

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 soliciting or accepting certain gifts;  
12          amending s. 1002.37, F.S.; conforming provisions to  
13          changes made by the act; amending s. 1002.38, F.S.;  
14          providing that school grades shall be based on statewide  
15          assessments for purposes of the Opportunity Scholarship  
16          Program; amending s. 1002.39, F.S.; providing requirements  
17          for determining the end of the term of a John M. McKay  
18          Scholarship; amending s. 1002.45, F.S.; revising  
19          provisions relating to virtual instruction program  
20          provider qualifications; amending s. 1002.66, F.S.;  
21          providing an additional instructional service for children  
22          with disabilities in the Voluntary Prekindergarten  
23          Education Program; amending s. 1002.67, F.S.; requiring  
24          that the State Board of Education periodically review and  
25          revise the performance standards for the statewide  
26          kindergarten screening; amending s. 1002.69, F.S.;  
27          authorizing nonpublic schools to administer the statewide  
28          kindergarten screening to kindergarten students who were

29 enrolled in the Voluntary Prekindergarten Education  
30 Program; revising provisions relating to the minimum  
31 kindergarten readiness rate and criteria for good cause  
32 exemptions from meeting the requirement; requiring  
33 prekindergarten enrollment screening and post-assessment  
34 under certain circumstances; amending s. 1002.71, F.S.;  
35 providing that a child may reenroll more than once in a  
36 prekindergarten program if granted a good cause exemption;  
37 amending s. 1002.73, F.S.; requiring the Department of  
38 Education to adopt procedures relating to prekindergarten  
39 enrollment screening, the standardized post-assessment,  
40 and reporting of the results of readiness measures;  
41 amending s. 1003.01, F.S.; providing an additional special  
42 education service; amending s. 1003.4156, F.S.; revising  
43 the general requirements for middle grades promotion;  
44 providing that a student with a disability may have end-  
45 of-course assessment results waived under certain  
46 circumstances; providing that a middle grades student may  
47 be exempt from reading remediation requirements under  
48 certain circumstances; creating s. 1003.4203, F.S.;  
49 authorizing each district school board to develop and  
50 implement a digital curriculum for students in grades 6  
51 through 12; requiring the Department of Education to  
52 develop a model digital curriculum; authorizing  
53 partnerships with private businesses and consultants;  
54 amending s. 1003.428, F.S.; revising provisions relating  
55 to the general requirements for high school graduation;  
56 providing that a high school student may be exempt from

57 reading remediation requirements under certain  
58 circumstances; amending s. 1003.491, F.S.; revising  
59 provisions relating to the development, contents, and  
60 approval of the strategic plan to address workforce needs;  
61 amending s. 1003.493, F.S.; revising requirements for  
62 career and professional academies and enrollment of  
63 students; creating s. 1003.4935, F.S.; requiring each  
64 district school board to develop a plan to implement a  
65 career and professional academy in at least one middle  
66 school; providing requirements for middle school career  
67 and professional academies and academy courses; amending  
68 s. 1003.575, F.S.; providing requirements for completion  
69 of an assistive technology assessment; amending s.  
70 1008.22, F.S.; revising provisions relating to the student  
71 assessment program for public schools; requiring that the  
72 Commissioner of Education direct school districts to  
73 participate in certain international assessment programs;  
74 authorizing a school principal to exempt certain students  
75 from the end-of-course assessment in civics education;  
76 revising provisions relating to administration and  
77 reporting of results of assessments; amending s. 1008.30,  
78 F.S.; revising provisions relating to evaluation of  
79 college readiness and providing for postsecondary  
80 preparatory instruction; requiring the State Board of  
81 Education to adopt certain rules; amending s. 1008.33,  
82 F.S.; revising provisions relating to public school  
83 improvement; requiring the Department of Education to  
84 categorize public schools based on a school's grade that

85 | relies on statewide assessments; amending s. 1008.34,  
 86 | F.S.; revising the basis for the designation of school  
 87 | grades; including achievement scores and learning gains  
 88 | for students who are hospital or homebound; amending s.  
 89 | 1011.01, F.S.; revising provisions relating to the annual  
 90 | operating budgets of district school boards and Florida  
 91 | College System institution boards of trustees; amending s.  
 92 | 1011.03, F.S.; revising provisions relating to adopted  
 93 | district school board budgets; creating s. 1011.035, F.S.;  
 94 | requiring each school district to post budgetary  
 95 | information on its website; amending s. 1011.62, F.S.;  
 96 | revising provisions relating to the funding model for  
 97 | exceptional student education programs; requiring the  
 98 | Department of Education to revise the descriptions of  
 99 | services and to implement the revisions; amending s.  
 100 | 1012.39, F.S.; revising provisions relating to the  
 101 | qualifications for nondegreed teachers of career  
 102 | education; providing effective dates.

103 |  
 104 | Be It Enacted by the Legislature of the State of Florida:

105 |  
 106 | Section 1. Paragraph (a) of subsection (4) of section  
 107 | 1001.20, Florida Statutes, is amended to read:

108 | 1001.20 Department under direction of state board.—

109 | (4) The Department of Education shall establish the  
 110 | following offices within the Office of the Commissioner of  
 111 | Education which shall coordinate their activities with all other  
 112 | divisions and offices:

113 (a) Office of Technology and Information Services.—  
 114 Responsible for developing a systemwide technology plan, making  
 115 budget recommendations to the commissioner, providing data  
 116 collection and management for the system, assisting school  
 117 districts in securing Internet access and telecommunications  
 118 services, including those eligible for funding under the Schools  
 119 and Libraries Program of the federal Universal Service Fund, and  
 120 coordinating services with other state, local, and private  
 121 agencies. The office shall develop a method to address the need  
 122 for a statewide approach to planning and operations of library  
 123 and information services to achieve a single K-20 education  
 124 system library information portal and a unified higher education  
 125 library management system. ~~The Florida Virtual School shall be~~  
 126 ~~administratively housed within the office.~~

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

129 1001.42 Powers and duties of district school board.—The  
 130 district school board, acting as a board, shall exercise all  
 131 powers and perform all duties listed below:

132 (23) FLORIDA VIRTUAL SCHOOL.—Provide students with access  
 133 to ~~enroll in~~ courses available through the Florida Virtual  
 134 School and award credit for successful completion of such  
 135 courses. Access shall be available to students during and ~~or~~  
 136 after the normal school day and through summer school  
 137 enrollment.

138 Section 3. Section 1001.421, Florida Statutes, is created  
 139 to read:

140       1001.421 Gifts.—Notwithstanding any other provision of law  
 141 to the contrary, district school board members and their  
 142 relatives, as defined in s. 112.312(21), may not directly or  
 143 indirectly solicit any gift, or directly or indirectly accept  
 144 any gift in excess of \$50, from any person, vendor, potential  
 145 vendor, or other entity doing business with the school district.  
 146 The term "gift" has the same meaning as in s. 112.312(12).

147       Section 4. Paragraph (a) of subsection (1) of section  
 148 1002.37, Florida Statutes, is amended to read:

149       1002.37 The Florida Virtual School.—

150       (1) (a) The Florida Virtual School is established for the  
 151 development and delivery of online and distance learning  
 152 education ~~and shall be administratively housed within the~~  
 153 ~~Commissioner of Education's Office of Technology and Information~~  
 154 ~~Services.~~ The Commissioner of Education shall monitor the  
 155 school's performance and report its performance to the State  
 156 Board of Education and the Legislature.

157  
 158 The board of trustees of the Florida Virtual School shall  
 159 identify appropriate performance measures and standards based on  
 160 student achievement that reflect the school's statutory mission  
 161 and priorities, and shall implement an accountability system for  
 162 the school that includes assessment of its effectiveness and  
 163 efficiency in providing quality services that encourage high  
 164 student achievement, seamless articulation, and maximum access.

165       Section 5. Subsection (2) and paragraph (a) of subsection  
 166 (3) of section 1002.38, Florida Statutes, are amended to read:

167       1002.38 Opportunity Scholarship Program.—

168           (2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.—For purposes of  
169 this section, a school's grade shall be based upon statewide  
170 assessments administered pursuant to s. 1008.22. A public school  
171 student's parent may request and receive from the state an  
172 opportunity scholarship for the student to enroll in and attend  
173 a private school in accordance with the provisions of this  
174 section if:

175           (a)1. By assigned school attendance area or by special  
176 assignment, the student has spent the prior school year in  
177 attendance at a public school that has been designated ~~pursuant~~  
178 ~~to s. 1008.34~~ as performance grade category "F," failing to make  
179 adequate progress, and that has had 2 school years in a 4-year  
180 period of such low performance, and the student's attendance  
181 occurred during a school year in which such designation was in  
182 effect;

183           2. The student has been in attendance elsewhere in the  
184 public school system and has been assigned to such school for  
185 the next school year; or

186           3. The student is entering kindergarten or first grade and  
187 has been notified that the student has been assigned to such  
188 school for the next school year.

189           (b) The parent has obtained acceptance for admission of  
190 the student to a private school eligible for the program  
191 pursuant to subsection (4), and has notified the Department of  
192 Education and the school district of the request for an  
193 opportunity scholarship no later than July 1 of the first year  
194 in which the student intends to use the scholarship.

195

196 The provisions of this section shall not apply to a student who  
197 is enrolled in a school operating for the purpose of providing  
198 educational services to youth in Department of Juvenile Justice  
199 commitment programs. For purposes of continuity of educational  
200 choice, the opportunity scholarship shall remain in force until  
201 the student returns to a public school or, if the student  
202 chooses to attend a private school the highest grade of which is  
203 grade 8, until the student matriculates to high school and the  
204 public high school to which the student is assigned is an  
205 accredited school with a performance grade category designation  
206 of "C" or better. However, at any time upon reasonable notice to  
207 the Department of Education and the school district, the  
208 student's parent may remove the student from the private school  
209 and place the student in a public school, as provided in  
210 subparagraph (3) (a) 2.

211 (3) SCHOOL DISTRICT OBLIGATIONS.—

212 (a) A school district shall, for each student enrolled in  
213 or assigned to a school that has been designated as performance  
214 grade category "F" for 2 school years in a 4-year period:

215 1. Timely notify the parent of the student as soon as such  
216 designation is made of all options available pursuant to this  
217 section.

218 2. Offer that student's parent an opportunity to enroll  
219 the student in the public school within the district that has  
220 been designated by the state ~~pursuant to s. 1008.34~~ as a school  
221 performing higher than that in which the student is currently  
222 enrolled or to which the student has been assigned, but not less  
223 than performance grade category "C." The parent is not required

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224 to accept this offer in lieu of requesting a state opportunity  
 225 scholarship to a private school. The opportunity to continue  
 226 attending the higher performing public school shall remain in  
 227 force until the student graduates from high school.

228 Section 6. Paragraph (a) of subsection (4) of section  
 229 1002.39, Florida Statutes, is amended to read:

230 1002.39 The John M. McKay Scholarships for Students with  
 231 Disabilities Program.—There is established a program that is  
 232 separate and distinct from the Opportunity Scholarship Program  
 233 and is named the John M. McKay Scholarships for Students with  
 234 Disabilities Program.

235 (4) TERM OF JOHN M. MCKAY SCHOLARSHIP.—

236 (a) For purposes of continuity of educational choice, a  
 237 John M. McKay Scholarship shall remain in force until the  
 238 student returns to a public school, graduates from high school,  
 239 or reaches the age of 22, whichever occurs first. A scholarship  
 240 student who enrolls in a public school or public school program  
 241 is considered to have returned to a public school for the  
 242 purpose of determining the end of the scholarship's term.  
 243 However, if a student enters a Department of Juvenile Justice  
 244 detention center for a period of no more than 21 days, the  
 245 student is not considered to have returned to a public school  
 246 for that purpose.

247 Section 7. Paragraph (b) of subsection (2) of section  
 248 1002.45, Florida Statutes, is amended to read:

249 1002.45 School district virtual instruction programs.—

250 (2) PROVIDER QUALIFICATIONS.—

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251 (b) An approved provider shall retain its approved status  
252 during the 3 school years ~~for a period of 3 years~~ after the date  
253 of the department's approval under paragraph (a) as long as the  
254 provider continues to comply with all requirements of this  
255 section.

256 Section 8. Paragraph (e) is added to subsection (2) of  
257 section 1002.66, Florida Statutes, to read:

258 1002.66 Specialized instructional services for children  
259 with disabilities.—

260 (2) The parent of a child who is eligible for the  
261 prekindergarten program for children with disabilities may  
262 select one or more specialized instructional services that are  
263 consistent with the child's individual educational plan. These  
264 specialized instructional services may include, but are not  
265 limited to:

266 (e) Listening and Spoken Language specialists for any  
267 child who is deaf or hard of hearing and has received an implant  
268 or assistive hearing device.

269 Section 9. Subsection (1) and paragraph (c) of subsection  
270 (3) of section 1002.67, Florida Statutes, are amended to read:

271 1002.67 Performance standards; curricula and  
272 accountability.—

273 (1)(a) By April 1, 2005, the department shall develop and  
274 adopt performance standards for students in the Voluntary  
275 Prekindergarten Education Program. The performance standards  
276 must address the age-appropriate progress of students in the  
277 development of:

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

280 |        ~~2.(b)~~ Emergent literacy skills, including oral  
 281 | communication, knowledge of print and letters, phonemic and  
 282 | phonological awareness, and vocabulary and comprehension  
 283 | development.

284 |        (b) The State Board of Education shall periodically review  
 285 | and revise the performance standards for the statewide  
 286 | kindergarten screening administered under s. 1002.69 and align  
 287 | the standards to the standards established by the state board  
 288 | for student performance on the statewide assessments  
 289 | administered pursuant to s. 1008.22.

290 |        (3)

291 |        (c)1. If the kindergarten readiness rate of a private  
 292 | prekindergarten provider or public school falls below the  
 293 | minimum rate adopted by the State Board of Education as  
 294 | satisfactory under s. 1002.69(6), the early learning coalition  
 295 | or school district, as applicable, shall require the provider or  
 296 | school to submit an improvement plan for approval by the  
 297 | coalition or school district, as applicable, and to implement  
 298 | the plan.

299 |        2. If a private prekindergarten provider or public school  
 300 | fails to meet the minimum rate adopted by the State Board of  
 301 | Education as satisfactory under s. 1002.69(6) ~~for 2 consecutive~~  
 302 | ~~years~~, the early learning coalition or school district, as  
 303 | applicable, shall place the provider or school on probation and  
 304 | must require the provider or school to take certain corrective

305 actions, including the use of a curriculum approved by the  
 306 department under paragraph (2)(c).

307 3. A private prekindergarten provider or public school  
 308 that is placed on probation must continue the corrective actions  
 309 required under subparagraph 2., including the use of a  
 310 curriculum approved by the department, until the provider or  
 311 school meets the minimum rate adopted by the State Board of  
 312 Education as satisfactory under s. 1002.69(6).

313 4. If a private prekindergarten provider or public school  
 314 remains on probation for 2 consecutive years and fails to meet  
 315 the minimum rate adopted by the State Board of Education as  
 316 satisfactory under s. 1002.69(6) and is not granted a good cause  
 317 exemption by the department pursuant to s. 1002.69(7), the  
 318 Agency for Workforce Innovation shall require the early learning  
 319 coalition or the Department of Education shall require the  
 320 school district to remove, as applicable, the provider or school  
 321 from eligibility to deliver the Voluntary Prekindergarten  
 322 Education Program and receive state funds for the program.

323 Section 10. Subsections (1), (5), and (6) and paragraphs  
 324 (b) and (c) of subsection (7) of section 1002.69, Florida  
 325 Statutes, are amended to read:

326 1002.69 Statewide kindergarten screening; kindergarten  
 327 readiness rates; state-approved prekindergarten enrollment  
 328 screening; good cause exemption.—

329 (1) The department shall adopt a statewide kindergarten  
 330 screening that assesses the readiness of each student for  
 331 kindergarten based upon the performance standards adopted by the  
 332 department under s. 1002.67(1) for the Voluntary Prekindergarten

333 Education Program. The department shall require that each school  
334 district administer the statewide kindergarten screening to each  
335 kindergarten student in the school district within the first 30  
336 school days of each school year. Nonpublic schools may  
337 administer the statewide kindergarten screening to each  
338 kindergarten student in a nonpublic school who was enrolled in  
339 the Voluntary Prekindergarten Education Program.

340 (5) The State Board of Education shall adopt procedures  
341 for the department to annually calculate each private  
342 prekindergarten provider's and public school's kindergarten  
343 readiness rate, which must be expressed as the percentage of the  
344 provider's or school's students who are assessed as ready for  
345 kindergarten. The kindergarten readiness rates must be based  
346 exclusively upon the results of the statewide kindergarten  
347 screening for students completing the Voluntary Prekindergarten  
348 Education Program, beginning with students completing the  
349 program during the 2005-2006 school year who are administered  
350 the statewide kindergarten screening during the 2006-2007 school  
351 year. The methodology for calculating each provider's  
352 kindergarten readiness rate must include the percentage of  
353 students who meet all state readiness measures. The rates must  
354 not include students who are not administered the statewide  
355 kindergarten screening.

356 (6) ~~(a)~~ The State Board of Education shall periodically  
357 adopt a minimum kindergarten readiness rate that, if achieved by  
358 a private prekindergarten provider or public school, would  
359 demonstrate the provider's or school's satisfactory delivery of  
360 the Voluntary Prekindergarten Education Program.

361 ~~(b) The minimum rate must not exceed the rate at which~~  
362 ~~more than 15 percent of the kindergarten readiness rates of all~~  
363 ~~private prekindergarten providers and public schools delivering~~  
364 ~~the Voluntary Prekindergarten Education Program in the state~~  
365 ~~would fall below the minimum rate.~~

366 (7)

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

372 1. Submission of data by the private prekindergarten  
373 provider or public school which documents ~~on a standardized~~  
374 ~~assessment~~ the achievement and progress of the children served  
375 as measured by the state-approved prekindergarten enrollment  
376 screening and the standardized post-assessment approved by the  
377 department pursuant to subparagraph (c)1.

378 2. Submission and review of data available from the  
379 respective early learning coalition or district school board,  
380 the Department of Children and Family Services, local licensing  
381 authority, or an accrediting association, as applicable,  
382 relating to the private prekindergarten provider's or public  
383 school's compliance with state and local health and safety  
384 standards.

385 3. Submission and review of data available to the  
386 department on the performance of the children served and the  
387 calculation of the private prekindergarten provider's or public  
388 school's kindergarten readiness rate.

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

392 1. Learning gains of children served in the Voluntary  
393 Prekindergarten Education Program by the private prekindergarten  
394 provider or public school. A provider seeking a good cause  
395 exemption shall have the early learning coalition or a  
396 department-approved second party administer the state-approved  
397 prekindergarten enrollment screening to each child in the  
398 prekindergarten provider's program within the first 30 days of  
399 each school year for which a good cause exemption is sought, and  
400 the provider shall administer the standardized post-assessment  
401 approved by the department to measure the student's learning  
402 gains for the year or summer, as appropriate. All data must be  
403 submitted to the department within 30 days after the  
404 administration of each assessment. Each parent who enrolls his  
405 or her child in a Voluntary Prekindergarten Education Program  
406 offered by a provider seeking a good cause exemption must submit  
407 the child for the state-approved prekindergarten enrollment  
408 screening.

409 ~~2. Verification that the private prekindergarten provider~~  
410 ~~or public school serves at least twice the statewide percentage~~  
411 ~~of children with disabilities as defined in s. 1003.01(3)(a) or~~  
412 ~~children identified as limited English proficient as defined in~~  
413 ~~s. 1003.56.~~

414 2.3. Verification that local and state health and safety  
415 requirements are met.

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416 Section 11. Subsection (4) of section 1002.71, Florida  
417 Statutes, is amended to read:

418 1002.71 Funding; financial and attendance reporting.—

419 (4) Notwithstanding s. 1002.53(3) and subsection (2):

420 (a) A child who, for any of the prekindergarten programs  
421 listed in s. 1002.53(3), has not completed more than 70 percent  
422 of the hours authorized to be reported for funding under  
423 subsection (2), or has not expended more than 70 percent of the  
424 funds authorized for the child under s. 1002.66, may withdraw  
425 from the program for good cause and reenroll in one of the  
426 programs. The total funding for a child who reenrolls in one of  
427 the programs for good cause may not exceed one full-time  
428 equivalent student. Funding for a child who withdraws and  
429 reenrolls in one of the programs for good cause shall be issued  
430 in accordance with the agency's uniform attendance policy  
431 adopted pursuant to paragraph (6) (d).

432 (b) A child who has not substantially completed any of the  
433 prekindergarten programs listed in s. 1002.53(3) may withdraw  
434 from the program due to an extreme hardship that is beyond the  
435 child's or parent's control, reenroll in one of the summer  
436 programs, and be reported for funding purposes as a full-time  
437 equivalent student in the summer program for which the child is  
438 reenrolled.

439

440 A child may reenroll only once in a prekindergarten program  
441 under this section. A child who reenrolls in a prekindergarten  
442 program under this subsection may not subsequently withdraw from  
443 the program and reenroll, unless the child is granted a good

444 cause exemption under this subsection. The Agency for Workforce  
 445 Innovation shall establish criteria specifying whether a good  
 446 cause exists for a child to withdraw from a program under  
 447 paragraph (a), whether a child has substantially completed a  
 448 program under paragraph (b), and whether an extreme hardship  
 449 exists which is beyond the child's or parent's control under  
 450 paragraph (b).

451 Section 12. Subsection (2) of section 1002.73, Florida  
 452 Statutes, is amended to read:

453 1002.73 Department of Education; powers and duties;  
 454 accountability requirements.—

455 (2) The department shall adopt procedures for its:

456 (a) Approval of prekindergarten director credentials under  
 457 ss. 1002.55 and 1002.57.

458 (b) Approval of emergent literacy training courses under  
 459 ss. 1002.55 and 1002.59.

460 (c) Administration of the statewide kindergarten screening  
 461 and calculation of kindergarten readiness rates under s.  
 462 1002.69.

463 (d) Implementation of, and determination of costs  
 464 associated with, the state-approved prekindergarten enrollment  
 465 screening and the standardized post-assessment approved by the  
 466 department and determination of the learning gains of students  
 467 who complete the state-approved prekindergarten enrollment  
 468 screening and the standardized post-assessment approved by the  
 469 department.

470 (e) ~~(d)~~ Approval of specialized instructional services  
 471 providers under s. 1002.66.

472           (f) Annual reporting of the percentage of kindergarten  
 473 students who meet all state readiness measures.

474           ~~(g)(e)~~ Granting of a private prekindergarten provider's or  
 475 public school's request for a good cause exemption under s.  
 476 1002.69(7).

477           Section 13. Paragraph (b) of subsection (3) of section  
 478 1003.01, Florida Statutes, is amended to read:

479           1003.01 Definitions.—As used in this chapter, the term:  
 480           (3)

481           (b) "Special education services" means specially designed  
 482 instruction and such related services as are necessary for an  
 483 exceptional student to benefit from education. Such services may  
 484 include: transportation; diagnostic and evaluation services;  
 485 social services; physical and occupational therapy; speech and  
 486 language pathology services; job placement; orientation and  
 487 mobility training; braillists, typists, and readers for the  
 488 blind; interpreters and auditory amplification; services  
 489 provided by a certified Listening and Spoken Language  
 490 specialist; rehabilitation counseling; transition services;  
 491 mental health services; guidance and career counseling;  
 492 specified materials, assistive technology devices, and other  
 493 specialized equipment; and other such services as approved by  
 494 rules of the state board.

495           Section 14. Subsection (1) of section 1003.4156, Florida  
 496 Statutes, is amended to read:

497           1003.4156 General requirements for middle grades  
 498 promotion.—

499           (1) ~~Beginning with students entering grade 6 in the 2006-~~  
500 ~~2007 school year,~~ Promotion from a school composed of middle  
501 grades 6, 7, and 8 requires that:

502           (a) The student must successfully complete academic  
503 courses as follows:

504           1. Three middle school or higher courses in English. These  
505 courses shall emphasize literature, composition, and technical  
506 text.

507           2. Three middle school or higher courses in mathematics.  
508 Each middle school must offer at least one high school level  
509 mathematics course for which students may earn high school  
510 credit. Successful completion of a high school level Algebra I  
511 or geometry course is not contingent upon the student's  
512 performance on the end-of-course assessment required under s.  
513 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012  
514 school year, to earn high school credit for an Algebra I course,  
515 a middle school student must pass the Algebra I end-of-course  
516 assessment, and beginning with the 2012-2013 school year, to  
517 earn high school credit for a geometry course, a middle school  
518 student must pass the geometry end-of-course assessment.

519           3. Three middle school or higher courses in social  
520 studies, one semester of which must include the study of state  
521 and federal government and civics education. Beginning with  
522 students entering grade 6 in the 2012-2013 school year, one of  
523 these courses must be at least a one-semester civics education  
524 course that a student successfully completes in accordance with  
525 s. 1008.22(3)(c) and that includes the roles and  
526 responsibilities of federal, state, and local governments; the

527 structures and functions of the legislative, executive, and  
528 judicial branches of government; and the meaning and  
529 significance of historic documents, such as the Articles of  
530 Confederation, the Declaration of Independence, and the  
531 Constitution of the United States.

532 4. Three middle school or higher courses in science.  
533 Successful completion of a high school level Biology I course is  
534 not contingent upon the student's performance on the end-of-  
535 course assessment required under s. 1008.22(3)(c)2.a.(II).  
536 However, beginning with the 2012-2013 school year, to earn high  
537 school credit for a Biology I course, a middle school student  
538 must pass the Biology I end-of-course assessment.

539 5. One course in career and education planning to be  
540 completed in 7th or 8th grade. The course may be taught by any  
541 member of the instructional staff; must include career  
542 exploration using Florida CHOICES or a comparable cost-effective  
543 program; must include educational planning using the online  
544 student advising system known as Florida Academic Counseling and  
545 Tracking for Students at the Internet website FACTS.org; and  
546 shall result in the completion of a personalized academic and  
547 career plan. The required personalized academic and career plan  
548 must inform students of high school graduation requirements,  
549 high school assessment and college entrance test requirements,  
550 Florida Bright Futures Scholarship Program requirements, state  
551 university and Florida college admission requirements, and  
552 programs through which a high school student can earn college  
553 credit, including Advanced Placement, International  
554 Baccalaureate, Advanced International Certificate of Education,

555 dual enrollment, career academy opportunities, and courses that  
556 lead to national industry certification.

557

558 A student with a disability, as defined in s. 1007.02(2), for  
559 whom the individual education plan team determines that an end-  
560 of-course assessment cannot accurately measure the student's  
561 abilities, taking into consideration all allowable  
562 accommodations, shall have the end-of-course assessment results  
563 waived for purposes of determining the student's course grade  
564 and completing the requirements for middle grades promotion.

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

577 (b) For each year in which a student scores at Level 1 on  
578 FCAT Reading, the student must be enrolled in and complete an  
579 intensive reading course the following year. Placement of Level  
580 2 readers in either an intensive reading course or a content  
581 area course in which reading strategies are delivered shall be  
582 determined by diagnosis of reading needs. The department shall

583 provide guidance on appropriate strategies for diagnosing and  
 584 meeting the varying instructional needs of students reading  
 585 below grade level. Reading courses shall be designed and offered  
 586 pursuant to the comprehensive reading plan required by s.  
 587 1011.62(9). A middle grades student who scores at Level 1 or  
 588 Level 2 on FCAT Reading but who did not score below Level 3 in  
 589 the previous 3 years may be granted a 1-year exemption from the  
 590 reading remediation requirement; however, the student must have  
 591 an approved academic improvement plan already in place, signed  
 592 by the appropriate school staff and the student's parent, for  
 593 the year for which the exemption is granted.

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

598 Section 15. Section 1003.4203, Florida Statutes, is  
 599 created to read:

600 1003.4203 Digital curriculum.—

601 (1) Each district school board, in consultation with the  
 602 district school superintendent, may develop and implement a  
 603 digital curriculum for students in grades 6 through 12 to enable  
 604 students to attain competencies in web communications and web  
 605 design. A digital curriculum may include web-based skills, web-  
 606 based core technologies, web design, use of digital technologies  
 607 and markup language to evidence competency in computer skills,  
 608 and use of web-based core technologies to design creative,  
 609 informational, and content standards for web-based digital

610 products that demonstrate proficiency in creating, publishing,  
611 testing, monitoring, and maintaining a website.

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

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

618 (4) A district school board may seek partnerships with  
619 private businesses and consultants to offer classes and  
620 instruction to teachers and students to assist the school  
621 district in providing digital curriculum instruction.

622 Section 16. Paragraph (b) of subsection (2) of section  
623 1003.428, Florida Statutes, is amended to read:

624 1003.428 General requirements for high school graduation;  
625 revised.—

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

629 (b) Eight credits in electives.

630 1. For each year in which a student scores at Level 1 on  
631 FCAT Reading, the student must be enrolled in and complete an  
632 intensive reading course the following year. Placement of Level  
633 2 readers in either an intensive reading course or a content  
634 area course in which reading strategies are delivered shall be  
635 determined by diagnosis of reading needs. The department shall  
636 provide guidance on appropriate strategies for diagnosing and  
637 meeting the varying instructional needs of students reading

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638 below grade level. Reading courses shall be designed and offered  
639 pursuant to the comprehensive reading plan required by s.  
640 1011.62(9). A high school student who scores at Level 1 or Level  
641 2 on FCAT Reading but who did not score below Level 3 in the  
642 previous 3 years may be granted a 1-year exemption from the  
643 reading remediation requirement; however, the student must have  
644 an approved academic improvement plan already in place, signed  
645 by the appropriate school staff and the student's parent, for  
646 the year for which the exemption is granted.

647 2. For each year in which a student scores at Level 1 or  
648 Level 2 on FCAT Mathematics, the student must receive  
649 remediation the following year. These courses may be taught  
650 through applied, integrated, or combined courses and are subject  
651 to approval by the department for inclusion in the Course Code  
652 Directory.

653 Section 17. Subsections (2), (3), and (5) of section  
654 1003.491, Florida Statutes, are amended to read:

655 1003.491 Florida Career and Professional Education Act.—  
656 The Florida Career and Professional Education Act is created to  
657 provide a statewide planning partnership between the business  
658 and education communities in order to attract, expand, and  
659 retain targeted, high-value industry and to sustain a strong,  
660 knowledge-based economy.

661 (2) ~~Beginning with the 2007-2008 school year,~~ Each  
662 district school board shall develop, in collaboration with  
663 regional local workforce boards, economic development agencies,  
664 and postsecondary institutions approved to operate in the state,  
665 a strategic 5-year plan to address and meet local and regional

666 workforce demands. If involvement of a regional ~~the local~~  
667 workforce board or an economic development agency in the  
668 strategic plan development is not feasible, the local school  
669 board, with the approval of the Agency for Workforce Innovation,  
670 shall collaborate with the most appropriate regional ~~local~~  
671 business leadership board. Two or more school districts may  
672 collaborate in the development of the strategic plan and offer a  
673 career and professional academy as a joint venture. The  
674 strategic plan ~~Such plans~~ must describe in detail provisions for  
675 the efficient transportation of students, the maximum use of  
676 shared resources, and access to courses aligned to state  
677 curriculum standards through virtual education providers  
678 legislatively authorized to provide part-time instruction to  
679 middle school students, and an objective review of career and  
680 professional academy courses to determine if the courses will  
681 lead to the attainment of industry certifications included on  
682 the Industry Certified Funding List pursuant to rules adopted by  
683 the State Board of Education ~~the Florida Virtual School when~~  
684 ~~appropriate~~. Each strategic plan shall be reviewed, updated, and  
685 jointly approved every 5 years by the local school district,  
686 regional workforce boards, economic development agencies, and  
687 state-approved postsecondary institutions ~~completed no later~~  
688 ~~than June 30, 2008, and shall include provisions to have in~~  
689 ~~place at least one operational career and professional academy,~~  
690 ~~pursuant to s. 1003.492, no later than the beginning of the~~  
691 ~~2008-2009 school year.~~

692 (3) The strategic 5-year plan developed jointly by ~~between~~  
693 the local school district, regional ~~local~~ workforce boards,

694 economic development agencies, and state-approved postsecondary  
 695 institutions shall be constructed and based on:

696 (a) Research conducted to objectively determine local and  
 697 regional workforce needs for the ensuing 5 years, using labor  
 698 projections of the United States Department of Labor and the  
 699 Agency for Workforce Innovation;

700 (b) Strategies to develop and implement career academies  
 701 based on those careers determined to be in high demand;

702 (c) Maximum use of private sector facilities and  
 703 personnel;

704 (d) Strategies that ensure instruction by industry-  
 705 certified faculty and standards and strategies to maintain  
 706 current industry credentials and for recruiting and retaining  
 707 faculty to meet those standards;

708 (e) Alignment of ~~to~~ requirements for middle school career  
 709 exploration, middle and high school career and professional  
 710 academies leading to industry certification, and high school  
 711 graduation requirements ~~redesign~~;

712 (f) Provisions to ensure that courses offered through  
 713 career and professional academies are academically rigorous,  
 714 meet or exceed appropriate state-adopted subject area standards,  
 715 result in attainment of industry certification, and, when  
 716 appropriate, result in postsecondary credit;

717 (g) Strategies to improve the passage rate for industry  
 718 certification examinations if the rate falls below 50 percent;

719 (h) ~~(g)~~ Establishment of student eligibility criteria in  
 720 career and professional academies which include opportunities  
 721 for students who have been unsuccessful in traditional

722 classrooms but who show aptitude to participate in academies.  
723 School boards shall address the analysis of eighth grade student  
724 achievement data to provide opportunities for students who may  
725 be deemed as potential dropouts to participate in career and  
726 professional academies;

727 (i)~~(h)~~ Strategies to provide sufficient space within  
728 academies to meet workforce needs and to provide access to all  
729 interested and qualified students;

730 (j)~~(i)~~ Strategies to implement ~~engage Department of~~  
731 ~~Juvenile Justice students in~~ career and professional academy  
732 training that leads to industry certification at Department of  
733 Juvenile Justice facilities;

734 (k)~~(j)~~ Opportunities for high school students to earn  
735 weighted or dual enrollment credit for higher-level career and  
736 technical courses;

737 (l)~~(k)~~ Promotion of the benefits of the Gold Seal Bright  
738 Futures Scholarship;

739 (m)~~(l)~~ Strategies to ensure the review of district pupil-  
740 progression plans and to amend such plans to include career and  
741 professional courses and to include courses that may qualify as  
742 substitute courses for core graduation requirements and those  
743 that may be counted as elective courses; and

744 (n)~~(m)~~ Strategies to provide professional development for  
745 secondary guidance counselors on the benefits of career and  
746 professional academies.

747 (5) The submission and review of newly proposed core  
748 courses shall be conducted electronically, and each proposed  
749 core course shall be approved or denied within 60 days. All

750 | courses approved as core courses for purposes of middle school  
 751 | promotion and high school graduation ~~purposes~~ shall be  
 752 | immediately added to the Course Code Directory. Approved core  
 753 | courses shall also be reviewed and considered for approval for  
 754 | dual enrollment credit. The Board of Governors and the  
 755 | Commissioner of Education shall jointly recommend an annual  
 756 | deadline for approval of new core courses to be included for  
 757 | purposes of postsecondary admissions and dual enrollment credit  
 758 | the following academic year. The State Board of Education shall  
 759 | establish an appeals process in the event that a proposed course  
 760 | is denied which shall require a consensus ruling by the Agency  
 761 | for Workforce Innovation and the Commissioner of Education  
 762 | within 15 days. The curriculum review committee must be  
 763 | established and operational no later than September 1, 2007.

764 | Section 18. Subsections (2), (4), (5), and (6) of section  
 765 | 1003.493, Florida Statutes, are amended to read:

766 | 1003.493 Career and professional academies.—

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

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

770 | (b) Prepare graduating high school students to make  
 771 | appropriate choices relative to employment and future  
 772 | educational experiences.

773 | (c) Focus on career preparation through rigorous academics  
 774 | and industry certification.

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

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777 ~~(e) Support graduation requirements pursuant to s.~~  
778 ~~1003.428 by providing creative, applied major areas of interest.~~

779 (e)~~(f)~~ Promote acceleration mechanisms, such as dual  
780 enrollment, articulated credit, or occupational completion  
781 points, so that students may earn postsecondary credit while in  
782 high school.

783 (f)~~(g)~~ Support the state's economy by meeting industry  
784 needs for skilled employees in high-demand occupations.

785 (4) Each career and professional academy must:

786 (a) Provide a rigorous standards-based academic curriculum  
787 integrated with a career curriculum. The curriculum must take  
788 into consideration multiple styles of student learning; promote  
789 learning by doing through application and adaptation; maximize  
790 relevance of the subject matter; enhance each student's capacity  
791 to excel; and include an emphasis on work habits and work  
792 ethics.

793 (b) Include one or more partnerships with postsecondary  
794 institutions, businesses, industry, employers, economic  
795 development organizations, or other appropriate partners from  
796 the local community. Such partnerships shall be delineated in  
797 articulation agreements to provide for career-based courses that  
798 earn postsecondary credit. Such agreements may include  
799 articulation between the academy and public or private 2-year  
800 and 4-year postsecondary institutions and technical centers. The  
801 Department of Education, in consultation with the Board of  
802 Governors, shall establish a mechanism to ensure articulation  
803 and transfer of credits to postsecondary institutions in this  
804 state. Such partnerships must provide opportunities for:

805 1. Instruction from highly skilled professionals who  
 806 possess industry-certification credentials for courses they are  
 807 teaching.

808 2. Internships, externships, and on-the-job training.

809 3. A postsecondary degree, diploma, or certificate.

810 4. The highest available level of industry certification.

811 5. Maximum articulation of credits pursuant to s. 1007.23  
 812 upon program completion.

813 (c) Provide shared, maximum use of private sector  
 814 facilities and personnel.

815 (d) Provide personalized student advisement, including a  
 816 parent-participation component, and coordination with middle  
 817 schools to promote and support career exploration and education  
 818 planning as required under s. 1003.4156. Coordination with  
 819 middle schools must provide information to middle school  
 820 students about secondary and postsecondary career education  
 821 programs and academies.

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

825 (f) Provide instruction in careers designated as high  
 826 growth, high demand, and high pay by the regional ~~local~~  
 827 workforce development board, the chamber of commerce, economic  
 828 development agencies, or the Agency for Workforce Innovation.

829 (g) Deliver academic content through instruction relevant  
 830 to the career, including intensive reading and mathematics  
 831 intervention required by s. 1003.428, with an emphasis on  
 832 strengthening reading for information skills.

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833 (h) Offer applied courses that combine academic content  
834 with technical skills.

835 (i) Provide instruction resulting in competency,  
836 certification, or credentials in workplace skills, including,  
837 but not limited to, communication skills, interpersonal skills,  
838 decisionmaking skills, the importance of attendance and  
839 timeliness in the work environment, and work ethics.

840 (j) Provide opportunities for students to obtain the  
841 Florida Ready to Work Certification pursuant to s. 1004.99.

842 ~~(k) Include an evaluation plan developed jointly with the~~  
843 ~~Department of Education and the local workforce board. The~~  
844 ~~evaluation plan must include an assessment tool based on~~  
845 ~~national industry standards, such as the Career Academy National~~  
846 ~~Standards of Practice, and outcome measures, including, but not~~  
847 ~~limited to, achievement of national industry certifications~~  
848 ~~identified in the Industry Certification Funding List, pursuant~~  
849 ~~to rules adopted by the State Board of Education, graduation~~  
850 ~~rates, enrollment in postsecondary education, business and~~  
851 ~~industry satisfaction, employment and earnings, awards of~~  
852 ~~postsecondary credit and scholarships, and student achievement~~  
853 ~~levels and learning gains on statewide assessments administered~~  
854 ~~under s. 1008.22(3)(c). The Department of Education shall use~~  
855 ~~Workforce Florida, Inc., and Enterprise Florida, Inc., in~~  
856 ~~identifying industry experts to participate in developing and~~  
857 ~~implementing such assessments.~~

858 (k)~~(l)~~ Include a plan to sustain career and professional  
859 academies.

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860        (1) ~~(m)~~ Redirect appropriated career funding to career and  
861 professional academies.

862        (5) All career courses offered in a career and  
863 professional academy must lead to industry certification or  
864 college credit linked directly to the career theme of the  
865 course. If the passage rate on an industry certification  
866 examination that is associated with the career and professional  
867 academy falls below 50 percent, the academy must discontinue  
868 enrollment of new students the following school year and each  
869 year thereafter until such time as the passage rate is above 50  
870 percent or the academy is discontinued. ~~At least 50 percent of~~  
871 ~~students enrolled in a career course must achieve industry~~  
872 ~~certifications or college credits during the second year the~~  
873 ~~course is offered in order for the course to be offered a third~~  
874 ~~year. At least 66 percent of students enrolled in such a course~~  
875 ~~must achieve industry certifications or college credits during~~  
876 ~~the third year the course is offered in order for it to be~~  
877 ~~offered a fourth year and thereafter.~~

878        (6) Workforce Florida, Inc., through the secondary career  
879 academies initiatives, The Okaloosa County School District  
880 ~~CHOICE Institutes~~ shall serve in an advisory role and shall  
881 offer technical assistance in the development and deployment of  
882 newly established career and professional academies ~~for a 3-year~~  
883 ~~period beginning July 1, 2007.~~

884        Section 19. Section 1003.4935, Florida Statutes, is  
885 created to read:

886        1003.4935 Middle school career and professional academy  
887 courses.-

888       (1) Beginning with the 2011-2012 school year, each  
889 district school board, in collaboration with regional workforce  
890 boards, economic development agencies, and state-approved  
891 postsecondary institutions, shall include plans to implement a  
892 career and professional academy in at least one middle school in  
893 the district as part of the strategic 5-year plan pursuant to s.  
894 1003.491(2). The middle school career and professional academy  
895 component of the strategic plan must ensure the transition of  
896 middle school career and professional academy students to a high  
897 school career and professional academy currently operating  
898 within the school district. Students who complete a middle  
899 school career and professional academy must have the opportunity  
900 to earn an industry certificate and high school credit and  
901 participate in career planning, job shadowing, and business  
902 leadership development activities.

903       (2) Each middle school career and professional academy  
904 must be aligned with at least one high school career and  
905 professional academy offered in the district and maintain  
906 partnerships with local business and industry and economic  
907 development boards. Middle school career and professional  
908 academies must:

909       (a) Provide instruction in courses leading to careers in  
910 occupations designated as high growth, high demand, and high pay  
911 in the Industry Certification Funding List approved under rules  
912 adopted by the State Board of Education;

913       (b) Offer career and professional academy courses that  
914 integrate content from core subject areas;

915 (c) Offer courses that integrate career and professional  
916 academy content with intensive reading and mathematics pursuant  
917 to s. 1003.428;

918 (d) Coordinate with high schools to maximize opportunities  
919 for middle school career and professional academy students to  
920 earn high school credit;

921 (e) Provide access to virtual instruction courses provided  
922 by virtual education providers legislatively authorized to  
923 provide part-time instruction to middle school students which  
924 are aligned to state curriculum standards for middle school  
925 career and professional academy students, with priority given to  
926 students who have required course deficits;

927 (f) Provide instruction from highly skilled professionals  
928 who hold industry certificates in the career area in which they  
929 teach;

930 (g) Offer externships; and

931 (h) Provide personalized student advisement that includes  
932 a parent-participation component.

933 (3) Beginning with the 2012-2013 school year, if a school  
934 district implements a middle school career and professional  
935 academy, the Department of Education shall collect and report  
936 student achievement data pursuant to performance factors  
937 identified under s. 1003.492(3) for academy students.

938 Section 20. Section 1003.575, Florida Statutes, is amended  
939 to read:

940 1003.575 Assistive technology devices; findings;  
941 interagency agreements.—Accessibility, utilization, and  
942 coordination of appropriate assistive technology devices and

943 services are essential as a young person with disabilities moves  
 944 from early intervention to preschool, from preschool to school,  
 945 from one school to another, and from school to employment or  
 946 independent living. If an individual education plan team makes a  
 947 recommendation in accordance with State Board of Education rule  
 948 for a student with a disability, as defined in s. 1003.01(3), to  
 949 receive an assistive technology assessment, that assessment must  
 950 be completed within 60 school days after the team's  
 951 recommendation. To ensure that an assistive technology device  
 952 issued to a young person as part of his or her individualized  
 953 family support plan, individual support plan, or an individual  
 954 education plan remains with the individual through such  
 955 transitions, the following agencies shall enter into interagency  
 956 agreements, as appropriate, to ensure the transaction of  
 957 assistive technology devices:

958 (1) The Florida Infants and Toddlers Early Intervention  
 959 Program in the Division of Children's Medical Services of the  
 960 Department of Health.

961 (2) The Division of Blind Services, the Bureau of  
 962 Exceptional Education and Student Services, and the Division of  
 963 Vocational Rehabilitation of the Department of Education.

964 (3) The Voluntary Prekindergarten Education Program  
 965 administered by the Department of Education and the Agency for  
 966 Workforce Innovation.

967  
 968 Interagency agreements entered into pursuant to this section  
 969 shall provide a framework for ensuring that young persons with  
 970 disabilities and their families, educators, and employers are

971 informed about the utilization and coordination of assistive  
 972 technology devices and services that may assist in meeting  
 973 transition needs, and shall establish a mechanism by which a  
 974 young person or his or her parent may request that an assistive  
 975 technology device remain with the young person as he or she  
 976 moves through the continuum from home to school to postschool.

977 Section 21. Effective upon this act becoming a law,  
 978 subsection (2) and paragraph (c) of subsection (3) of section  
 979 1008.22, Florida Statutes, are amended to read:

980 1008.22 Student assessment program for public schools.—

981 (2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—It  
 982 is Florida's intent to participate in the measurement of  
 983 national educational goals. The Commissioner of Education shall  
 984 direct Florida school districts to participate in the  
 985 administration of the National Assessment of Educational  
 986 Progress, or ~~a~~ similar national or international assessment  
 987 program, both for the national sample and for any state-by-state  
 988 comparison programs which may be initiated. The assessments must  
 989 be conducted using the data collection procedures, the student  
 990 surveys, the educator surveys, and other instruments included in  
 991 the National Assessment of Educational Progress or similar  
 992 national or international assessment program being administered  
 993 in Florida. The results of these assessments shall be included  
 994 in the annual report of the Commissioner of Education specified  
 995 in this section, as applicable. The administration of the  
 996 National Assessment of Educational Progress or similar national  
 997 or international assessment program shall be in addition to and

998 separate from the administration of the statewide assessment  
 999 program.

1000 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
 1001 design and implement a statewide program of educational  
 1002 assessment that provides information for the improvement of the  
 1003 operation and management of the public schools, including  
 1004 schools operating for the purpose of providing educational  
 1005 services to youth in Department of Juvenile Justice programs.  
 1006 The commissioner may enter into contracts for the continued  
 1007 administration of the assessment, testing, and evaluation  
 1008 programs authorized and funded by the Legislature. Contracts may  
 1009 be initiated in 1 fiscal year and continue into the next and may  
 1010 be paid from the appropriations of either or both fiscal years.  
 1011 The commissioner is authorized to negotiate for the sale or  
 1012 lease of tests, scoring protocols, test scoring services, and  
 1013 related materials developed pursuant to law. Pursuant to the  
 1014 statewide assessment program, the commissioner shall:

1015 (c) Develop and implement a student achievement testing  
 1016 program as follows:

1017 1. The Florida Comprehensive Assessment Test (FCAT)  
 1018 measures a student's content knowledge and skills in reading,  
 1019 writing, science, and mathematics. The content knowledge and  
 1020 skills assessed by the FCAT must be aligned to the core  
 1021 curricular content established in the Next Generation Sunshine  
 1022 State Standards. Other content areas may be included as directed  
 1023 by the commissioner. Comprehensive assessments of reading and  
 1024 mathematics shall be administered annually in grades 3 through  
 1025 10 except, beginning with the 2010-2011 school year, the

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1026 administration of grade 9 FCAT Mathematics shall be  
1027 discontinued, and beginning with the 2011-2012 school year, the  
1028 administration of grade 10 FCAT Mathematics shall be  
1029 discontinued, except as required for students who have not  
1030 attained minimum performance expectations for graduation as  
1031 provided in paragraph (9) (c). FCAT Writing and FCAT Science  
1032 shall be administered at least once at the elementary, middle,  
1033 and high school levels except, beginning with the 2011-2012  
1034 school year, the administration of FCAT Science at the high  
1035 school level shall be discontinued.

1036 2.a. End-of-course assessments for a subject shall be  
1037 administered in addition to the comprehensive assessments  
1038 required under subparagraph 1. End-of-course assessments must be  
1039 rigorous, statewide, standardized, and developed or approved by  
1040 the department. The content knowledge and skills assessed by  
1041 end-of-course assessments must be aligned to the core curricular  
1042 content established in the Next Generation Sunshine State  
1043 Standards.

1044 (I) Statewide, standardized end-of-course assessments in  
1045 mathematics shall be administered according to this sub-sub-  
1046 subparagraph. Beginning with the 2010-2011 school year, all  
1047 students enrolled in Algebra I or an equivalent course must take  
1048 the Algebra I end-of-course assessment. ~~Students who earned high~~  
1049 ~~school credit in Algebra I while in grades 6 through 8 during~~  
1050 ~~the 2007-2008 through 2009-2010 school years and who have not~~  
1051 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~  
1052 ~~course assessment during the 2010-2011 school year.~~ For students  
1053 entering grade 9 during the 2010-2011 school year and who are

1054 enrolled in Algebra I or an equivalent, each student's  
1055 performance on the end-of-course assessment in Algebra I shall  
1056 constitute 30 percent of the student's final course grade.  
1057 Beginning with students entering grade 9 in the 2011-2012 school  
1058 year, a student who is enrolled in Algebra I or an equivalent  
1059 must earn a passing score on the end-of-course assessment in  
1060 Algebra I or attain an equivalent score as described in  
1061 subsection (11) in order to earn course credit. Beginning with  
1062 the 2011-2012 school year, all students enrolled in geometry or  
1063 an equivalent course must take the geometry end-of-course  
1064 assessment. For students entering grade 9 during the 2011-2012  
1065 school year, each student's performance on the end-of-course  
1066 assessment in geometry shall constitute 30 percent of the  
1067 student's final course grade. Beginning with students entering  
1068 grade 9 during the 2012-2013 school year, a student must earn a  
1069 passing score on the end-of-course assessment in geometry or  
1070 attain an equivalent score as described in subsection (11) in  
1071 order to earn course credit.

1072 (II) Statewide, standardized end-of-course assessments in  
1073 science shall be administered according to this sub-sub-  
1074 subparagraph. Beginning with the 2011-2012 school year, all  
1075 students enrolled in Biology I or an equivalent course must take  
1076 the Biology I end-of-course assessment. For the 2011-2012 school  
1077 year, each student's performance on the end-of-course assessment  
1078 in Biology I shall constitute 30 percent of the student's final  
1079 course grade. Beginning with students entering grade 9 during  
1080 the 2012-2013 school year, a student must earn a passing score

1081 on the end-of-course assessment in Biology I in order to earn  
 1082 course credit.

1083 b. During the 2012-2013 school year, an end-of-course  
 1084 assessment in civics education shall be administered as a field  
 1085 test at the middle school level. During the 2013-2014 school  
 1086 year, each student's performance on the statewide, standardized  
 1087 end-of-course assessment in civics education shall constitute 30  
 1088 percent of the student's final course grade. Beginning with the  
 1089 2014-2015 school year, a student must earn a passing score on  
 1090 the end-of-course assessment in civics education in order to  
 1091 pass the course and be promoted from the middle grades ~~receive~~  
 1092 ~~course credit.~~ The school principal of a middle school shall  
 1093 determine, in accordance with State Board of Education rule,  
 1094 whether a student who transfers to the middle school and who has  
 1095 successfully completed a civics education course at the  
 1096 student's previous school must take an end-of-course assessment  
 1097 in civics education.

1098 c. The commissioner may select one or more nationally  
 1099 developed comprehensive examinations, which may include, but  
 1100 need not be limited to, examinations for a College Board  
 1101 Advanced Placement course, International Baccalaureate course,  
 1102 or Advanced International Certificate of Education course, or  
 1103 industry-approved examinations to earn national industry  
 1104 certifications identified in the Industry Certification Funding  
 1105 List, pursuant to rules adopted by the State Board of Education,  
 1106 for use as end-of-course assessments under this paragraph, if  
 1107 the commissioner determines that the content knowledge and  
 1108 skills assessed by the examinations meet or exceed the grade

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1109 level expectations for the core curricular content established  
1110 for the course in the Next Generation Sunshine State Standards.  
1111 The commissioner may collaborate with the American Diploma  
1112 Project in the adoption or development of rigorous end-of-course  
1113 assessments that are aligned to the Next Generation Sunshine  
1114 State Standards.

1115 d. Contingent upon funding provided in the General  
1116 Appropriations Act, including the appropriation of funds  
1117 received through federal grants, the Commissioner of Education  
1118 shall establish an implementation schedule for the development  
1119 and administration of additional statewide, standardized end-of-  
1120 course assessments in English/Language Arts II, Algebra II,  
1121 chemistry, physics, earth/space science, United States history,  
1122 and world history. Priority shall be given to the development of  
1123 end-of-course assessments in English/Language Arts II. The  
1124 Commissioner of Education shall evaluate the feasibility and  
1125 effect of transitioning from the grade 9 and grade 10 FCAT  
1126 Reading and high school level FCAT Writing to an end-of-course  
1127 assessment in English/Language Arts II. The commissioner shall  
1128 report the results of the evaluation to the President of the  
1129 Senate and the Speaker of the House of Representatives no later  
1130 than July 1, 2011.

1131 3. The testing program shall measure student content  
1132 knowledge and skills adopted by the State Board of Education as  
1133 specified in paragraph (a) and measure and report student  
1134 performance levels of all students assessed in reading, writing,  
1135 mathematics, and science. The commissioner shall provide for the  
1136 tests to be developed or obtained, as appropriate, through

1137 | contracts and project agreements with private vendors, public  
1138 | vendors, public agencies, postsecondary educational  
1139 | institutions, or school districts. The commissioner shall obtain  
1140 | input with respect to the design and implementation of the  
1141 | testing program from state educators, assistive technology  
1142 | experts, and the public.

1143 |         4. The testing program shall be composed of criterion-  
1144 | referenced tests that shall, to the extent determined by the  
1145 | commissioner, include test items that require the student to  
1146 | produce information or perform tasks in such a way that the core  
1147 | content knowledge and skills he or she uses can be measured.

1148 |         5. FCAT Reading, Mathematics, and Science and all  
1149 | statewide, standardized end-of-course assessments shall measure  
1150 | the content knowledge and skills a student has attained on the  
1151 | assessment by the use of scaled scores and achievement levels.  
1152 | Achievement levels shall range from 1 through 5, with level 1  
1153 | being the lowest achievement level, level 5 being the highest  
1154 | achievement level, and level 3 indicating satisfactory  
1155 | performance on an assessment. For purposes of FCAT Writing,  
1156 | student achievement shall be scored using a scale of 1 through 6  
1157 | and the score earned shall be used in calculating school grades.  
1158 | A score shall be designated for each subject area tested, below  
1159 | which score a student's performance is deemed inadequate. The  
1160 | school districts shall provide appropriate remedial instruction  
1161 | to students who score below these levels.

1162 |         6. The State Board of Education shall, by rule, designate  
1163 | a passing score for each part of the grade 10 assessment test  
1164 | and end-of-course assessments. Any rule that has the effect of

1165 raising the required passing scores may apply only to students  
1166 taking the assessment for the first time after the rule is  
1167 adopted by the State Board of Education. Except as otherwise  
1168 provided in this subparagraph and as provided in s.  
1169 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a  
1170 passing score on grade 10 FCAT Reading and grade 10 FCAT  
1171 Mathematics or attain concordant scores as described in  
1172 subsection (10) in order to qualify for a standard high school  
1173 diploma.

1174 7. In addition to designating a passing score under  
1175 subparagraph 6., the State Board of Education shall also  
1176 designate, by rule, a score for each statewide, standardized  
1177 end-of-course assessment which indicates that a student is high  
1178 achieving and has the potential to meet college-readiness  
1179 standards by the time the student graduates from high school.

1180 8. Participation in the testing program is mandatory for  
1181 all students attending public school, including students served  
1182 in Department of Juvenile Justice programs, except as otherwise  
1183 prescribed by the commissioner. A student who has not earned  
1184 passing scores on the grade 10 FCAT as provided in subparagraph  
1185 6. must participate in each retake of the assessment until the  
1186 student earns passing scores or achieves scores on a  
1187 standardized assessment which are concordant with passing scores  
1188 pursuant to subsection (10). If a student does not participate  
1189 in the statewide assessment, the district must notify the  
1190 student's parent and provide the parent with information  
1191 regarding the implications of such nonparticipation. A parent  
1192 must provide signed consent for a student to receive classroom

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1193 instructional accommodations that would not be available or  
1194 permitted on the statewide assessments and must acknowledge in  
1195 writing that he or she understands the implications of such  
1196 instructional accommodations. The State Board of Education shall  
1197 adopt rules, based upon recommendations of the commissioner, for  
1198 the provision of test accommodations for students in exceptional  
1199 education programs and for students who have limited English  
1200 proficiency. Accommodations that negate the validity of a  
1201 statewide assessment are not allowable in the administration of  
1202 the FCAT or an end-of-course assessment. However, instructional  
1203 accommodations are allowable in the classroom if included in a  
1204 student's individual education plan. Students using  
1205 instructional accommodations in the classroom that are not  
1206 allowable as accommodations on the FCAT or an end-of-course  
1207 assessment may have the FCAT or an end-of-course assessment  
1208 requirement waived pursuant to the requirements of s.  
1209 1003.428(8)(b) or s. 1003.43(11)(b).

1210 9. A student seeking an adult high school diploma must  
1211 meet the same testing requirements that a regular high school  
1212 student must meet.

1213 10. District school boards must provide instruction to  
1214 prepare students in the core curricular content established in  
1215 the Next Generation Sunshine State Standards adopted under s.  
1216 1003.41, including the core content knowledge and skills  
1217 necessary for successful grade-to-grade progression and high  
1218 school graduation. If a student is provided with instructional  
1219 accommodations in the classroom that are not allowable as  
1220 accommodations in the statewide assessment program, as described

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1221 in the test manuals, the district must inform the parent in  
1222 writing and must provide the parent with information regarding  
1223 the impact on the student's ability to meet expected performance  
1224 levels in reading, writing, mathematics, and science. The  
1225 commissioner shall conduct studies as necessary to verify that  
1226 the required core curricular content is part of the district  
1227 instructional programs.

1228 11. District school boards must provide opportunities for  
1229 students to demonstrate an acceptable performance level on an  
1230 alternative standardized assessment approved by the State Board  
1231 of Education following enrollment in summer academies.

1232 12. The Department of Education must develop, or select,  
1233 and implement a common battery of assessment tools that will be  
1234 used in all juvenile justice programs in the state. These tools  
1235 must accurately measure the core curricular content established  
1236 in the Next Generation Sunshine State Standards.

1237 13. For students seeking a special diploma pursuant to s.  
1238 1003.438, the Department of Education must develop or select and  
1239 implement an alternate assessment tool that accurately measures  
1240 the core curricular content established in the Next Generation  
1241 Sunshine State Standards for students with disabilities under s.  
1242 1003.438.

1243 14. The Commissioner of Education shall establish  
1244 schedules for the administration of statewide assessments and  
1245 the reporting of student test results. When establishing the  
1246 schedules for the administration of statewide assessments, the  
1247 commissioner shall consider the observance of religious and  
1248 school holidays. The commissioner shall, by August 1 of each

1249 year, notify each school district in writing and publish on the  
 1250 department's Internet website the testing and reporting  
 1251 schedules for, at a minimum, the school year following the  
 1252 upcoming school year. The testing and reporting schedules shall  
 1253 require that:

1254 a. There is the latest possible administration of  
 1255 statewide assessments and the earliest possible reporting to the  
 1256 school districts of student test results which is feasible  
 1257 within available technology and specific appropriations;  
 1258 however, test results for the FCAT must be made available no  
 1259 later than the week of June 8. Student results for end-of-course  
 1260 assessments must be provided no later than 1 week after the  
 1261 school district completes testing for each course. The  
 1262 commissioner may extend the reporting schedule under exigent  
 1263 circumstances.

1264 b. ~~Beginning with the 2010-2011 school year,~~ FCAT Writing  
 1265 may is not be administered earlier than the week of March 1 and  
 1266 a comprehensive statewide assessment of any other subject may is  
 1267 not be administered earlier than the week of April 15.

1268 c. A statewide, standardized end-of-course assessment is  
 1269 administered ~~during a 3-week period~~ at the end of the course.  
 1270 The commissioner shall select an ~~a 3-week~~ administration period  
 1271 for assessments that meets the intent of end-of-course  
 1272 assessments and provides student results prior to the end of the  
 1273 course. School districts shall administer tests in accordance  
 1274 with the schedule determined by the commissioner ~~select 1~~  
 1275 ~~testing week within the 3-week administration period for each~~  
 1276 ~~end-of-course assessment.~~ For an end-of-course assessment

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1277 administered at the end of the first semester, the commissioner  
 1278 shall determine the most appropriate testing dates based on a  
 1279 review of each school district's academic calendar.

1280  
 1281 The commissioner may, based on collaboration and input from  
 1282 school districts, design and implement student testing programs,  
 1283 for any grade level and subject area, necessary to effectively  
 1284 monitor educational achievement in the state, including the  
 1285 measurement of educational achievement of the Next Generation  
 1286 Sunshine State Standards for students with disabilities.

1287 Development and refinement of assessments shall include  
 1288 universal design principles and accessibility standards that  
 1289 will prevent any unintended obstacles for students with  
 1290 disabilities while ensuring the validity and reliability of the  
 1291 test. These principles should be applicable to all technology  
 1292 platforms and assistive devices available for the assessments.  
 1293 The field testing process and psychometric analyses for the  
 1294 statewide assessment program must include an appropriate  
 1295 percentage of students with disabilities and an evaluation or  
 1296 determination of the effect of test items on such students.

1297 Section 22. Subsection (3) of section 1008.30, Florida  
 1298 Statutes, is amended to read:

1299 1008.30 Common placement testing for public postsecondary  
 1300 education.—

1301 (3) The State Board of Education shall adopt rules that  
 1302 require high schools to evaluate before the beginning of grade  
 1303 12 the college readiness of each student who ~~indicates an~~  
 1304 ~~interest in postsecondary education and~~ scores at Level 2 or

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1305 Level 3 on the reading portion of the grade 10 FCAT or Level 2,  
1306 Level 3, or Level 4 on the mathematics assessments under s.  
1307 1008.22(3)(c). High schools shall perform this evaluation using  
1308 results from the corresponding component of the common placement  
1309 test prescribed in this section, or an equivalent test  
1310 identified by the State Board of Education. The State Board  
1311 ~~Department~~ of Education shall identify in rule ~~purchase or~~  
1312 ~~develop~~ the assessments necessary to perform the evaluations  
1313 required by this subsection and shall work with the school  
1314 districts to administer the assessments. The State Board of  
1315 Education shall establish by rule the minimum test scores a  
1316 student must achieve to demonstrate readiness. Students who  
1317 demonstrate readiness by achieving the minimum test scores  
1318 established by the state board and enroll in a community college  
1319 within 2 years of achieving such scores shall not be required to  
1320 retest or enroll in remediation when admitted ~~courses as a~~  
1321 ~~condition of acceptance~~ to any community college. The high  
1322 school shall use the results of the test to advise the students  
1323 of any identified deficiencies and to ~~the maximum extent~~  
1324 ~~practicable~~ provide 12th grade students, and require them to  
1325 complete, access to appropriate postsecondary preparatory  
1326 ~~remedial~~ instruction prior to high school graduation. The  
1327 curriculum ~~remedial instruction~~ provided under this subsection  
1328 shall be identified in rule by the State Board of Education and  
1329 encompass Florida's Postsecondary Readiness Competencies. Other  
1330 elective courses may not be substituted for the selected  
1331 postsecondary mathematics preparatory course unless the elective  
1332 course covers the same competencies included in the

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1333 postsecondary mathematics preparatory course ~~a collaborative~~  
 1334 ~~effort between secondary and postsecondary educational~~  
 1335 ~~institutions. To the extent courses are available, the Florida~~  
 1336 ~~Virtual School may be used to provide the remedial instruction~~  
 1337 ~~required by this subsection.~~

1338 Section 23. Paragraph (b) of subsection (3) and subsection  
 1339 (4) of section 1008.33, Florida Statutes, are amended to read:

1340 1008.33 Authority to enforce public school improvement.—

1341 (3)

1342 (b) For the purpose of determining whether a public school  
 1343 requires action to achieve a sufficient level of school  
 1344 improvement, beginning with the 2010-2011 school year, the  
 1345 Department of Education shall annually categorize a public  
 1346 school in one of six categories based on the following:

1347 1. A school's grade based upon statewide assessments  
 1348 administered pursuant to s. 1008.22; and

1349 2. school's grade, pursuant to s. 1008.34, and The level  
 1350 and rate of change in student performance in the areas of  
 1351 reading and mathematics, disaggregated into student subgroups as  
 1352 described in the federal Elementary and Secondary Education Act,  
 1353 20 U.S.C. s. 6311 (b) (2) (C) (v) (II) .

1354 (4) The Department of Education shall create a matrix that  
 1355 reflects intervention and support strategies to address the  
 1356 particular needs of schools in each category.

1357 (a) Intervention and support strategies shall be applied  
 1358 to schools based upon the school categorization pursuant to  
 1359 paragraph (3) (b). The Department of Education shall apply the  
 1360 most intense intervention strategies to the lowest-performing

1361 schools. For all but the lowest category and "F" schools in the  
 1362 second lowest category, the intervention and support strategies  
 1363 shall be administered solely by the districts and the schools.

1364 (b) The lowest-performing schools are schools that are  
 1365 categorized pursuant to paragraph (3) (b) and have received:

1366 1. A grade of "F" in the most recent school year and in 4  
 1367 of the last 6 years; or

1368 2. A grade of "D" or "F" in the most recent school year  
 1369 and meet at least three of the following criteria:

1370 a. The percentage of students who are not proficient in  
 1371 reading has increased when compared to measurements taken 5  
 1372 years previously;

1373 b. The percentage of students who are not proficient in  
 1374 mathematics has increased when compared to measurements taken 5  
 1375 years previously;

1376 c. At least 65 percent of the school's students are not  
 1377 proficient in reading; or

1378 d. At least 65 percent of the school's students are not  
 1379 proficient in mathematics.

1380 Section 24. Paragraphs (b) and (c) of subsection (3) of  
 1381 section 1008.34, Florida Statutes, are amended to read:

1382 1008.34 School grading system; school report cards;  
 1383 district grade.—

1384 (3) DESIGNATION OF SCHOOL GRADES.—

1385 (b)1. A school's grade shall be based on a combination of:

1386 a. Student achievement scores, including achievement on  
 1387 all FCAT assessments administered under s. 1008.22(3)(c)1., end-

1388 of-course assessments administered under s. 1008.22(3)(c)2.a.,  
 1389 and achievement scores for students seeking a special diploma.

1390 b. Student learning gains in reading and mathematics as  
 1391 measured by FCAT and end-of-course assessments, as described in  
 1392 s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking  
 1393 a special diploma, as measured by an alternate assessment tool,  
 1394 shall be included not later than the 2009-2010 school year.

1395 c. Improvement of the lowest 25th percentile of students  
 1396 in the school in reading and mathematics on the FCAT or end-of-  
 1397 course assessments described in s. 1008.22(3)(c)2.a., unless  
 1398 these students are exhibiting satisfactory performance.

1399 2. Beginning with the 2011-2012 school year, for schools  
 1400 comprised of middle school grades 6 through 8 or grades 7 and 8,  
 1401 the school's grade shall include the performance and  
 1402 participation of its students enrolled in high school level  
 1403 courses with end-of-course assessments administered under s.  
 1404 1008.22(3)(c)2.a. Performance and participation must be weighted  
 1405 equally. As valid data becomes available, the school grades  
 1406 shall include the students' attainment of national industry  
 1407 certification identified in the Industry Certification Funding  
 1408 List pursuant to rules adopted by the State Board of Education.

1409 ~~3.2.~~ Beginning with the 2009-2010 school year for schools  
 1410 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
 1411 11, and 12, 50 percent of the school grade shall be based on a  
 1412 combination of the factors listed in sub-subparagraphs 1.a.-c.  
 1413 and the remaining 50 percent on the following factors:

1414 a. The high school graduation rate of the school;

1415           b. As valid data becomes available, the performance and  
 1416 participation of the school's students in College Board Advanced  
 1417 Placement courses, International Baccalaureate courses, dual  
 1418 enrollment courses, and Advanced International Certificate of  
 1419 Education courses; and the students' achievement of national  
 1420 industry certification identified in the Industry Certification  
 1421 Funding List, pursuant to rules adopted by the State Board of  
 1422 Education;

1423           c. Postsecondary readiness of the school's students as  
 1424 measured by the SAT, ACT, or the common placement test;

1425           d. The high school graduation rate of at-risk students who  
 1426 scored at Level 2 or lower on the grade 8 FCAT Reading and  
 1427 Mathematics examinations;

1428           e. As valid data becomes available, the performance of the  
 1429 school's students on statewide standardized end-of-course  
 1430 assessments administered under s. 1008.22(3)(c)2.b. and c.; and

1431           f. The growth or decline in the components listed in sub-  
 1432 subparagraphs a.-e. from year to year.

1433           (c) Student assessment data used in determining school  
 1434 grades shall include:

1435           1. The aggregate scores of all eligible students enrolled  
 1436 in the school who have been assessed on the FCAT and statewide,  
 1437 standardized end-of-course assessments in courses required for  
 1438 high school graduation, including, beginning with the 2010-2011  
 1439 school year, the end-of-course assessment in Algebra I; and  
 1440 beginning with the 2011-2012 school year, the end-of-course  
 1441 assessments in geometry and Biology; and beginning with the  
 1442 2013-2014 school year, on the statewide, standardized end-of-

1443 course assessment in civics education at the middle school  
1444 level.

1445 2. The aggregate scores of all eligible students enrolled  
1446 in the school who have been assessed on the FCAT and end-of-  
1447 course assessments as described in s. 1008.22(3)(c)2.a., and who  
1448 have scored at or in the lowest 25th percentile of students in  
1449 the school in reading and mathematics, unless these students are  
1450 exhibiting satisfactory performance.

1451 3. The achievement scores and learning gains of eligible  
1452 students attending alternative schools that provide dropout  
1453 prevention and academic intervention services pursuant to s.  
1454 1003.53. The term "eligible students" in this subparagraph does  
1455 not include students attending an alternative school who are  
1456 subject to district school board policies for expulsion for  
1457 repeated or serious offenses, who are in dropout retrieval  
1458 programs serving students who have officially been designated as  
1459 dropouts, or who are in programs operated or contracted by the  
1460 Department of Juvenile Justice. The student performance data for  
1461 eligible students identified in this subparagraph shall be  
1462 included in the calculation of the home school's grade. As used  
1463 in this subparagraph ~~section~~ and s. 1008.341, the term "home  
1464 school" means the school to which the student would be assigned  
1465 if the student were not assigned to an alternative school. If an  
1466 alternative school chooses to be graded under this section,  
1467 student performance data for eligible students identified in  
1468 this subparagraph shall not be included in the home school's  
1469 grade but shall be included only in the calculation of the  
1470 alternative school's grade. A school district that fails to

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1471 assign the FCAT and end-of-course assessment as described in s.  
1472 1008.22(3)(c)2.a. scores of each of its students to his or her  
1473 home school or to the alternative school that receives a grade  
1474 shall forfeit Florida School Recognition Program funds for 1  
1475 fiscal year. School districts must require collaboration between  
1476 the home school and the alternative school in order to promote  
1477 student success. This collaboration must include an annual  
1478 discussion between the principal of the alternative school and  
1479 the principal of each student's home school concerning the most  
1480 appropriate school assignment of the student.

1481 4. The achievement scores and learning gains of students  
1482 designated as hospital or homebound. Student assessment data for  
1483 students designated as hospital or homebound shall be assigned  
1484 to their home school for the purposes of school grades. As used  
1485 in this subparagraph, the term "home school" means the school to  
1486 which a student would be assigned if the student were not  
1487 assigned to a hospital or homebound program.

1488 ~~5.4.~~ For schools comprised of high school grades 9, 10,  
1489 11, and 12, or grades 10, 11, and 12, the data listed in  
1490 subparagraphs 1.-3. and the following data as the Department of  
1491 Education determines such data are valid and available:

1492 a. The high school graduation rate of the school as  
1493 calculated by the Department of Education;

1494 b. The participation rate of all eligible students  
1495 enrolled in the school and enrolled in College Board Advanced  
1496 Placement courses; International Baccalaureate courses; dual  
1497 enrollment courses; Advanced International Certificate of  
1498 Education courses; and courses or sequence of courses leading to

1499 national industry certification identified in the Industry  
 1500 Certification Funding List, pursuant to rules adopted by the  
 1501 State Board of Education;

1502 c. The aggregate scores of all eligible students enrolled  
 1503 in the school in College Board Advanced Placement courses,  
 1504 International Baccalaureate courses, and Advanced International  
 1505 Certificate of Education courses;

1506 d. Earning of college credit by all eligible students  
 1507 enrolled in the school in dual enrollment programs under s.  
 1508 1007.271;

1509 e. Earning of a national industry certification identified  
 1510 in the Industry Certification Funding List, pursuant to rules  
 1511 adopted by the State Board of Education;

1512 f. The aggregate scores of all eligible students enrolled  
 1513 in the school in reading, mathematics, and other subjects as  
 1514 measured by the SAT, the ACT, and the common placement test for  
 1515 postsecondary readiness;

1516 g. The high school graduation rate of all eligible at-risk  
 1517 students enrolled in the school who scored at Level 2 or lower  
 1518 on the grade 8 FCAT Reading and Mathematics examinations;

1519 h. The performance of the school's students on statewide  
 1520 standardized end-of-course assessments administered under s.  
 1521 1008.22 (3) (c) 2.b. and c.; and

1522 i. The growth or decline in the data components listed in  
 1523 sub-subparagraphs a.-h. from year to year.

1524

1525 The State Board of Education shall adopt appropriate criteria  
 1526 for each school grade. The criteria must also give added weight

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1527 to student achievement in reading. Schools designated with a  
 1528 grade of "C," making satisfactory progress, shall be required to  
 1529 demonstrate that adequate progress has been made by students in  
 1530 the school who are in the lowest 25th percentile in reading and  
 1531 mathematics on the FCAT and end-of-course assessments as  
 1532 described in s. 1008.22(3)(c)2.a., unless these students are  
 1533 exhibiting satisfactory performance. Beginning with the 2009-  
 1534 2010 school year for schools comprised of high school grades 9,  
 1535 10, 11, and 12, or grades 10, 11, and 12, the criteria for  
 1536 school grades must also give added weight to the graduation rate  
 1537 of all eligible at-risk students, as defined in this paragraph.  
 1538 Beginning in the 2009-2010 school year, in order for a high  
 1539 school to be designated as having a grade of "A," making  
 1540 excellent progress, the school must demonstrate that at-risk  
 1541 students, as defined in this paragraph, in the school are making  
 1542 adequate progress.

1543 Section 25. Paragraph (a) of subsection (3) of section  
 1544 1011.01, Florida Statutes, is amended to read:

1545 1011.01 Budget system established.—

1546 (3)(a) Each district school board and each community  
 1547 college board of trustees shall prepare, adopt, and submit to  
 1548 the Commissioner of Education ~~for review~~ an annual operating  
 1549 budget. Operating budgets shall be prepared and submitted in  
 1550 accordance with the provisions of law, rules of the State Board  
 1551 of Education, the General Appropriations Act, and for district  
 1552 school boards in accordance with the provisions of ss. 200.065  
 1553 and 1011.64.

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1554 Section 26. Subsection (4) of section 1011.03, Florida  
 1555 Statutes, is amended to read:

1556 1011.03 Public hearings; budget to be submitted to  
 1557 Department of Education.—

1558 (4) The board shall hold public hearings to adopt  
 1559 tentative and final budgets pursuant to s. 200.065. The hearings  
 1560 shall be primarily for the purpose of hearing requests and  
 1561 complaints from the public regarding the budgets and the  
 1562 proposed tax levies and for explaining the budget and proposed  
 1563 or adopted amendments thereto, if any. The district school board  
 1564 shall then require the superintendent to transmit forthwith two  
 1565 copies of the adopted budget to the Department of Education ~~for~~  
 1566 ~~approval~~ as prescribed by law and rules of the State Board of  
 1567 Education.

1568 Section 27. Section 1011.035, Florida Statutes, is created  
 1569 to read:

1570 1011.035 School district budget transparency.—

1571 (1) It is important for school districts to provide  
 1572 budgetary transparency to enable taxpayers, parents, and  
 1573 education advocates to obtain school district budget and related  
 1574 information in a manner that is simply explained and easily  
 1575 understandable. Budgetary transparency leads to more responsible  
 1576 spending, more citizen involvement, and improved accountability.  
 1577 A budget that is not transparent, accessible, and accurate  
 1578 cannot be properly analyzed, its implementation thoroughly  
 1579 monitored, or its outcomes evaluated.

1580 (2) Each district school board shall post on its website a  
 1581 plain language version of each proposed, tentative, and official

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1582 budget which describes each budget item in terms that are easily  
1583 understandable to the public. This information must be  
1584 prominently posted on the school district's website in a manner  
1585 that is readily accessible to the public.

1586 (3) Each district school board is encouraged to post the  
1587 following information on its website:

1588 (a) Timely information as to when a budget hearing will be  
1589 conducted.

1590 (b) Each contract between the district school board and  
1591 the teachers' union.

1592 (c) Each contract between the district school board and  
1593 noninstructional staff.

1594 (d) Each contract exceeding \$35,000 between the school  
1595 board and a vendor of services, supplies, or programs or for the  
1596 purchase or lease of lands, facilities, or properties.

1597 (e) Each contract exceeding \$35,000 that is an emergency  
1598 procurement or is with a single source as authorized under s.  
1599 287.057(3).

1600 (f) Recommendations of the citizens' budget advisory  
1601 committee.

1602 (g) Current and archived video recordings of each district  
1603 school board meeting and workshop.

1604 (4) The website should contain links to:

1605 (a) Help explain or provide background information on  
1606 various budget items that are required by state or federal law.

1607 (b) Allow users to navigate to related sites to view  
1608 supporting details.

1609           (c) Enable taxpayers, parents, and education advocates to  
 1610 send e-mails asking questions about the budget and enable others  
 1611 to view the questions and responses.

1612           Section 28. Paragraph (e) of subsection (1) of section  
 1613 1011.62, Florida Statutes, is amended to read:

1614           1011.62 Funds for operation of schools.—If the annual  
 1615 allocation from the Florida Education Finance Program to each  
 1616 district for operation of schools is not determined in the  
 1617 annual appropriations act or the substantive bill implementing  
 1618 the annual appropriations act, it shall be determined as  
 1619 follows:

1620           (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
 1621 OPERATION.—The following procedure shall be followed in  
 1622 determining the annual allocation to each district for  
 1623 operation:

1624           (e) Funding model for exceptional student education  
 1625 programs.—

1626           1.a. The funding model uses basic, at-risk, support levels  
 1627 IV and V for exceptional students and career Florida Education  
 1628 Finance Program cost factors, and a guaranteed allocation for  
 1629 exceptional student education programs. Exceptional education  
 1630 cost factors are determined by using a matrix of services to  
 1631 document the services that each exceptional student will  
 1632 receive. The nature and intensity of the services indicated on  
 1633 the matrix shall be consistent with the services described in  
 1634 each exceptional student's individual educational plan. The  
 1635 Department of Education shall review and revise the descriptions  
 1636 of the services and supports included in the matrix of services

1637 for exceptional students and shall implement those revisions  
1638 before the beginning of the 2012-2013 school year.

1639 b. In order to generate funds using one of the two  
1640 weighted cost factors, a matrix of services must be completed at  
1641 the time of the student's initial placement into an exceptional  
1642 student education program and at least once every 3 years by  
1643 personnel who have received approved training. Nothing listed in  
1644 the matrix shall be construed as limiting the services a school  
1645 district must provide in order to ensure that exceptional  
1646 students are provided a free, appropriate public education.

1647 c. Students identified as exceptional, in accordance with  
1648 chapter 6A-6, Florida Administrative Code, who do not have a  
1649 matrix of services as specified in sub-subparagraph b. shall  
1650 generate funds on the basis of full-time-equivalent student  
1651 membership in the Florida Education Finance Program at the same  
1652 funding level per student as provided for basic students.

1653 Additional funds for these exceptional students will be provided  
1654 through the guaranteed allocation designated in subparagraph 2.

1655 2. For students identified as exceptional who do not have  
1656 a matrix of services and students who are gifted in grades K  
1657 through 8, there is created a guaranteed allocation to provide  
1658 these students with a free appropriate public education, in  
1659 accordance with s. 1001.42(4)(m) and rules of the State Board of  
1660 Education, which shall be allocated annually to each school  
1661 district in the amount provided in the General Appropriations  
1662 Act. These funds shall be in addition to the funds appropriated  
1663 on the basis of FTE student membership in the Florida Education  
1664 Finance Program, and the amount allocated for each school

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1665 district shall not be recalculated during the year. These funds  
 1666 shall be used to provide special education and related services  
 1667 for exceptional students and students who are gifted in grades K  
 1668 through 8. Beginning with the 2007-2008 fiscal year, a  
 1669 district's expenditure of funds from the guaranteed allocation  
 1670 for students in grades 9 through 12 who are gifted may not be  
 1671 greater than the amount expended during the 2006-2007 fiscal  
 1672 year for gifted students in grades 9 through 12.

1673 Section 29. Paragraph (c) of subsection (1) of section  
 1674 1012.39, Florida Statutes, is amended to read:

1675 1012.39 Employment of substitute teachers, teachers of  
 1676 adult education, nondegreed teachers of career education, and  
 1677 career specialists; students performing clinical field  
 1678 experience.—

1679 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and  
 1680 1012.57, or any other provision of law or rule to the contrary,  
 1681 each district school board shall establish the minimal  
 1682 qualifications for:

1683 (c) Part-time and full-time nondegreed teachers of career  
 1684 programs. Qualifications shall be established for nondegreed  
 1685 teachers of career and technical education courses for program  
 1686 clusters that are recognized in the state and are ~~agriculture,~~  
 1687 ~~business, health occupations, family and consumer sciences,~~  
 1688 ~~industrial, marketing, career specialist, and public service~~  
 1689 ~~education teachers,~~ based primarily on successful occupational  
 1690 experience rather than academic training. The qualifications for  
 1691 such teachers shall require:

1692 1. The filing of a complete set of fingerprints in the  
 1693 same manner as required by s. 1012.32. Faculty employed solely  
 1694 to conduct postsecondary instruction may be exempted from this  
 1695 requirement.

1696 2. Documentation of education and successful occupational  
 1697 experience including documentation of:

1698 a. A high school diploma or the equivalent.

1699 b. Completion of 6 years of full-time successful  
 1700 occupational experience or the equivalent of part-time  
 1701 experience in the teaching specialization area. The district  
 1702 school board may establish alternative qualifications for  
 1703 teachers with an industry certification in the career area in  
 1704 which they teach. ~~Alternate means of determining successful~~  
 1705 ~~occupational experience may be established by the district~~  
 1706 ~~school board.~~

1707 c. Completion of career education training conducted  
 1708 through the local school district inservice master plan.

1709 d. For full-time teachers, completion of professional  
 1710 education training in teaching methods, course construction,  
 1711 lesson planning and evaluation, and teaching special needs  
 1712 students. This training may be completed through coursework from  
 1713 an accredited or approved institution or an approved district  
 1714 teacher education program.

1715 e. Demonstration of successful teaching performance.

1716 f. Documentation of industry certification when state or  
 1717 national industry certifications are available and applicable.

1718 Section 30. Except as otherwise expressly provided in this  
 1719 act and except for this section, which shall take effect upon

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1720 | this act becoming a law, this act shall take effect July 1,  
1721 | 2011.