 and 112.3149
 111 or any other provision of law to the contrary, district school
 112 board members and their relatives, as defined in s. 112.312(21),

113 may not directly or indirectly solicit or accept any gift, as
 114 defined in s. 112.312(12), from any person, vendor, potential
 115 vendor, or other entity doing business with the school district.

116 Section 4. Paragraph (a) of subsection (1) of section
 117 1002.37, Florida Statutes, is amended to read:

118 1002.37 The Florida Virtual School.—

119 (1) (a) The Florida Virtual School is established for the
 120 development and delivery of online and distance learning
 121 education ~~and shall be administratively housed within the~~
 122 ~~Commissioner of Education's Office of Technology and Information~~
 123 ~~Services.~~ The Commissioner of Education shall monitor the
 124 school's performance and report its performance to the State
 125 Board of Education and the Legislature.

126
 127 The board of trustees of the Florida Virtual School shall
 128 identify appropriate performance measures and standards based on
 129 student achievement that reflect the school's statutory mission
 130 and priorities, and shall implement an accountability system for
 131 the school that includes assessment of its effectiveness and
 132 efficiency in providing quality services that encourage high
 133 student achievement, seamless articulation, and maximum access.

134 Section 5. Subsection (2) of section 1002.38, Florida
 135 Statutes, is amended to read:

136 1002.38 Opportunity Scholarship Program.—

137 (2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.—For purposes of
 138 this section, eligibility requirements relating to a school's
 139 grade, pursuant to s. 1008.34, shall be determined only by that
 140 portion of the school grade which is based on statewide

CS/HB 1255

2011

141 assessments administered pursuant to s. 1008.22. A public school
142 student's parent may request and receive from the state an
143 opportunity scholarship for the student to enroll in and attend
144 a private school in accordance with the provisions of this
145 section if:

146 (a)1. By assigned school attendance area or by special
147 assignment, the student has spent the prior school year in
148 attendance at a public school that has been designated pursuant
149 to s. 1008.34 as performance grade category "F," failing to make
150 adequate progress, and that has had 2 school years in a 4-year
151 period of such low performance, and the student's attendance
152 occurred during a school year in which such designation was in
153 effect;

154 2. The student has been in attendance elsewhere in the
155 public school system and has been assigned to such school for
156 the next school year; or

157 3. The student is entering kindergarten or first grade and
158 has been notified that the student has been assigned to such
159 school for the next school year.

160 (b) The parent has obtained acceptance for admission of
161 the student to a private school eligible for the program
162 pursuant to subsection (4), and has notified the Department of
163 Education and the school district of the request for an
164 opportunity scholarship no later than July 1 of the first year
165 in which the student intends to use the scholarship.

166
167 The provisions of this section shall not apply to a student who
168 is enrolled in a school operating for the purpose of providing

169 educational services to youth in Department of Juvenile Justice
 170 commitment programs. For purposes of continuity of educational
 171 choice, the opportunity scholarship shall remain in force until
 172 the student returns to a public school or, if the student
 173 chooses to attend a private school the highest grade of which is
 174 grade 8, until the student matriculates to high school and the
 175 public high school to which the student is assigned is an
 176 accredited school with a performance grade category designation
 177 of "C" or better. However, at any time upon reasonable notice to
 178 the Department of Education and the school district, the
 179 student's parent may remove the student from the private school
 180 and place the student in a public school, as provided in
 181 subparagraph (3) (a) 2.

182 Section 6. Paragraph (b) of subsection (2) of section
 183 1002.45, Florida Statutes, is amended to read:

184 1002.45 School district virtual instruction programs.—

185 (2) PROVIDER QUALIFICATIONS.—

186 (b) An approved provider shall retain its approved status
 187 during the 3 school years ~~for a period of 3 years~~ after the date
 188 of the department's approval under paragraph (a) as long as the
 189 provider continues to comply with all requirements of this
 190 section.

191 Section 7. Subsection (1) and paragraph (c) of subsection
 192 (3) of section 1002.67, Florida Statutes, are amended to read:

193 1002.67 Performance standards; curricula and
 194 accountability.—

195 (1) (a) By April 1, 2005, the department shall develop and
 196 adopt performance standards for students in the Voluntary

197 Prekindergarten Education Program. The performance standards
 198 must address the age-appropriate progress of students in the
 199 development of:

200 1.~~(a)~~ The capabilities, capacities, and skills required
 201 under s. 1(b), Art. IX of the State Constitution; and

202 2.~~(b)~~ Emergent literacy skills, including oral
 203 communication, knowledge of print and letters, phonemic and
 204 phonological awareness, and vocabulary and comprehension
 205 development.

206 (b) The State Board of Education shall periodically review
 207 and revise the performance standards for the statewide
 208 kindergarten screening administered under s. 1002.69 and align
 209 the standards to the standards established by the state board
 210 for student performance on the statewide assessments
 211 administered pursuant to s. 1008.22.

212 (3)

213 (c)1. If the kindergarten readiness rate of a private
 214 prekindergarten provider or public school falls below the
 215 minimum rate adopted by the State Board of Education as
 216 satisfactory under s. 1002.69(6), the early learning coalition
 217 or school district, as applicable, shall require the provider or
 218 school to submit an improvement plan for approval by the
 219 coalition or school district, as applicable, and to implement
 220 the plan.

221 2. If a private prekindergarten provider or public school
 222 fails to meet the minimum rate adopted by the State Board of
 223 Education as satisfactory under s. 1002.69(6) ~~for 2 consecutive~~
 224 ~~years~~, the early learning coalition or school district, as

225 applicable, shall place the provider or school on probation and
 226 must require the provider or school to take certain corrective
 227 actions, including the use of a curriculum approved by the
 228 department under paragraph (2)(c).

229 3. A private prekindergarten provider or public school
 230 that is placed on probation must continue the corrective actions
 231 required under subparagraph 2., including the use of a
 232 curriculum approved by the department, until the provider or
 233 school meets the minimum rate adopted by the State Board of
 234 Education as satisfactory under s. 1002.69(6).

235 4. If a private prekindergarten provider or public school
 236 remains on probation for 2 consecutive years and fails to meet
 237 the minimum rate adopted by the State Board of Education as
 238 satisfactory under s. 1002.69(6) and is not granted a good cause
 239 exemption by the department pursuant to s. 1002.69(7), the
 240 Agency for Workforce Innovation shall require the early learning
 241 coalition or the Department of Education shall require the
 242 school district to remove, as applicable, the provider or school
 243 from eligibility to deliver the Voluntary Prekindergarten
 244 Education Program and receive state funds for the program.

245 Section 8. Subsection (6) and paragraphs (b) and (c) of
 246 subsection (7) of section 1002.69, Florida Statutes, are amended
 247 to read:

248 1002.69 Statewide kindergarten screening; kindergarten
 249 readiness rates.—

250 (6) ~~(a)~~ The State Board of Education shall periodically
 251 adopt a minimum kindergarten readiness rate that, if achieved by
 252 a private prekindergarten provider or public school, would

253 demonstrate the provider's or school's satisfactory delivery of
 254 the Voluntary Prekindergarten Education Program.

255 ~~(b) The minimum rate must not exceed the rate at which~~
 256 ~~more than 15 percent of the kindergarten readiness rates of all~~
 257 ~~private prekindergarten providers and public schools delivering~~
 258 ~~the Voluntary Prekindergarten Education Program in the state~~
 259 ~~would fall below the minimum rate.~~

260 (7)

261 (b) A private prekindergarten provider's or public
 262 school's request for a good cause exemption, or renewal of such
 263 an exemption, must be submitted to the state board in the manner
 264 and within the timeframes prescribed by the state board and must
 265 include the following:

266 1. Submission of data by the private prekindergarten
 267 provider or public school which documents ~~on a standardized~~
 268 ~~assessment~~ the achievement and progress of the children served
 269 as measured by a standardized pre-assessment and a standardized
 270 post-assessment approved by the department pursuant to paragraph

271 (c) 1.

272 2. Submission and review of data available from the
 273 respective early learning coalition or district school board,
 274 the Department of Children and Family Services, local licensing
 275 authority, or an accrediting association, as applicable,
 276 relating to the private prekindergarten provider's or public
 277 school's compliance with state and local health and safety
 278 standards.

279 3. Submission and review of data available to the
 280 department on the performance of the children served and the

281 calculation of the private prekindergarten provider's or public
282 school's kindergarten readiness rate.

283 (c) The State Board of Education shall adopt criteria for
284 granting good cause exemptions. Such criteria shall include, but
285 are not limited to:

286 1. Learning gains of children served in the Voluntary
287 Prekindergarten Education Program by the private prekindergarten
288 provider or public school. A provider seeking a good cause
289 exemption shall have the early learning coalition or a
290 department-approved second party administer a department-
291 approved standardized assessment to each child in the
292 prekindergarten provider's program within the first 30 days of
293 each school year for which a good cause exemption is sought, and
294 the provider shall administer a department-approved standardized
295 followup assessment to measure the student's learning gains for
296 the year or summer, as appropriate. All data must be submitted
297 to the department within 30 days after the administration of
298 each assessment.

299 ~~2. Verification that the private prekindergarten provider~~
300 ~~or public school serves at least twice the statewide percentage~~
301 ~~of children with disabilities as defined in s. 1003.01(3)(a) or~~
302 ~~children identified as limited English proficient as defined in~~
303 ~~s. 1003.56.~~

304 ~~2.3.~~ Verification that local and state health and safety
305 requirements are met.

306 Section 9. Subsection (1) of section 1003.4156, Florida
307 Statutes, is amended to read:

308 1003.4156 General requirements for middle grades

309 promotion.—

310 (1) ~~Beginning with students entering grade 6 in the 2006-~~
311 ~~2007 school year,~~ Promotion from a school composed of middle
312 grades 6, 7, and 8 requires that:

313 (a) The student must successfully complete academic
314 courses as follows:

315 1. Three middle school or higher courses in English. These
316 courses shall emphasize literature, composition, and technical
317 text.

318 2. Three middle school or higher courses in mathematics.
319 Each middle school must offer at least one high school level
320 mathematics course for which students may earn high school
321 credit. Successful completion of a high school level Algebra I
322 or geometry course is not contingent upon the student's
323 performance on the end-of-course assessment required under s.
324 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
325 school year, to earn high school credit for an Algebra I course,
326 a middle school student must pass the Algebra I end-of-course
327 assessment, and beginning with the 2012-2013 school year, to
328 earn high school credit for a geometry course, a middle school
329 student must pass the geometry end-of-course assessment.

330 3. Three middle school or higher courses in social
331 studies, one semester of which must include the study of state
332 and federal government and civics education. Beginning with
333 students entering grade 6 in the 2012-2013 school year, one of
334 these courses must be at least a one-semester civics education
335 course that a student successfully completes in accordance with
336 s. 1008.22(3)(c) and that includes the roles and

337 | responsibilities of federal, state, and local governments; the
338 | structures and functions of the legislative, executive, and
339 | judicial branches of government; and the meaning and
340 | significance of historic documents, such as the Articles of
341 | Confederation, the Declaration of Independence, and the
342 | Constitution of the United States.

343 | 4. Three middle school or higher courses in science.
344 | Successful completion of a high school level Biology I course is
345 | not contingent upon the student's performance on the end-of-
346 | course assessment required under s. 1008.22(3)(c)2.a.(II).
347 | However, beginning with the 2012-2013 school year, to earn high
348 | school credit for a Biology I course, a middle school student
349 | must pass the Biology I end-of-course assessment.

350 | 5. One course in career and education planning to be
351 | completed in 7th or 8th grade. The course may be taught by any
352 | member of the instructional staff; must include career
353 | exploration using Florida CHOICES or a comparable cost-effective
354 | program; must include educational planning using the online
355 | student advising system known as Florida Academic Counseling and
356 | Tracking for Students at the Internet website FACTS.org; and
357 | shall result in the completion of a personalized academic and
358 | career plan. The required personalized academic and career plan
359 | must inform students of high school graduation requirements,
360 | high school assessment and college entrance test requirements,
361 | Florida Bright Futures Scholarship Program requirements, state
362 | university and Florida college admission requirements, and
363 | programs through which a high school student can earn college
364 | credit, including Advanced Placement, International

365 Baccalaureate, Advanced International Certificate of Education,
366 dual enrollment, career academy opportunities, and courses that
367 lead to national industry certification.

368
369 A student with a disability, as defined in s. 1007.02(2), for
370 whom the individual education plan team determines that an end-
371 of-course assessment cannot accurately measure the student's
372 abilities, taking into consideration all allowable
373 accommodations, shall have the end-of-course assessment results
374 waived for purposes of determining the student's course grade
375 and completing the requirements for middle grades promotion.

376 Each school must hold a parent meeting either in the evening or
377 on a weekend to inform parents about the course curriculum and
378 activities. Each student shall complete an electronic personal
379 education plan that must be signed by the student; the student's
380 instructor, guidance counselor, or academic advisor; and the
381 student's parent. The Department of Education shall develop
382 course frameworks and professional development materials for the
383 career exploration and education planning course. The course may
384 be implemented as a stand-alone course or integrated into
385 another course or courses. The Commissioner of Education shall
386 collect longitudinal high school course enrollment data by
387 student ethnicity in order to analyze course-taking patterns.

388 (b) For each year in which a student scores at Level 1 on
389 FCAT Reading, the student must be enrolled in and complete an
390 intensive reading course the following year. Placement of Level
391 2 readers in either an intensive reading course or a content
392 area course in which reading strategies are delivered shall be

393 determined by diagnosis of reading needs. The department shall
 394 provide guidance on appropriate strategies for diagnosing and
 395 meeting the varying instructional needs of students reading
 396 below grade level. Reading courses shall be designed and offered
 397 pursuant to the comprehensive reading plan required by s.
 398 1011.62(9). A middle grades student who scores at Level 1 or
 399 Level 2 on FCAT Reading but who did not score below Level 3 in
 400 the previous 3 years may be granted a 1-year exemption from the
 401 reading remediation requirement; however, the student must have
 402 an approved academic improvement plan already in place, signed
 403 by the appropriate school staff and the student's parent for the
 404 year for which the exemption is granted.

405 (c) For each year in which a student scores at Level 1 or
 406 Level 2 on FCAT Mathematics, the student must receive
 407 remediation the following year, which may be integrated into the
 408 student's required mathematics course.

409 Section 10. Section 1003.4203, Florida Statutes, is
 410 created to read:

411 1003.4203 Digital curriculum.—

412 (1) Each district school board, in consultation with the
 413 district school superintendent, may develop and implement a
 414 digital curriculum for students in grades 6 through 12 to enable
 415 students to attain competencies in web communications and web
 416 design. A digital curriculum may include web-based skills, web-
 417 based core technologies, web design, use of digital technologies
 418 and markup language to evidence competency in computer skills,
 419 and use of web-based core technologies to design creative,
 420 informational, and content standards for web-based digital

421 products that demonstrate proficiency in creating, publishing,
422 testing, monitoring, and maintaining a website.

423 (2) The digital curriculum instruction may be integrated
424 into middle school and high school subject area curricula or
425 offered as a separate course, subject to available funding.

426 (3) The Department of Education shall develop a model
427 digital curriculum to serve as a guide for district school
428 boards in the development of a digital curriculum.

429 (4) A district school board may seek partnerships with
430 private businesses and consultants to offer classes and
431 instruction to teachers and students to assist the school
432 district in providing digital curriculum instruction.

433 Section 11. Paragraph (b) of subsection (2) of section
434 1003.428, Florida Statutes, is amended to read:

435 1003.428 General requirements for high school graduation;
436 revised.—

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

440 (b) Eight credits in electives.

441 1. For each year in which a student scores at Level 1 on
442 FCAT Reading, the student must be enrolled in and complete an
443 intensive reading course the following year. Placement of Level
444 2 readers in either an intensive reading course or a content
445 area course in which reading strategies are delivered shall be
446 determined by diagnosis of reading needs. The department shall
447 provide guidance on appropriate strategies for diagnosing and
448 meeting the varying instructional needs of students reading

449 below grade level. Reading courses shall be designed and offered
 450 pursuant to the comprehensive reading plan required by s.
 451 1011.62(9). A high school student who scores at Level 1 or Level
 452 2 on FCAT Reading but who did not score below Level 3 in the
 453 previous 3 years may be granted a 1-year exemption from the
 454 reading remediation requirement; however, the student must have
 455 an approved academic improvement plan already in place, signed
 456 by the appropriate school staff and the student's parent for the
 457 year for which the exemption is granted.

458 2. For each year in which a student scores at Level 1 or
 459 Level 2 on FCAT Mathematics, the student must receive
 460 remediation the following year. These courses may be taught
 461 through applied, integrated, or combined courses and are subject
 462 to approval by the department for inclusion in the Course Code
 463 Directory.

464 Section 12. Section 1003.493, Florida Statutes, is amended
 465 to read:

466 1003.493 Career and professional academies.—

467 (1) A "career and professional academy" is a research-
 468 based program that integrates a rigorous academic curriculum
 469 with an industry-specific curriculum aligned directly to
 470 priority workforce needs established by the regional workforce
 471 board. High school career and professional academies shall, and
 472 middle school career and professional academies may, be offered
 473 by public schools and school districts. The Florida Virtual
 474 School is encouraged to develop and offer rigorous career and
 475 professional courses as appropriate. Students completing high
 476 school career and professional academy programs must receive a

477 | standard high school diploma, the highest available industry
 478 | certification, and opportunities to earn postsecondary credit if
 479 | the academy partners with a postsecondary institution approved
 480 | to operate in the state. Students completing a middle school
 481 | career and professional academy program must have the
 482 | opportunity to earn an industry certification, earn high school
 483 | credit, and participate in career planning, job shadowing, and
 484 | leadership-development opportunities.

485 | (2) The goals of a career and professional academy are to:

486 | (a) Increase student academic achievement and graduation
 487 | rates through integrated academic and career curricula.

488 | (b) Prepare graduating high school students to make
 489 | appropriate choices relative to employment and future
 490 | educational experiences.

491 | (c) Focus on career preparation through rigorous academics
 492 | and industry certification.

493 | (d) Raise student aspiration and commitment to academic
 494 | achievement and work ethics through relevant coursework.

495 | (e) Support graduation requirements pursuant to s.
 496 | 1003.428 by providing creative, applied major areas of interest.

497 | (f) Promote acceleration mechanisms, such as dual
 498 | enrollment, articulated credit, or occupational completion
 499 | points, so that students may earn postsecondary credit while in
 500 | high school.

501 | (g) Support the state's economy by meeting industry needs
 502 | for skilled employees in high-demand occupations.

503 | (3) Existing career education courses may serve as a
 504 | foundation for the creation of a career and professional

505 academy. A career and professional academy may be offered as one
506 of the following small learning communities:

507 (a) A school-within-a-school career academy, as part of an
508 existing middle school or high school, that provides courses in
509 one occupational cluster. Students in the middle school or high
510 school are not required to be students in the academy.

511 (b) A total school configuration providing multiple
512 academies, each structured around an occupational cluster. Every
513 student in the school is in an academy.

514 (4) Each middle school or high school career and
515 professional academy must:

516 ~~(a)~~ provide a rigorous standards-based academic curriculum
517 integrated with a career curriculum. The curriculum must take
518 into consideration multiple styles of student learning; promote
519 learning by doing through application and adaptation; maximize
520 relevance of the subject matter; enhance each student's capacity
521 to excel; and include an emphasis on work habits and work
522 ethics.

523 (5) ~~(b)~~ Each middle school or high school career and
524 professional academy must include one or more partnerships with
525 postsecondary institutions, businesses, industry, employers,
526 economic development organizations, or other appropriate
527 partners from the local community. Such partnerships shall be
528 delineated in articulation agreements to provide for career-
529 based courses that earn postsecondary credit. Such agreements
530 may include articulation between the academy and public or
531 private 2-year and 4-year postsecondary institutions and
532 technical centers. The Department of Education, in consultation

533 with the Board of Governors, shall establish a mechanism to
 534 ensure articulation and transfer of credits to postsecondary
 535 institutions in this state. Such partnerships must provide
 536 opportunities for:

537 (a)1. Instruction from highly skilled professionals who
 538 possess industry-certification credentials for courses they are
 539 teaching.

540 (b)2. Internships, externships, and on-the-job training.

541 (c)3. A postsecondary degree, diploma, or certificate.

542 (d)4. The highest available level of industry
 543 certification.

544 (e)5. Maximum articulation of credits pursuant to s.
 545 1007.23 upon program completion.

546 (6)(e) Each middle school or high school career and
 547 professional academy must:

548 (a) Provide shared, maximum use of private sector
 549 facilities and personnel.

550 (b)(d) Provide personalized student advisement, including
 551 a parent-participation component, and coordination of high
 552 schools with middle schools to promote and support career
 553 exploration and education planning as required under s.
 554 1003.4156. Coordination of high schools with middle schools must
 555 provide information to middle school students about secondary
 556 and postsecondary career education programs and academies.

557 (c)(e) Promote and provide opportunities for career and
 558 professional academy students to attain, at minimum, the Florida
 559 Gold Seal Vocational Scholars award pursuant to s. 1009.536.

560 (d)(f) Provide instruction in careers designated as high

561 growth, high demand, and high pay by the local workforce
562 development board, the chamber of commerce, or the Agency for
563 Workforce Innovation.

564 (e)~~(g)~~ Deliver academic content through instruction
565 relevant to the career, including intensive reading and
566 mathematics intervention required by s. 1003.428, with an
567 emphasis on strengthening reading for information skills.

568 (f)~~(h)~~ Offer applied courses that combine academic content
569 with technical skills.

570 (g)~~(i)~~ Provide instruction resulting in competency,
571 certification, or credentials in workplace skills, including,
572 but not limited to, communication skills, interpersonal skills,
573 decisionmaking skills, the importance of attendance and
574 timeliness in the work environment, and work ethics.

575 (h)~~(j)~~ Provide opportunities for students to obtain the
576 Florida Ready to Work Certification pursuant to s. 1004.99.

577 (i)~~(k)~~ Include an evaluation plan developed jointly with
578 the Department of Education and the local workforce board. The
579 evaluation plan must include an assessment tool based on
580 national industry standards, such as the Career Academy National
581 Standards of Practice, and outcome measures, including, but not
582 limited to, achievement of national industry certifications
583 identified in the Industry Certification Funding List, pursuant
584 to rules adopted by the State Board of Education, graduation
585 rates, enrollment in postsecondary education, business and
586 industry satisfaction, employment and earnings, awards of
587 postsecondary credit and scholarships, and student achievement
588 levels and learning gains on statewide assessments administered

589 | under s. 1008.22(3)(c). The Department of Education shall use
 590 | Workforce Florida, Inc., and Enterprise Florida, Inc., in
 591 | identifying industry experts to participate in developing and
 592 | implementing such assessments.

593 | ~~(j)(1)~~ Include a plan to sustain career and professional
 594 | academies.

595 | ~~(k)(m)~~ Redirect appropriated career funding to career and
 596 | professional academies.

597 | ~~(7)(5)~~ All high school career courses offered in a career
 598 | and professional academy must lead to industry certification or
 599 | college credit linked directly to the career theme of the
 600 | course. At least 50 percent of students enrolled in a career
 601 | course must achieve industry certifications or college credits
 602 | during the second year the course is offered in order for the
 603 | course to be offered a third year. At least 66 percent of
 604 | students enrolled in such a course must achieve industry
 605 | certifications or college credits during the third year the
 606 | course is offered in order for it to be offered a fourth year
 607 | and thereafter.

608 | (8) Each middle school career and professional academy's
 609 | curriculum and coursework must be aligned with that of high
 610 | school career and professional academies in the school district
 611 | and include one or more partnerships with high schools,
 612 | businesses, industry, employers, economic development
 613 | organizations, or other appropriate partners from the local
 614 | community. Such partnerships must provide opportunities for:

615 | (a) Instruction from highly skilled professionals who
 616 | possess industry-certification credentials for courses they are

617 teaching.

618 (b) Internships and externships.

619 (c) Maximum articulation of high school dual enrollment
620 credits upon program completion.

621 (d) Personalized student advisement, including a parent-
622 participation component, and coordination with high schools to
623 promote accelerated course credit.

624 (e) Instruction in careers designated as high growth, high
625 demand, and high pay by the local workforce development board,
626 the chamber of commerce, or the Agency for Workforce Innovation.

627 (f) The delivery of academic content through instruction
628 that is relevant to a career, including intensive reading and
629 mathematics intervention required by ss. 1003.4156 and 1003.428,
630 along with an emphasis on strengthening reading for information
631 skills.

632 (g) Applied courses that combine academic content with
633 technical skills.

634 (h) Instruction resulting in competency, including, but
635 not limited to, communication skills, interpersonal skills,
636 decisionmaking skills, the importance of attendance and
637 timeliness in the work environment, and work ethics.

638 (i) An evaluation plan developed jointly with the
639 Department of Education and the local workforce board. The
640 department shall consult with Workforce Florida, Inc., and
641 Enterprise Florida, Inc., in identifying industry experts to
642 participate in developing and implementing evaluation
643 assessments.

644 ~~(6) The Okaloosa County School District CHOICE Institutes~~

CS/HB 1255

2011

645 ~~shall serve in an advisory role and shall offer technical~~
646 ~~assistance in the development of newly established career and~~
647 ~~professional academies for a 3-year period beginning July 1,~~
648 ~~2007.~~

649 Section 13. Section 1003.575, Florida Statutes, is amended
650 to read:

651 1003.575 Assistive technology devices; findings;
652 interagency agreements.—Accessibility, utilization, and
653 coordination of appropriate assistive technology devices and
654 services are essential as a young person with disabilities moves
655 from early intervention to preschool, from preschool to school,
656 from one school to another, and from school to employment or
657 independent living. Within 60 school days after receiving a
658 request for an assistive technology assessment for a student
659 with a disability as defined in s. 1003.01(3), the individual
660 education plan team shall seek consent from the parent and, if
661 consent is granted, the school district shall complete the
662 assessment. To ensure that an assistive technology device issued
663 to a young person as part of his or her individualized family
664 support plan, individual support plan, or an individual
665 education plan remains with the individual through such
666 transitions, the following agencies shall enter into interagency
667 agreements, as appropriate, to ensure the transaction of
668 assistive technology devices:

669 (1) The Florida Infants and Toddlers Early Intervention
670 Program in the Division of Children's Medical Services of the
671 Department of Health.

672 (2) The Division of Blind Services, the Bureau of

673 | Exceptional Education and Student Services, and the Division of
 674 | Vocational Rehabilitation of the Department of Education.

675 | (3) The Voluntary Prekindergarten Education Program
 676 | administered by the Department of Education and the Agency for
 677 | Workforce Innovation.

678 |
 679 | Interagency agreements entered into pursuant to this section
 680 | shall provide a framework for ensuring that young persons with
 681 | disabilities and their families, educators, and employers are
 682 | informed about the utilization and coordination of assistive
 683 | technology devices and services that may assist in meeting
 684 | transition needs, and shall establish a mechanism by which a
 685 | young person or his or her parent may request that an assistive
 686 | technology device remain with the young person as he or she
 687 | moves through the continuum from home to school to postschool.

688 | Section 14. Effective upon this act becoming a law,
 689 | subsection (2) and paragraph (c) of subsection (3) of section
 690 | 1008.22, Florida Statutes, are amended to read:

691 | 1008.22 Student assessment program for public schools.—

692 | (2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—It
 693 | is Florida's intent to participate in the measurement of
 694 | national educational goals. The Commissioner of Education shall
 695 | direct Florida school districts to participate in the
 696 | administration of the National Assessment of Educational
 697 | Progress, or a similar national or international assessment
 698 | program, both for the national sample and for any state-by-state
 699 | comparison programs which may be initiated. The assessments must
 700 | be conducted using the data collection procedures, the student

CS/HB 1255

2011

701 surveys, the educator surveys, and other instruments included in
702 the National Assessment of Educational Progress or similar
703 national or international assessment program being administered
704 in Florida. The results of these assessments shall be included
705 in the annual report of the Commissioner of Education specified
706 in this section, as applicable. The administration of the
707 National Assessment of Educational Progress or similar national
708 or international assessment program shall be in addition to and
709 separate from the administration of the statewide assessment
710 program.

711 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
712 design and implement a statewide program of educational
713 assessment that provides information for the improvement of the
714 operation and management of the public schools, including
715 schools operating for the purpose of providing educational
716 services to youth in Department of Juvenile Justice programs.
717 The commissioner may enter into contracts for the continued
718 administration of the assessment, testing, and evaluation
719 programs authorized and funded by the Legislature. Contracts may
720 be initiated in 1 fiscal year and continue into the next and may
721 be paid from the appropriations of either or both fiscal years.
722 The commissioner is authorized to negotiate for the sale or
723 lease of tests, scoring protocols, test scoring services, and
724 related materials developed pursuant to law. Pursuant to the
725 statewide assessment program, the commissioner shall:

726 (c) Develop and implement a student achievement testing
727 program as follows:

728 1. The Florida Comprehensive Assessment Test (FCAT)

729 | measures a student's content knowledge and skills in reading,
730 | writing, science, and mathematics. The content knowledge and
731 | skills assessed by the FCAT must be aligned to the core
732 | curricular content established in the Next Generation Sunshine
733 | State Standards. Other content areas may be included as directed
734 | by the commissioner. Comprehensive assessments of reading and
735 | mathematics shall be administered annually in grades 3 through
736 | 10 except, beginning with the 2010-2011 school year, the
737 | administration of grade 9 FCAT Mathematics shall be
738 | discontinued, and beginning with the 2011-2012 school year, the
739 | administration of grade 10 FCAT Mathematics shall be
740 | discontinued, except as required for students who have not
741 | attained minimum performance expectations for graduation as
742 | provided in paragraph (9)(c). FCAT Writing and FCAT Science
743 | shall be administered at least once at the elementary, middle,
744 | and high school levels except, beginning with the 2011-2012
745 | school year, the administration of FCAT Science at the high
746 | school level shall be discontinued.

747 | 2.a. End-of-course assessments for a subject shall be
748 | administered in addition to the comprehensive assessments
749 | required under subparagraph 1. End-of-course assessments must be
750 | rigorous, statewide, standardized, and developed or approved by
751 | the department. The content knowledge and skills assessed by
752 | end-of-course assessments must be aligned to the core curricular
753 | content established in the Next Generation Sunshine State
754 | Standards.

755 | (I) Statewide, standardized end-of-course assessments in
756 | mathematics shall be administered according to this sub-sub-

757 subparagraph. Beginning with the 2010-2011 school year, all
758 students enrolled in Algebra I or an equivalent course must take
759 the Algebra I end-of-course assessment. ~~Students who earned high~~
760 ~~school credit in Algebra I while in grades 6 through 8 during~~
761 ~~the 2007-2008 through 2009-2010 school years and who have not~~
762 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~
763 ~~course assessment during the 2010-2011 school year.~~ For students
764 entering grade 9 during the 2010-2011 school year and who are
765 enrolled in Algebra I or an equivalent, each student's
766 performance on the end-of-course assessment in Algebra I shall
767 constitute 30 percent of the student's final course grade.
768 Beginning with students entering grade 9 in the 2011-2012 school
769 year, a student who is enrolled in Algebra I or an equivalent
770 must earn a passing score on the end-of-course assessment in
771 Algebra I or attain an equivalent score as described in
772 subsection (11) in order to earn course credit. Beginning with
773 the 2011-2012 school year, all students enrolled in geometry or
774 an equivalent course must take the geometry end-of-course
775 assessment. For students entering grade 9 during the 2011-2012
776 school year, each student's performance on the end-of-course
777 assessment in geometry shall constitute 30 percent of the
778 student's final course grade. Beginning with students entering
779 grade 9 during the 2012-2013 school year, a student must earn a
780 passing score on the end-of-course assessment in geometry or
781 attain an equivalent score as described in subsection (11) in
782 order to earn course credit.

783 (II) Statewide, standardized end-of-course assessments in
784 science shall be administered according to this sub-sub-

785 subparagraph. Beginning with the 2011-2012 school year, all
786 students enrolled in Biology I or an equivalent course must take
787 the Biology I end-of-course assessment. For the 2011-2012 school
788 year, each student's performance on the end-of-course assessment
789 in Biology I shall constitute 30 percent of the student's final
790 course grade. Beginning with students entering grade 9 during
791 the 2012-2013 school year, a student must earn a passing score
792 on the end-of-course assessment in Biology I in order to earn
793 course credit.

794 b. During the 2012-2013 school year, an end-of-course
795 assessment in civics education shall be administered as a field
796 test at the middle school level. During the 2013-2014 school
797 year, each student's performance on the statewide, standardized
798 end-of-course assessment in civics education shall constitute 30
799 percent of the student's final course grade. Beginning with the
800 2014-2015 school year, a student must earn a passing score on
801 the end-of-course assessment in civics education in order to
802 pass the course and be promoted from the middle grades ~~receive~~
803 ~~course credit~~. The school principal of a middle school shall
804 determine, in accordance with State Board of Education rule,
805 whether a student who transfers to the middle school and who has
806 successfully completed a civics education course at the
807 student's previous school must take an end-of-course assessment
808 in civics education.

809 c. The commissioner may select one or more nationally
810 developed comprehensive examinations, which may include, but
811 need not be limited to, examinations for a College Board
812 Advanced Placement course, International Baccalaureate course,

813 | or Advanced International Certificate of Education course, or
814 | industry-approved examinations to earn national industry
815 | certifications identified in the Industry Certification Funding
816 | List, pursuant to rules adopted by the State Board of Education,
817 | for use as end-of-course assessments under this paragraph, if
818 | the commissioner determines that the content knowledge and
819 | skills assessed by the examinations meet or exceed the grade
820 | level expectations for the core curricular content established
821 | for the course in the Next Generation Sunshine State Standards.
822 | The commissioner may collaborate with the American Diploma
823 | Project in the adoption or development of rigorous end-of-course
824 | assessments that are aligned to the Next Generation Sunshine
825 | State Standards.

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

841 than July 1, 2011.

842 3. The testing program shall measure student content
843 knowledge and skills adopted by the State Board of Education as
844 specified in paragraph (a) and measure and report student
845 performance levels of all students assessed in reading, writing,
846 mathematics, and science. The commissioner shall provide for the
847 tests to be developed or obtained, as appropriate, through
848 contracts and project agreements with private vendors, public
849 vendors, public agencies, postsecondary educational
850 institutions, or school districts. The commissioner shall obtain
851 input with respect to the design and implementation of the
852 testing program from state educators, assistive technology
853 experts, and the public.

854 4. The testing program shall be composed of criterion-
855 referenced tests that shall, to the extent determined by the
856 commissioner, include test items that require the student to
857 produce information or perform tasks in such a way that the core
858 content knowledge and skills he or she uses can be measured.

859 5. FCAT Reading, Mathematics, and Science and all
860 statewide, standardized end-of-course assessments shall measure
861 the content knowledge and skills a student has attained on the
862 assessment by the use of scaled scores and achievement levels.
863 Achievement levels shall range from 1 through 5, with level 1
864 being the lowest achievement level, level 5 being the highest
865 achievement level, and level 3 indicating satisfactory
866 performance on an assessment. For purposes of FCAT Writing,
867 student achievement shall be scored using a scale of 1 through 6
868 and the score earned shall be used in calculating school grades.

869 A score shall be designated for each subject area tested, below
870 which score a student's performance is deemed inadequate. The
871 school districts shall provide appropriate remedial instruction
872 to students who score below these levels.

873 6. The State Board of Education shall, by rule, designate
874 a passing score for each part of the grade 10 assessment test
875 and end-of-course assessments. Any rule that has the effect of
876 raising the required passing scores may apply only to students
877 taking the assessment for the first time after the rule is
878 adopted by the State Board of Education. Except as otherwise
879 provided in this subparagraph and as provided in s.

880 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a
881 passing score on grade 10 FCAT Reading and grade 10 FCAT
882 Mathematics or attain concordant scores as described in
883 subsection (10) in order to qualify for a standard high school
884 diploma.

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

891 8. Participation in the testing program is mandatory for
892 all students attending public school, including students served
893 in Department of Juvenile Justice programs, except as otherwise
894 prescribed by the commissioner. A student who has not earned
895 passing scores on the grade 10 FCAT as provided in subparagraph
896 6. must participate in each retake of the assessment until the

897 student earns passing scores or achieves scores on a
898 standardized assessment which are concordant with passing scores
899 pursuant to subsection (10). If a student does not participate
900 in the statewide assessment, the district must notify the
901 student's parent and provide the parent with information
902 regarding the implications of such nonparticipation. A parent
903 must provide signed consent for a student to receive classroom
904 instructional accommodations that would not be available or
905 permitted on the statewide assessments and must acknowledge in
906 writing that he or she understands the implications of such
907 instructional accommodations. The State Board of Education shall
908 adopt rules, based upon recommendations of the commissioner, for
909 the provision of test accommodations for students in exceptional
910 education programs and for students who have limited English
911 proficiency. Accommodations that negate the validity of a
912 statewide assessment are not allowable in the administration of
913 the FCAT or an end-of-course assessment. However, instructional
914 accommodations are allowable in the classroom if included in a
915 student's individual education plan. Students using
916 instructional accommodations in the classroom that are not
917 allowable as accommodations on the FCAT or an end-of-course
918 assessment may have the FCAT or an end-of-course assessment
919 requirement waived pursuant to the requirements of s.
920 1003.428(8)(b) or s. 1003.43(11)(b).

921 9. A student seeking an adult high school diploma must
922 meet the same testing requirements that a regular high school
923 student must meet.

924 10. District school boards must provide instruction to

925 | prepare students in the core curricular content established in
926 | the Next Generation Sunshine State Standards adopted under s.
927 | 1003.41, including the core content knowledge and skills
928 | necessary for successful grade-to-grade progression and high
929 | school graduation. If a student is provided with instructional
930 | accommodations in the classroom that are not allowable as
931 | accommodations in the statewide assessment program, as described
932 | in the test manuals, the district must inform the parent in
933 | writing and must provide the parent with information regarding
934 | the impact on the student's ability to meet expected performance
935 | levels in reading, writing, mathematics, and science. The
936 | commissioner shall conduct studies as necessary to verify that
937 | the required core curricular content is part of the district
938 | instructional programs.

939 | 11. District school boards must provide opportunities for
940 | students to demonstrate an acceptable performance level on an
941 | alternative standardized assessment approved by the State Board
942 | of Education following enrollment in summer academies.

943 | 12. The Department of Education must develop, or select,
944 | and implement a common battery of assessment tools that will be
945 | used in all juvenile justice programs in the state. These tools
946 | must accurately measure the core curricular content established
947 | in the Next Generation Sunshine State Standards.

948 | 13. For students seeking a special diploma pursuant to s.
949 | 1003.438, the Department of Education must develop or select and
950 | implement an alternate assessment tool that accurately measures
951 | the core curricular content established in the Next Generation
952 | Sunshine State Standards for students with disabilities under s.

953 1003.438.

954 14. The Commissioner of Education shall establish
955 schedules for the administration of statewide assessments and
956 the reporting of student test results. When establishing the
957 schedules for the administration of statewide assessments, the
958 commissioner shall consider the observance of religious and
959 school holidays. The commissioner shall, by August 1 of each
960 year, notify each school district in writing and publish on the
961 department's Internet website the testing and reporting
962 schedules for, at a minimum, the school year following the
963 upcoming school year. The testing and reporting schedules shall
964 require that:

965 a. There is the latest possible administration of
966 statewide assessments and the earliest possible reporting to the
967 school districts of student test results which is feasible
968 within available technology and specific appropriations;
969 however, test results for the FCAT must be made available no
970 later than the week of June 8. Student results for end-of-course
971 assessments must be provided no later than 1 week after the
972 school district completes testing for each course. The
973 commissioner may extend the reporting schedule under exigent
974 circumstances.

975 ~~b. Beginning with the 2010-2011 school year,~~ FCAT Writing
976 may ~~is~~ not be administered earlier than the week of March 1 and
977 a comprehensive statewide assessment of any other subject may ~~is~~
978 not be administered earlier than the week of April 15.

979 c. A statewide, standardized end-of-course assessment is
980 administered during a 3-week period at the end of the course.

CS/HB 1255

2011

981 The commissioner shall select a 3-week administration period for
982 assessments that meets the intent of end-of-course assessments
983 and provides student results prior to the end of the course.
984 School districts shall select 1 testing week within the 3-week
985 administration period for each end-of-course assessment. For an
986 end-of-course assessment administered at the end of the first
987 semester, the commissioner shall determine the most appropriate
988 testing dates based on a school district's academic calendar.

989
990 The commissioner may, based on collaboration and input from
991 school districts, design and implement student testing programs,
992 for any grade level and subject area, necessary to effectively
993 monitor educational achievement in the state, including the
994 measurement of educational achievement of the Next Generation
995 Sunshine State Standards for students with disabilities.
996 Development and refinement of assessments shall include
997 universal design principles and accessibility standards that
998 will prevent any unintended obstacles for students with
999 disabilities while ensuring the validity and reliability of the
1000 test. These principles should be applicable to all technology
1001 platforms and assistive devices available for the assessments.
1002 The field testing process and psychometric analyses for the
1003 statewide assessment program must include an appropriate
1004 percentage of students with disabilities and an evaluation or
1005 determination of the effect of test items on such students.

1006 Section 15. Paragraph (b) of subsection (3) and subsection
1007 (4) of section 1008.33, Florida Statutes, are amended to read:
1008 1008.33 Authority to enforce public school improvement.—

1009 (3)
 1010 (b) For the purpose of determining whether a public school
 1011 requires action to achieve a sufficient level of school
 1012 improvement, beginning with the 2010-2011 school year, the
 1013 Department of Education shall annually categorize a public
 1014 school in one of six categories based on the following:

- 1015 1. The portion of a school's grade based upon statewide
 1016 assessments administered pursuant to s. 1008.22; and
 1017 2. school's grade, pursuant to s. 1008.34, and The level
 1018 and rate of change in student performance in the areas of
 1019 reading and mathematics, disaggregated into student subgroups as
 1020 described in the federal Elementary and Secondary Education Act,
 1021 20 U.S.C. s. 6311(b)(2)(C)(v)(II).

1022 (4) The Department of Education shall create a matrix that
 1023 reflects intervention and support strategies to address the
 1024 particular needs of schools in each category.

1025 (a) Intervention and support strategies shall be applied
 1026 to schools based upon the school categorization pursuant to
 1027 paragraph (3)(b). The Department of Education shall apply the
 1028 most intense intervention strategies to the lowest-performing
 1029 schools. For all but the lowest category and "F" schools in the
 1030 second lowest category, the intervention and support strategies
 1031 shall be administered solely by the districts and the schools.

1032 (b) The lowest-performing schools are schools that are
 1033 categorized pursuant to paragraph (3)(b) and have received:

- 1034 1. A grade of "F" in the most recent school year and in 4
 1035 of the last 6 years; or
 1036 2. A grade of "D" or "F" in the most recent school year

CS/HB 1255

2011

1037 and meet at least three of the following criteria:

1038 a. The percentage of students who are not proficient in
1039 reading has increased when compared to measurements taken 5
1040 years previously;

1041 b. The percentage of students who are not proficient in
1042 mathematics has increased when compared to measurements taken 5
1043 years previously;

1044 c. At least 65 percent of the school's students are not
1045 proficient in reading; or

1046 d. At least 65 percent of the school's students are not
1047 proficient in mathematics.

1048 Section 16. Subsection (3) of section 1008.34, Florida
1049 Statutes, is amended to read:

1050 1008.34 School grading system; school report cards;
1051 district grade.—

1052 (3) DESIGNATION OF SCHOOL GRADES.—

1053 (a) Each school that has students who are tested and
1054 included in the school grading system shall receive a school
1055 grade, except as follows:

1056 1. A school shall not receive a school grade if the number
1057 of its students tested and included in the school grading system
1058 is less than the minimum sample size necessary, based on
1059 accepted professional practice, for statistical reliability and
1060 prevention of the unlawful release of personally identifiable
1061 student data under s. 1002.22 or 20 U.S.C. s. 1232g.

1062 2. An alternative school may choose to receive a school
1063 grade under this section or a school improvement rating under s.
1064 1008.341. For charter schools that meet the definition of an

CS/HB 1255

2011

1065 alternative school pursuant to State Board of Education rule,
1066 the decision to receive a school grade is the decision of the
1067 charter school governing board.

1068 3. A school that serves any combination of students in
1069 kindergarten through grade 3 which does not receive a school
1070 grade because its students are not tested and included in the
1071 school grading system shall receive the school grade designation
1072 of a K-3 feeder pattern school identified by the Department of
1073 Education and verified by the school district. A school feeder
1074 pattern exists if at least 60 percent of the students in the
1075 school serving a combination of students in kindergarten through
1076 grade 3 are scheduled to be assigned to the graded school.

1077 (b)1. A school's grade shall be based on a combination of:

1078 a. Student achievement scores, including achievement on
1079 all FCAT assessments administered under s. 1008.22(3)(c)1., end-
1080 of-course assessments administered under s. 1008.22(3)(c)2.a.,
1081 and achievement scores for students seeking a special diploma.

1082 b. Student learning gains in reading and mathematics as
1083 measured by FCAT and end-of-course assessments, as described in
1084 s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking
1085 a special diploma, as measured by an alternate assessment tool,
1086 shall be included not later than the 2009-2010 school year.

1087 c. Improvement of the lowest 25th percentile of students
1088 in the school in reading and mathematics on the FCAT or end-of-
1089 course assessments described in s. 1008.22(3)(c)2.a., unless
1090 these students are exhibiting satisfactory performance.

1091 2. Beginning with the 2011-2012 school year, for schools
1092 comprised of middle school grades 6 through 8 or grades 7 and 8,

1093 the school's grade shall include the performance and
 1094 participation of its students enrolled in high school level
 1095 courses with end-of-course assessments administered under s.
 1096 1008.22(3)(c)2.a. Performance and participation must be weighted
 1097 equally.

1098 ~~3.2.~~ Beginning with the 2009-2010 school year for schools
 1099 comprised of high school grades 9, 10, 11, and 12, or grades 10,
 1100 11, and 12, 50 percent of the school grade shall be based on a
 1101 combination of the factors listed in sub-subparagraphs 1.a.-c.
 1102 and the remaining 50 percent on the following factors:

- 1103 a. The high school graduation rate of the school;
- 1104 b. As valid data becomes available, the performance and
 1105 participation of the school's students in College Board Advanced
 1106 Placement courses, International Baccalaureate courses, dual
 1107 enrollment courses, and Advanced International Certificate of
 1108 Education courses; and the students' achievement of national
 1109 industry certification identified in the Industry Certification
 1110 Funding List, pursuant to rules adopted by the State Board of
 1111 Education;
- 1112 c. Postsecondary readiness of the school's students as
 1113 measured by the SAT, ACT, or the common placement test;
- 1114 d. The high school graduation rate of at-risk students who
 1115 scored at Level 2 or lower on the grade 8 FCAT Reading and
 1116 Mathematics examinations;
- 1117 e. As valid data becomes available, the performance of the
 1118 school's students on statewide standardized end-of-course
 1119 assessments administered under s. 1008.22(3)(c)2.b. and c.; and
- 1120 f. The growth or decline in the components listed in sub-

1121 subparagraphs a.-e. from year to year.

1122 (c) Student assessment data used in determining school
1123 grades shall include:

1124 1. The aggregate scores of all eligible students enrolled
1125 in the school who have been assessed on the FCAT and statewide,
1126 standardized end-of-course assessments in courses required for
1127 high school graduation, including, beginning with the 2010-2011
1128 school year, the end-of-course assessment in Algebra I; and
1129 beginning with the 2011-2012 school year, the end-of-course
1130 assessments in geometry and Biology; and beginning with the
1131 2013-2014 school year, on the statewide, standardized end-of-
1132 course assessment in civics education at the middle school
1133 level.

1134 2. The aggregate scores of all eligible students enrolled
1135 in the school who have been assessed on the FCAT and end-of-
1136 course assessments as described in s. 1008.22(3)(c)2.a., and who
1137 have scored at or in the lowest 25th percentile of students in
1138 the school in reading and mathematics, unless these students are
1139 exhibiting satisfactory performance.

1140 3. The achievement scores and learning gains of eligible
1141 students attending alternative schools that provide dropout
1142 prevention and academic intervention services pursuant to s.
1143 1003.53. The term "eligible students" in this subparagraph does
1144 not include students attending an alternative school who are
1145 subject to district school board policies for expulsion for
1146 repeated or serious offenses, who are in dropout retrieval
1147 programs serving students who have officially been designated as
1148 dropouts, or who are in programs operated or contracted by the

CS/HB 1255

2011

1149 Department of Juvenile Justice. The student performance data for
1150 eligible students identified in this subparagraph shall be
1151 included in the calculation of the home school's grade. As used
1152 in this subparagraph ~~section~~ and s. 1008.341, the term "home
1153 school" means the school to which the student would be assigned
1154 if the student were not assigned to an alternative school. If an
1155 alternative school chooses to be graded under this section,
1156 student performance data for eligible students identified in
1157 this subparagraph shall not be included in the home school's
1158 grade but shall be included only in the calculation of the
1159 alternative school's grade. A school district that fails to
1160 assign the FCAT and end-of-course assessment as described in s.
1161 1008.22(3)(c)2.a. scores of each of its students to his or her
1162 home school or to the alternative school that receives a grade
1163 shall forfeit Florida School Recognition Program funds for 1
1164 fiscal year. School districts must require collaboration between
1165 the home school and the alternative school in order to promote
1166 student success. This collaboration must include an annual
1167 discussion between the principal of the alternative school and
1168 the principal of each student's home school concerning the most
1169 appropriate school assignment of the student.

1170 4. The achievement scores and learning gains of students
1171 designated as hospital or homebound. Student assessment data for
1172 students designated as hospital or homebound shall be assigned
1173 to their home school for the purposes of school grades. As used
1174 in this subparagraph, the term "home school" means the school to
1175 which a student would be assigned if the student were not
1176 assigned to a hospital or homebound program.

1177 5.4. For schools comprised of high school grades 9, 10,
 1178 11, and 12, or grades 10, 11, and 12, the data listed in
 1179 subparagraphs 1.-3. and the following data as the Department of
 1180 Education determines such data are valid and available:

1181 a. The high school graduation rate of the school as
 1182 calculated by the Department of Education;

1183 b. The participation rate of all eligible students
 1184 enrolled in the school and enrolled in College Board Advanced
 1185 Placement courses; International Baccalaureate courses; dual
 1186 enrollment courses; Advanced International Certificate of
 1187 Education courses; and courses or sequence of courses leading to
 1188 national industry certification identified in the Industry
 1189 Certification Funding List, pursuant to rules adopted by the
 1190 State Board of Education;

1191 c. The aggregate scores of all eligible students enrolled
 1192 in the school in College Board Advanced Placement courses,
 1193 International Baccalaureate courses, and Advanced International
 1194 Certificate of Education courses;

1195 d. Earning of college credit by all eligible students
 1196 enrolled in the school in dual enrollment programs under s.
 1197 1007.271;

1198 e. Earning of a national industry certification identified
 1199 in the Industry Certification Funding List, pursuant to rules
 1200 adopted by the State Board of Education;

1201 f. The aggregate scores of all eligible students enrolled
 1202 in the school in reading, mathematics, and other subjects as
 1203 measured by the SAT, the ACT, and the common placement test for
 1204 postsecondary readiness;

CS/HB 1255

2011

1205 g. The high school graduation rate of all eligible at-risk
 1206 students enrolled in the school who scored at Level 2 or lower
 1207 on the grade 8 FCAT Reading and Mathematics examinations;

1208 h. The performance of the school's students on statewide
 1209 standardized end-of-course assessments administered under s.
 1210 1008.22(3)(c)2.b. and c.; and

1211 i. The growth or decline in the data components listed in
 1212 sub-subparagraphs a.-h. from year to year.

1213
 1214 The State Board of Education shall adopt appropriate criteria
 1215 for each school grade. The criteria must also give added weight
 1216 to student achievement in reading. Schools designated with a
 1217 grade of "C," making satisfactory progress, shall be required to
 1218 demonstrate that adequate progress has been made by students in
 1219 the school who are in the lowest 25th percentile in reading and
 1220 mathematics on the FCAT and end-of-course assessments as
 1221 described in s. 1008.22(3)(c)2.a., unless these students are
 1222 exhibiting satisfactory performance. Beginning with the 2009-
 1223 2010 school year for schools comprised of high school grades 9,
 1224 10, 11, and 12, or grades 10, 11, and 12, the criteria for
 1225 school grades must also give added weight to the graduation rate
 1226 of all eligible at-risk students, as defined in this paragraph.
 1227 Beginning in the 2009-2010 school year, in order for a high
 1228 school to be designated as having a grade of "A," making
 1229 excellent progress, the school must demonstrate that at-risk
 1230 students, as defined in this paragraph, in the school are making
 1231 adequate progress.

1232 (d) Notwithstanding the requirements in paragraphs (b) and

CS/HB 1255

2011

1233 (c), beginning with the 2011-2012 school year, a school that
 1234 does not meet the minimum percentage of students proficient in
 1235 reading, established by rule of the State Board of Education,
 1236 shall receive a school grade of "F" unless granted an exception
 1237 by the department based upon significant gains in reading
 1238 proficiency from the prior year, as defined by rule. The state
 1239 board shall adopt rules to establish the minimum percentage and
 1240 define the exception.

1241 Section 17. Paragraph (a) of subsection (3) of section
 1242 1011.01, Florida Statutes, is amended to read:

1243 1011.01 Budget system established.—

1244 (3)(a) Each district school board and each community
 1245 college board of trustees shall prepare, adopt, and submit to
 1246 the Commissioner of Education ~~for review~~ an annual operating
 1247 budget. Operating budgets shall be prepared and submitted in
 1248 accordance with the provisions of law, rules of the State Board
 1249 of Education, the General Appropriations Act, and for district
 1250 school boards in accordance with the provisions of ss. 200.065
 1251 and 1011.64.

1252 Section 18. Subsection (4) of section 1011.03, Florida
 1253 Statutes, is amended to read:

1254 1011.03 Public hearings; budget to be submitted to
 1255 Department of Education.—

1256 (4) The board shall hold public hearings to adopt
 1257 tentative and final budgets pursuant to s. 200.065. The hearings
 1258 shall be primarily for the purpose of hearing requests and
 1259 complaints from the public regarding the budgets and the
 1260 proposed tax levies and for explaining the budget and proposed

CS/HB 1255

2011

1261 or adopted amendments thereto, if any. The district school board
 1262 shall then require the superintendent to transmit forthwith two
 1263 copies of the adopted budget to the Department of Education ~~for~~
 1264 ~~approval~~ as prescribed by law and rules of the State Board of
 1265 Education.

1266 Section 19. Section 1011.035, Florida Statutes, is created
 1267 to read:

1268 1011.035 School district budget transparency.-

1269 (1) It is important for school districts to provide
 1270 budgetary transparency to enable taxpayers, parents, and
 1271 education advocates to obtain school district budget and related
 1272 information in a manner that is simply explained and easily
 1273 understandable. Budgetary transparency leads to more responsible
 1274 spending, more citizen involvement, and improved accountability.
 1275 A budget that is not transparent, accessible, and accurate
 1276 cannot be properly analyzed, its implementation thoroughly
 1277 monitored, or its outcomes evaluated.

1278 (2) Each district school board shall post on its website a
 1279 plain language version of each proposed, tentative, and official
 1280 budget which describes each budget item in terms that are easily
 1281 understandable to the public. This information must be
 1282 prominently posted on the school district's website in a manner
 1283 that is readily accessible to the public.

1284 (3) Each district school board is encouraged to post the
 1285 following information on its website:

1286 (a) Timely information as to when a budget hearing will be
 1287 conducted.

1288 (b) Each contract between the district school board and

1289 the teachers' union.

1290 (c) Each contract between the district school board and
 1291 noninstructional staff.

1292 (d) Each contract exceeding \$35,000 between the school
 1293 board and a vendor of services, supplies, or programs or for the
 1294 purchase or lease of lands, facilities, or properties.

1295 (e) Each contract exceeding \$35,000 that is an emergency
 1296 procurement or is with a single source as authorized under s.
 1297 287.057(3).

1298 (f) Recommendations of the citizens' budget advisory
 1299 committee.

1300 (g) Current and archived video recordings of each district
 1301 school board meeting and workshop.

1302 (4) The website should contain links to:

1303 (a) Help explain or provide background information on
 1304 various budget items that are required by state or federal law.

1305 (b) Allow users to navigate to related sites to view
 1306 supporting details.

1307 (c) Enable taxpayers, parents, and education advocates to
 1308 send e-mails asking questions about the budget and enable others
 1309 to view the questions and responses.

1310 Section 20. Paragraph (c) of subsection (1) of section
 1311 1012.39, Florida Statutes, is amended to read:

1312 1012.39 Employment of substitute teachers, teachers of
 1313 adult education, nondegreed teachers of career education, and
 1314 career specialists; students performing clinical field
 1315 experience.—

1316 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and

CS/HB 1255

2011

1317 1012.57, or any other provision of law or rule to the contrary,
 1318 each district school board shall establish the minimal
 1319 qualifications for:

1320 (c) Part-time and full-time nondegreed teachers of career
 1321 programs. Qualifications shall be established for nondegreed
 1322 teachers of career and technical education courses for program
 1323 clusters that are recognized in the state and are ~~agriculture,~~
 1324 ~~business, health occupations, family and consumer sciences,~~
 1325 ~~industrial, marketing, career specialist, and public service~~
 1326 ~~education teachers,~~ based primarily on successful occupational
 1327 experience rather than academic training. The qualifications for
 1328 such teachers shall require:

1329 1. The filing of a complete set of fingerprints in the
 1330 same manner as required by s. 1012.32. Faculty employed solely
 1331 to conduct postsecondary instruction may be exempted from this
 1332 requirement.

1333 2. Documentation of education and successful occupational
 1334 experience including documentation of:

1335 a. A high school diploma or the equivalent.

1336 b. Completion of 6 years of full-time successful
 1337 occupational experience or the equivalent of part-time
 1338 experience in the teaching specialization area. Alternate means
 1339 of determining successful occupational experience may be
 1340 established by the district school board.

1341 c. Completion of career education training conducted
 1342 through the local school district inservice master plan.

1343 d. For full-time teachers, completion of professional
 1344 education training in teaching methods, course construction,

CS/HB 1255

2011

1345 lesson planning and evaluation, and teaching special needs
1346 students. This training may be completed through coursework from
1347 an accredited or approved institution or an approved district
1348 teacher education program.

1349 e. Demonstration of successful teaching performance.

1350 f. Documentation of industry certification when state or
1351 national industry certifications are available and applicable.

1352 Section 21. Except as otherwise expressly provided in this
1353 act and except for this section, which shall take effect upon
1354 this act becoming a law, this act shall take effect July 1,
1355 2011.