

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. 1003.429, F.S.; revising
59 provisions relating to the selection of accelerated high
60 school graduation options; amending s. 1003.491, F.S.;
61 revising provisions relating to the development, contents,
62 and approval of the strategic plan to address workforce
63 needs; amending s. 1003.493, F.S.; revising requirements
64 for career and professional academies and enrollment of
65 students; creating s. 1003.4935, F.S.; requiring each
66 district school board to develop a plan to implement a
67 career and professional academy in at least one middle
68 school; providing requirements for middle school career
69 and professional academies and academy courses; amending
70 s. 1003.573, F.S.; revising provisions relating to the use
71 of restraint and seclusion on students with disabilities;
72 requiring that certain information be included in incident
73 reports; revising provisions relating to school district
74 policies and procedures to include setting goals for the
75 reduction of restraint and seclusion; requiring the State
76 Board of Education to adopt rules defining terms and
77 identifying additional variables to be documented in
78 incident reports and standards for documentation and
79 reporting; providing for application of specified
80 provisions of the act; amending s. 1012.582, F.S.;
81 conforming provisions to changes made by the act; amending
82 s. 1003.575, F.S.; providing requirements for completion
83 of an assistive technology assessment; amending s.
84 1008.22, F.S.; revising provisions relating to the student

85 | assessment program for public schools; requiring that the
86 | Commissioner of Education direct school districts to
87 | participate in certain international assessment programs;
88 | authorizing a school principal to exempt certain students
89 | from the end-of-course assessment in civics education;
90 | revising provisions relating to administration and
91 | reporting of results of assessments; amending s. 1008.30,
92 | F.S.; revising provisions relating to evaluation of
93 | college readiness and providing for postsecondary
94 | preparatory instruction; requiring the State Board of
95 | Education to adopt certain rules; amending s. 1008.33,
96 | F.S.; revising provisions relating to public school
97 | improvement; requiring the Department of Education to
98 | categorize public schools based on a school's grade that
99 | relies on statewide assessments; amending s. 1008.34,
100 | F.S.; revising the basis for the designation of school
101 | grades; including achievement scores and learning gains
102 | for students who are hospital or homebound; amending s.
103 | 1011.01, F.S.; revising provisions relating to the annual
104 | operating budgets of district school boards and Florida
105 | College System institution boards of trustees; amending s.
106 | 1011.03, F.S.; revising provisions relating to adopted
107 | district school board budgets; creating s. 1011.035, F.S.;
108 | requiring each school district to post budgetary
109 | information on its website; amending s. 1011.62, F.S.;
110 | revising provisions relating to the funding model for
111 | exceptional student education programs; requiring the
112 | Department of Education to revise the descriptions of

113 services and to implement the revisions; amending s.
 114 1012.39, F.S.; revising provisions relating to the
 115 qualifications for nondegreed teachers of career
 116 education; providing effective dates.

117
 118 Be It Enacted by the Legislature of the State of Florida:

119
 120 Section 1. Paragraph (a) of subsection (4) of section
 121 1001.20, Florida Statutes, is amended to read:

122 1001.20 Department under direction of state board.—

123 (4) The Department of Education shall establish the
 124 following offices within the Office of the Commissioner of
 125 Education which shall coordinate their activities with all other
 126 divisions and offices:

127 (a) Office of Technology and Information Services.—
 128 Responsible for developing a systemwide technology plan, making
 129 budget recommendations to the commissioner, providing data
 130 collection and management for the system, assisting school
 131 districts in securing Internet access and telecommunications
 132 services, including those eligible for funding under the Schools
 133 and Libraries Program of the federal Universal Service Fund, and
 134 coordinating services with other state, local, and private
 135 agencies. The office shall develop a method to address the need
 136 for a statewide approach to planning and operations of library
 137 and information services to achieve a single K-20 education
 138 system library information portal and a unified higher education
 139 library management system. ~~The Florida Virtual School shall be~~
 140 ~~administratively housed within the office.~~

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

143 1001.42 Powers and duties of district school board.—The
 144 district school board, acting as a board, shall exercise all
 145 powers and perform all duties listed below:

146 (23) FLORIDA VIRTUAL SCHOOL.—Provide students with access
 147 to ~~enroll in~~ courses available through the Florida Virtual
 148 School and award credit for successful completion of such
 149 courses. Access shall be available to students during and ~~or~~
 150 after the normal school day and through summer school
 151 enrollment.

152 Section 3. Section 1001.421, Florida Statutes, is created
 153 to read:

154 1001.421 Gifts.—Notwithstanding any other provision of law
 155 to the contrary, district school board members and their
 156 relatives, as defined in s. 112.312(21), may not directly or
 157 indirectly solicit any gift, or directly or indirectly accept
 158 any gift in excess of \$50, from any person, vendor, potential
 159 vendor, or other entity doing business with the school district.
 160 The term "gift" has the same meaning as in s. 112.312(12).

161 Section 4. Paragraph (a) of subsection (1) of section
 162 1002.37, Florida Statutes, is amended to read:

163 1002.37 The Florida Virtual School.—

164 (1) (a) The Florida Virtual School is established for the
 165 development and delivery of online and distance learning
 166 education and ~~shall be administratively housed within the~~
 167 ~~Commissioner of Education's Office of Technology and Information~~
 168 ~~Services~~. The Commissioner of Education shall monitor the

169 school's performance and report its performance to the State
 170 Board of Education and the Legislature.

171
 172 The board of trustees of the Florida Virtual School shall
 173 identify appropriate performance measures and standards based on
 174 student achievement that reflect the school's statutory mission
 175 and priorities, and shall implement an accountability system for
 176 the school that includes assessment of its effectiveness and
 177 efficiency in providing quality services that encourage high
 178 student achievement, seamless articulation, and maximum access.

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

181 1002.38 Opportunity Scholarship Program.—

182 (2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.—For purposes of
 183 this section, a school's grade shall be based upon statewide
 184 assessments administered pursuant to s. 1008.22. A public school
 185 student's parent may request and receive from the state an
 186 opportunity scholarship for the student to enroll in and attend
 187 a private school in accordance with the provisions of this
 188 section if:

189 (a)1. By assigned school attendance area or by special
 190 assignment, the student has spent the prior school year in
 191 attendance at a public school that has been designated ~~pursuant~~
 192 ~~to s. 1008.34~~ as performance grade category "F," failing to make
 193 adequate progress, and that has had 2 school years in a 4-year
 194 period of such low performance, and the student's attendance
 195 occurred during a school year in which such designation was in
 196 effect;

197 2. The student has been in attendance elsewhere in the
198 public school system and has been assigned to such school for
199 the next school year; or

200 3. The student is entering kindergarten or first grade and
201 has been notified that the student has been assigned to such
202 school for the next school year.

203 (b) The parent has obtained acceptance for admission of
204 the student to a private school eligible for the program
205 pursuant to subsection (4), and has notified the Department of
206 Education and the school district of the request for an
207 opportunity scholarship no later than July 1 of the first year
208 in which the student intends to use the scholarship.

209
210 The provisions of this section shall not apply to a student who
211 is enrolled in a school operating for the purpose of providing
212 educational services to youth in Department of Juvenile Justice
213 commitment programs. For purposes of continuity of educational
214 choice, the opportunity scholarship shall remain in force until
215 the student returns to a public school or, if the student
216 chooses to attend a private school the highest grade of which is
217 grade 8, until the student matriculates to high school and the
218 public high school to which the student is assigned is an
219 accredited school with a performance grade category designation
220 of "C" or better. However, at any time upon reasonable notice to
221 the Department of Education and the school district, the
222 student's parent may remove the student from the private school
223 and place the student in a public school, as provided in
224 subparagraph (3) (a) 2.

225 (3) SCHOOL DISTRICT OBLIGATIONS.—

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

229 1. Timely notify the parent of the student as soon as such
 230 designation is made of all options available pursuant to this
 231 section.

232 2. Offer that student's parent an opportunity to enroll
 233 the student in the public school within the district that has
 234 been designated by the state ~~pursuant to s. 1008.34~~ as a school
 235 performing higher than that in which the student is currently
 236 enrolled or to which the student has been assigned, but not less
 237 than performance grade category "C." The parent is not required
 238 to accept this offer in lieu of requesting a state opportunity
 239 scholarship to a private school. The opportunity to continue
 240 attending the higher performing public school shall remain in
 241 force until the student graduates from high school.

242 Section 6. Paragraph (a) of subsection (4) of section
 243 1002.39, Florida Statutes, is amended to read:

244 1002.39 The John M. McKay Scholarships for Students with
 245 Disabilities Program.—There is established a program that is
 246 separate and distinct from the Opportunity Scholarship Program
 247 and is named the John M. McKay Scholarships for Students with
 248 Disabilities Program.

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

250 (a) For purposes of continuity of educational choice, a
 251 John M. McKay Scholarship shall remain in force until the
 252 student returns to a public school, graduates from high school,

253 or reaches the age of 22, whichever occurs first. A scholarship
254 student who enrolls in a public school or public school program
255 is considered to have returned to a public school for the
256 purpose of determining the end of the scholarship's term.
257 However, if a student enters a Department of Juvenile Justice
258 detention center for a period of no more than 21 days, the
259 student is not considered to have returned to a public school
260 for that purpose.

261 Section 7. Paragraph (b) of subsection (2) of section
262 1002.45, Florida Statutes, is amended to read:

263 1002.45 School district virtual instruction programs.—

264 (2) PROVIDER QUALIFICATIONS.—

265 (b) An approved provider shall retain its approved status
266 during the 3 school years ~~for a period of 3 years~~ after the date
267 of the department's approval under paragraph (a) as long as the
268 provider continues to comply with all requirements of this
269 section.

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

272 1002.66 Specialized instructional services for children
273 with disabilities.—

274 (2) The parent of a child who is eligible for the
275 prekindergarten program for children with disabilities may
276 select one or more specialized instructional services that are
277 consistent with the child's individual educational plan. These
278 specialized instructional services may include, but are not
279 limited to:

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

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

285 1002.67 Performance standards; curricula and
 286 accountability.—

287 (1) (a) By April 1, 2005, the department shall develop and
 288 adopt performance standards for students in the Voluntary
 289 Prekindergarten Education Program. The performance standards
 290 must address the age-appropriate progress of students in the
 291 development of:

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

294 2. ~~(b)~~ Emergent literacy skills, including oral
 295 communication, knowledge of print and letters, phonemic and
 296 phonological awareness, and vocabulary and comprehension
 297 development.

298 (b) The State Board of Education shall periodically review
 299 and revise the performance standards for the statewide
 300 kindergarten screening administered under s. 1002.69 and align
 301 the standards to the standards established by the state board
 302 for student performance on the statewide assessments
 303 administered pursuant to s. 1008.22.

304 (3)

305 (c)1. If the kindergarten readiness rate of a private
 306 prekindergarten provider or public school falls below the
 307 minimum rate adopted by the State Board of Education as

308 | satisfactory under s. 1002.69(6), the early learning coalition
309 | or school district, as applicable, shall require the provider or
310 | school to submit an improvement plan for approval by the
311 | coalition or school district, as applicable, and to implement
312 | the plan.

313 | 2. If a private prekindergarten provider or public school
314 | fails to meet the minimum rate adopted by the State Board of
315 | Education as satisfactory under s. 1002.69(6) ~~for 2 consecutive~~
316 | ~~years~~, the early learning coalition or school district, as
317 | applicable, shall place the provider or school on probation and
318 | must require the provider or school to take certain corrective
319 | actions, including the use of a curriculum approved by the
320 | department under paragraph (2)(c).

321 | 3. A private prekindergarten provider or public school
322 | that is placed on probation must continue the corrective actions
323 | required under subparagraph 2., including the use of a
324 | curriculum approved by the department, until the provider or
325 | school meets the minimum rate adopted by the State Board of
326 | Education as satisfactory under s. 1002.69(6).

327 | 4. If a private prekindergarten provider or public school
328 | remains on probation for 2 consecutive years and fails to meet
329 | the minimum rate adopted by the State Board of Education as
330 | satisfactory under s. 1002.69(6) and is not granted a good cause
331 | exemption by the department pursuant to s. 1002.69(7), the
332 | Agency for Workforce Innovation shall require the early learning
333 | coalition or the Department of Education shall require the
334 | school district to remove, as applicable, the provider or school

335 from eligibility to deliver the Voluntary Prekindergarten
 336 Education Program and receive state funds for the program.

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

340 1002.69 Statewide kindergarten screening; kindergarten
 341 readiness rates; state-approved prekindergarten enrollment
 342 screening; good cause exemption.—

343 (1) The department shall adopt a statewide kindergarten
 344 screening that assesses the readiness of each student for
 345 kindergarten based upon the performance standards adopted by the
 346 department under s. 1002.67(1) for the Voluntary Prekindergarten
 347 Education Program. The department shall require that each school
 348 district administer the statewide kindergarten screening to each
 349 kindergarten student in the school district within the first 30
 350 school days of each school year. Nonpublic schools may
 351 administer the statewide kindergarten screening to each
 352 kindergarten student in a nonpublic school who was enrolled in
 353 the Voluntary Prekindergarten Education Program.

354 (5) The State Board of Education shall adopt procedures
 355 for the department to annually calculate each private
 356 prekindergarten provider's and public school's kindergarten
 357 readiness rate, which must be expressed as the percentage of the
 358 provider's or school's students who are assessed as ready for
 359 kindergarten. The kindergarten readiness rates must be based
 360 exclusively upon the results of the statewide kindergarten
 361 screening for students completing the Voluntary Prekindergarten
 362 Education Program, beginning with students completing the

363 program during the 2005-2006 school year who are administered
 364 the statewide kindergarten screening during the 2006-2007 school
 365 year. The methodology for calculating each provider's
 366 kindergarten readiness rate must include the percentage of
 367 students who meet all state readiness measures. The rates must
 368 not include students who are not administered the statewide
 369 kindergarten screening.

370 (6) ~~(a)~~ The State Board of Education shall periodically
 371 adopt a minimum kindergarten readiness rate that, if achieved by
 372 a private prekindergarten provider or public school, would
 373 demonstrate the provider's or school's satisfactory delivery of
 374 the Voluntary Prekindergarten Education Program.

375 ~~(b) The minimum rate must not exceed the rate at which~~
 376 ~~more than 15 percent of the kindergarten readiness rates of all~~
 377 ~~private prekindergarten providers and public schools delivering~~
 378 ~~the Voluntary Prekindergarten Education Program in the state~~
 379 ~~would fall below the minimum rate.~~

380 (7)

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

- 386 1. Submission of data by the private prekindergarten
 387 provider or public school which documents ~~on a standardized~~
 388 ~~assessment~~ the achievement and progress of the children served
 389 as measured by the state-approved prekindergarten enrollment

390 screening and the standardized post-assessment approved by the
391 department pursuant to subparagraph (c)1.

392 2. Submission and review of data available from the
393 respective early learning coalition or district school board,
394 the Department of Children and Family Services, local licensing
395 authority, or an accrediting association, as applicable,
396 relating to the private prekindergarten provider's or public
397 school's compliance with state and local health and safety
398 standards.

399 3. Submission and review of data available to the
400 department on the performance of the children served and the
401 calculation of the private prekindergarten provider's or public
402 school's kindergarten readiness rate.

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

406 1. Learning gains of children served in the Voluntary
407 Prekindergarten Education Program by the private prekindergarten
408 provider or public school. A provider seeking a good cause
409 exemption shall have the early learning coalition or a
410 department-approved second party administer the state-approved
411 prekindergarten enrollment screening to each child in the
412 prekindergarten provider's program within the first 30 days of
413 each school year for which a good cause exemption is sought, and
414 the provider shall administer the standardized post-assessment
415 approved by the department to measure the student's learning
416 gains for the year or summer, as appropriate. All data must be
417 submitted to the department within 30 days after the

418 administration of each assessment. Each parent who enrolls his
419 or her child in a Voluntary Prekindergarten Education Program
420 offered by a provider seeking a good cause exemption must submit
421 the child for the state-approved prekindergarten enrollment
422 screening.

423 ~~2. Verification that the private prekindergarten provider~~
424 ~~or public school serves at least twice the statewide percentage~~
425 ~~of children with disabilities as defined in s. 1003.01(3)(a) or~~
426 ~~children identified as limited English proficient as defined in~~
427 ~~s. 1003.56.~~

428 ~~2.3.~~ Verification that local and state health and safety
429 requirements are met.

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

432 1002.71 Funding; financial and attendance reporting.—

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

434 (a) A child who, for any of the prekindergarten programs
435 listed in s. 1002.53(3), has not completed more than 70 percent
436 of the hours authorized to be reported for funding under
437 subsection (2), or has not expended more than 70 percent of the
438 funds authorized for the child under s. 1002.66, may withdraw
439 from the program for good cause and reenroll in one of the
440 programs. The total funding for a child who reenrolls in one of
441 the programs for good cause may not exceed one full-time
442 equivalent student. Funding for a child who withdraws and
443 reenrolls in one of the programs for good cause shall be issued
444 in accordance with the agency's uniform attendance policy
445 adopted pursuant to paragraph (6)(d).

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

453
 454 A child may reenroll only once in a prekindergarten program
 455 under this section. A child who reenrolls in a prekindergarten
 456 program under this subsection may not subsequently withdraw from
 457 the program and reenroll, unless the child is granted a good
 458 cause exemption under this subsection. The Agency for Workforce
 459 Innovation shall establish criteria specifying whether a good
 460 cause exists for a child to withdraw from a program under
 461 paragraph (a), whether a child has substantially completed a
 462 program under paragraph (b), and whether an extreme hardship
 463 exists which is beyond the child's or parent's control under
 464 paragraph (b).

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

467 1002.73 Department of Education; powers and duties;
 468 accountability requirements.—

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

470 (a) Approval of prekindergarten director credentials under
 471 ss. 1002.55 and 1002.57.

472 (b) Approval of emergent literacy training courses under
 473 ss. 1002.55 and 1002.59.

474 (c) Administration of the statewide kindergarten screening
 475 and calculation of kindergarten readiness rates under s.
 476 1002.69.

477 (d) Implementation of, and determination of costs
 478 associated with, the state-approved prekindergarten enrollment
 479 screening and the standardized post-assessment approved by the
 480 department and determination of the learning gains of students
 481 who complete the state-approved prekindergarten enrollment
 482 screening and the standardized post-assessment approved by the
 483 department.

484 (e) ~~(d)~~ Approval of specialized instructional services
 485 providers under s. 1002.66.

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

488 (g) ~~(e)~~ Granting of a private prekindergarten provider's or
 489 public school's request for a good cause exemption under s.
 490 1002.69(7).

491 Section 13. Paragraph (b) of subsection (3) of section
 492 1003.01, Florida Statutes, is amended to read:

493 1003.01 Definitions.—As used in this chapter, the term:

494 (3)

495 (b) "Special education services" means specially designed
 496 instruction and such related services as are necessary for an
 497 exceptional student to benefit from education. Such services may
 498 include: transportation; diagnostic and evaluation services;
 499 social services; physical and occupational therapy; speech and
 500 language pathology services; job placement; orientation and
 501 mobility training; braillists, typists, and readers for the

502 blind; interpreters and auditory amplification; services
 503 provided by a certified Listening and Spoken Language
 504 specialist; rehabilitation counseling; transition services;
 505 mental health services; guidance and career counseling;
 506 specified materials, assistive technology devices, and other
 507 specialized equipment; and other such services as approved by
 508 rules of the state board.

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

511 1003.4156 General requirements for middle grades
 512 promotion.—

513 (1) ~~Beginning with students entering grade 6 in the 2006-~~
 514 ~~2007 school year,~~ Promotion from a school composed of middle
 515 grades 6, 7, and 8 requires that:

516 (a) The student must successfully complete academic
 517 courses as follows:

518 1. Three middle school or higher courses in English. These
 519 courses shall emphasize literature, composition, and technical
 520 text.

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

530 assessment, and beginning with the 2012-2013 school year, to
531 earn high school credit for a geometry course, a middle school
532 student must pass the geometry end-of-course assessment.

533 3. Three middle school or higher courses in social
534 studies, one semester of which must include the study of state
535 and federal government and civics education. Beginning with
536 students entering grade 6 in the 2012-2013 school year, one of
537 these courses must be at least a one-semester civics education
538 course that a student successfully completes in accordance with
539 s. 1008.22(3)(c) and that includes the roles and
540 responsibilities of federal, state, and local governments; the
541 structures and functions of the legislative, executive, and
542 judicial branches of government; and the meaning and
543 significance of historic documents, such as the Articles of
544 Confederation, the Declaration of Independence, and the
545 Constitution of the United States.

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

553 5. One course in career and education planning to be
554 completed in 7th or 8th grade. The course may be taught by any
555 member of the instructional staff; must include career
556 exploration using Florida CHOICES or a comparable cost-effective
557 program; must include educational planning using the online

558 student advising system known as Florida Academic Counseling and
559 Tracking for Students at the Internet website FACTS.org; and
560 shall result in the completion of a personalized academic and
561 career plan. The required personalized academic and career plan
562 must inform students of high school graduation requirements,
563 high school assessment and college entrance test requirements,
564 Florida Bright Futures Scholarship Program requirements, state
565 university and Florida college admission requirements, and
566 programs through which a high school student can earn college
567 credit, including Advanced Placement, International
568 Baccalaureate, Advanced International Certificate of Education,
569 dual enrollment, career academy opportunities, and courses that
570 lead to national industry certification.

571
572 A student with a disability, as defined in s. 1007.02(2), for
573 whom the individual education plan team determines that an end-
574 of-course assessment cannot accurately measure the student's
575 abilities, taking into consideration all allowable
576 accommodations, shall have the end-of-course assessment results
577 waived for purposes of determining the student's course grade
578 and completing the requirements for middle grades promotion.

579 Each school must hold a parent meeting either in the evening or
580 on a weekend to inform parents about the course curriculum and
581 activities. Each student shall complete an electronic personal
582 education plan that must be signed by the student; the student's
583 instructor, guidance counselor, or academic advisor; and the
584 student's parent. The Department of Education shall develop
585 course frameworks and professional development materials for the

586 career exploration and education planning course. The course may
587 be implemented as a stand-alone course or integrated into
588 another course or courses. The Commissioner of Education shall
589 collect longitudinal high school course enrollment data by
590 student ethnicity in order to analyze course-taking patterns.

591 (b) For each year in which a student scores at Level 1 on
592 FCAT Reading, the student must be enrolled in and complete an
593 intensive reading course the following year. Placement of Level
594 2 readers in either an intensive reading course or a content
595 area course in which reading strategies are delivered shall be
596 determined by diagnosis of reading needs. The department shall
597 provide guidance on appropriate strategies for diagnosing and
598 meeting the varying instructional needs of students reading
599 below grade level. Reading courses shall be designed and offered
600 pursuant to the comprehensive reading plan required by s.

601 1011.62(9). A middle grades student who scores at Level 1 or
602 Level 2 on FCAT Reading but who did not score below Level 3 in
603 the previous 3 years may be granted a 1-year exemption from the
604 reading remediation requirement; however, the student must have
605 an approved academic improvement plan already in place, signed
606 by the appropriate school staff and the student's parent, for
607 the year for which the exemption is granted.

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

612 Section 15. Section 1003.4203, Florida Statutes, is
613 created to read:

614 1003.4203 Digital curriculum.—

615 (1) Each district school board, in consultation with the
616 district school superintendent, may develop and implement a
617 digital curriculum for students in grades 6 through 12 to enable
618 students to attain competencies in web communications and web
619 design. A digital curriculum may include web-based skills, web-
620 based core technologies, web design, use of digital technologies
621 and markup language to evidence competency in computer skills,
622 and use of web-based core technologies to design creative,
623 informational, and content standards for web-based digital
624 products that demonstrate proficiency in creating, publishing,
625 testing, monitoring, and maintaining a website.

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

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

632 (4) A district school board may seek partnerships with
633 private businesses and consultants to offer classes and
634 instruction to teachers and students to assist the school
635 district in providing digital curriculum instruction.

636 Section 16. Paragraph (b) of subsection (2) of section
637 1003.428, Florida Statutes, is amended to read:

638 1003.428 General requirements for high school graduation;
639 revised.—

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

643 (b) Eight credits in electives.

644 1. For each year in which a student scores at Level 1 on
 645 FCAT Reading, the student must be enrolled in and complete an
 646 intensive reading course the following year. Placement of Level
 647 2 readers in either an intensive reading course or a content
 648 area course in which reading strategies are delivered shall be
 649 determined by diagnosis of reading needs. The department shall
 650 provide guidance on appropriate strategies for diagnosing and
 651 meeting the varying instructional needs of students reading
 652 below grade level. Reading courses shall be designed and offered
 653 pursuant to the comprehensive reading plan required by s.

654 1011.62(9). A high school student who scores at Level 1 or Level
 655 2 on FCAT Reading but who did not score below Level 3 in the
 656 previous 3 years may be granted a 1-year exemption from the
 657 reading remediation requirement; however, the student must have
 658 an approved academic improvement plan already in place, signed
 659 by the appropriate school staff and the student's parent, for
 660 the year for which the exemption is granted.

661 2. For each year in which a student scores at Level 1 or
 662 Level 2 on FCAT Mathematics, the student must receive
 663 remediation the following year. These courses may be taught
 664 through applied, integrated, or combined courses and are subject
 665 to approval by the department for inclusion in the Course Code
 666 Directory.

667 Section 17. Subsections (2), (3), (4), and (7) of section
668 1003.429, Florida Statutes, are amended to read:

669 1003.429 Accelerated high school graduation options.—

670 (2) Prior to selecting a program described in paragraph
671 (1) (b) or paragraph (1) (c), a student and the student's parent
672 should ~~must~~ meet with designated school personnel to receive an
673 explanation of the relative requirements, advantages, and
674 disadvantages of each program option, and the student must ~~also~~
675 receive the written consent of the student's parent. If an
676 effort to meet with the student's parent fails and that effort
677 has been documented by designated school personnel, the student
678 may select a program described in paragraph (1) (b) or paragraph
679 (1) (c) with the written consent of the student's parent. A
680 student may select a program described in paragraph (1) (b) or
681 paragraph (1) (c) without the written consent of the student's
682 parent if the student is 18 years of age or older.

683 (3) Beginning with the 2011-2012 ~~2006-2007~~ school year,
684 each district school board shall provide each student in grades
685 6 through 12 ~~9~~ and their parents with information concerning the
686 3-year and 4-year high school graduation options listed in
687 subsection (1), including the respective curriculum requirements
688 for those options, so that the students and their parents may
689 select the program that best fits their needs. The information
690 must include a timeframe for achieving each graduation option.

691 (4) Selection of one of the graduation options listed in
692 subsection (1) may ~~must~~ be completed by the student at any time
693 during grades 9 through 12 ~~prior to the end of grade 9 and is~~
694 ~~exclusively up to the student and parent, subject to the~~

695 | requirements in subsection (2). ~~Each district school board shall~~
 696 | ~~establish policies for extending this deadline to the end of a~~
 697 | ~~student's first semester of grade 10 for a student who entered a~~
 698 | ~~Florida public school after grade 9 upon transfer from a private~~
 699 | ~~school or another state or who was prevented from choosing a~~
 700 | ~~graduation option due to illness during grade 9.~~ If the student
 701 | and parent fail to select one of the accelerated high school
 702 | graduation options ~~a graduation option~~, the student shall be
 703 | considered to have selected the general requirements for high
 704 | school graduation pursuant to paragraph (1)(a).

705 | (7) If, at the end of each grade ~~10~~, a student is not on
 706 | track to meet the credit, assessment, or grade-point-average
 707 | requirements of the accelerated graduation option selected, the
 708 | school shall notify the student and parent of the following:

709 | (a) The requirements that the student is not currently
 710 | meeting.

711 | (b) The specific performance necessary in grade 11 for the
 712 | student to meet the accelerated graduation requirements.

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

715 | Section 18. Subsections (2), (3), and (5) of section
 716 | 1003.491, Florida Statutes, are amended to read:

717 | 1003.491 Florida Career and Professional Education Act.—
 718 | The Florida Career and Professional Education Act is created to
 719 | provide a statewide planning partnership between the business
 720 | and education communities in order to attract, expand, and
 721 | retain targeted, high-value industry and to sustain a strong,
 722 | knowledge-based economy.

723 (2) ~~Beginning with the 2007-2008 school year,~~ Each
724 district school board shall develop, in collaboration with
725 regional local workforce boards, economic development agencies,
726 and postsecondary institutions approved to operate in the state,
727 a strategic 5-year plan to address and meet local and regional
728 workforce demands. If involvement of a regional ~~the local~~
729 workforce board or an economic development agency in the
730 strategic plan development is not feasible, the local school
731 board, with the approval of the Agency for Workforce Innovation,
732 shall collaborate with the most appropriate regional local
733 business leadership board. Two or more school districts may
734 collaborate in the development of the strategic plan and offer a
735 career and professional academy as a joint venture. The
736 strategic plan ~~Such plans~~ must describe in detail provisions for
737 the efficient transportation of students, the maximum use of
738 shared resources, ~~and~~ access to courses aligned to state
739 curriculum standards through virtual education providers
740 legislatively authorized to provide part-time instruction to
741 middle school students, and an objective review of career and
742 professional academy courses to determine if the courses will
743 lead to the attainment of industry certifications included on
744 the Industry Certified Funding List pursuant to rules adopted by
745 the State Board of Education ~~the Florida Virtual School when~~
746 ~~appropriate.~~ Each strategic plan shall be reviewed, updated, and
747 jointly approved every 5 years by the local school district,
748 regional workforce boards, economic development agencies, and
749 state-approved postsecondary institutions ~~completed no later~~
750 ~~than June 30, 2008,~~ and shall include provisions to have in

751 ~~place at least one operational career and professional academy,~~
752 ~~pursuant to s. 1003.492, no later than the beginning of the~~
753 ~~2008-2009 school year.~~

754 (3) The strategic 5-year plan developed jointly by ~~between~~
755 the local school district, regional ~~local~~ workforce boards,
756 economic development agencies, and state-approved postsecondary
757 institutions shall be constructed and based on:

758 (a) Research conducted to objectively determine local and
759 regional workforce needs for the ensuing 5 years, using labor
760 projections of the United States Department of Labor and the
761 Agency for Workforce Innovation;

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

764 (c) Maximum use of private sector facilities and
765 personnel;

766 (d) Strategies that ensure instruction by industry-
767 certified faculty and standards and strategies to maintain
768 current industry credentials and for recruiting and retaining
769 faculty to meet those standards;

770 (e) Alignment of ~~to~~ requirements for middle school career
771 exploration, middle and high school career and professional
772 academies leading to industry certification, and high school
773 graduation requirements ~~redesign~~;

774 (f) Provisions to ensure that courses offered through
775 career and professional academies are academically rigorous,
776 meet or exceed appropriate state-adopted subject area standards,
777 result in attainment of industry certification, and, when
778 appropriate, result in postsecondary credit;

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

781 ~~(h)-(g)~~ Establishment of student eligibility criteria in
782 career and professional academies which include opportunities
783 for students who have been unsuccessful in traditional
784 classrooms but who show aptitude to participate in academies.
785 School boards shall address the analysis of eighth grade student
786 achievement data to provide opportunities for students who may
787 be deemed as potential dropouts to participate in career and
788 professional academies;

789 (i)-(h) Strategies to provide sufficient space within
790 academies to meet workforce needs and to provide access to all
791 interested and qualified students;

792 (j)-(i) Strategies to implement ~~engage Department of~~
793 ~~Juvenile Justice students in~~ career and professional academy
794 training that leads to industry certification at Department of
795 Juvenile Justice facilities;

796 (k)-(j) Opportunities for high school students to earn
797 weighted or dual enrollment credit for higher-level career and
798 technical courses;

799 (l)-(k) Promotion of the benefits of the Gold Seal Bright
800 Futures Scholarship;

801 (m)-(l) Strategies to ensure the review of district pupil-
802 progression plans and to amend such plans to include career and
803 professional courses and to include courses that may qualify as
804 substitute courses for core graduation requirements and those
805 that may be counted as elective courses; and

806 (n) ~~(m)~~ Strategies to provide professional development for
807 secondary guidance counselors on the benefits of career and
808 professional academies.

809 (5) The submission and review of newly proposed core
810 courses shall be conducted electronically, and each proposed
811 core course shall be approved or denied within 60 days. All
812 courses approved as core courses for purposes of middle school
813 promotion and high school graduation ~~purposes~~ shall be
814 immediately added to the Course Code Directory. Approved core
815 courses shall also be reviewed and considered for approval for
816 dual enrollment credit. The Board of Governors and the
817 Commissioner of Education shall jointly recommend an annual
818 deadline for approval of new core courses to be included for
819 purposes of postsecondary admissions and dual enrollment credit
820 the following academic year. The State Board of Education shall
821 establish an appeals process in the event that a proposed course
822 is denied which shall require a consensus ruling by the Agency
823 for Workforce Innovation and the Commissioner of Education
824 within 15 days. The curriculum review committee must be
825 established and operational no later than September 1, 2007.

826 Section 19. Subsections (2), (4), (5), and (6) of section
827 1003.493, Florida Statutes, are amended to read:

828 1003.493 Career and professional academies.—

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

830 (a) Increase student academic achievement and graduation
831 rates through integrated academic and career curricula.

832 (b) Prepare graduating high school students to make
 833 appropriate choices relative to employment and future
 834 educational experiences.

835 (c) Focus on career preparation through rigorous academics
 836 and industry certification.

837 (d) Raise student aspiration and commitment to academic
 838 achievement and work ethics through relevant coursework.

839 ~~(e) Support graduation requirements pursuant to s.~~
 840 ~~1003.428 by providing creative, applied major areas of interest.~~

841 (e)~~(f)~~ Promote acceleration mechanisms, such as dual
 842 enrollment, articulated credit, or occupational completion
 843 points, so that students may earn postsecondary credit while in
 844 high school.

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

847 (4) Each career and professional academy must:

848 (a) Provide a rigorous standards-based academic curriculum
 849 integrated with a career curriculum. The curriculum must take
 850 into consideration multiple styles of student learning; promote
 851 learning by doing through application and adaptation; maximize
 852 relevance of the subject matter; enhance each student's capacity
 853 to excel; and include an emphasis on work habits and work
 854 ethics.

855 (b) Include one or more partnerships with postsecondary
 856 institutions, businesses, industry, employers, economic
 857 development organizations, or other appropriate partners from
 858 the local community. Such partnerships shall be delineated in
 859 articulation agreements to provide for career-based courses that

860 | earn postsecondary credit. Such agreements may include
861 | articulation between the academy and public or private 2-year
862 | and 4-year postsecondary institutions and technical centers. The
863 | Department of Education, in consultation with the Board of
864 | Governors, shall establish a mechanism to ensure articulation
865 | and transfer of credits to postsecondary institutions in this
866 | state. Such partnerships must provide opportunities for:

867 | 1. Instruction from highly skilled professionals who
868 | possess industry-certification credentials for courses they are
869 | teaching.

870 | 2. Internships, externships, and on-the-job training.

871 | 3. A postsecondary degree, diploma, or certificate.

872 | 4. The highest available level of industry certification.

873 | 5. Maximum articulation of credits pursuant to s. 1007.23
874 | upon program completion.

875 | (c) Provide shared, maximum use of private sector
876 | facilities and personnel.

877 | (d) Provide personalized student advisement, including a
878 | parent-participation component, and coordination with middle
879 | schools to promote and support career exploration and education
880 | planning as required under s. 1003.4156. Coordination with
881 | middle schools must provide information to middle school
882 | students about secondary and postsecondary career education
883 | programs and academies.

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

887 (f) Provide instruction in careers designated as high
 888 growth, high demand, and high pay by the regional local
 889 workforce development board, the chamber of commerce, economic
 890 development agencies, or the Agency for Workforce Innovation.

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

895 (h) Offer applied courses that combine academic content
 896 with technical skills.

897 (i) Provide instruction resulting in competency,
 898 certification, or credentials in workplace skills, including,
 899 but not limited to, communication skills, interpersonal skills,
 900 decisionmaking skills, the importance of attendance and
 901 timeliness in the work environment, and work ethics.

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

904 ~~(k) Include an evaluation plan developed jointly with the~~
 905 ~~Department of Education and the local workforce board. The~~
 906 ~~evaluation plan must include an assessment tool based on~~
 907 ~~national industry standards, such as the Career Academy National~~
 908 ~~Standards of Practice, and outcome measures, including, but not~~
 909 ~~limited to, achievement of national industry certifications~~
 910 ~~identified in the Industry Certification Funding List, pursuant~~
 911 ~~to rules adopted by the State Board of Education, graduation~~
 912 ~~rates, enrollment in postsecondary education, business and~~
 913 ~~industry satisfaction, employment and earnings, awards of~~
 914 ~~postsecondary credit and scholarships, and student achievement~~

915 ~~levels and learning gains on statewide assessments administered~~
 916 ~~under s. 1008.22(3)(c). The Department of Education shall use~~
 917 ~~Workforce Florida, Inc., and Enterprise Florida, Inc., in~~
 918 ~~identifying industry experts to participate in developing and~~
 919 ~~implementing such assessments.~~

920 (k) ~~(l)~~ Include a plan to sustain career and professional
 921 academies.

922 (l) ~~(m)~~ Redirect appropriated career funding to career and
 923 professional academies.

924 (5) All career courses offered in a career and
 925 professional academy must lead to industry certification or
 926 college credit linked directly to the career theme of the
 927 course. If the passage rate on an industry certification
 928 examination that is associated with the career and professional
 929 academy falls below 50 percent, the academy must discontinue
 930 enrollment of new students the following school year and each
 931 year thereafter until such time as the passage rate is above 50
 932 percent or the academy is discontinued. At least 50 percent of
 933 ~~students enrolled in a career course must achieve industry~~
 934 ~~certifications or college credits during the second year the~~
 935 ~~course is offered in order for the course to be offered a third~~
 936 ~~year. At least 66 percent of students enrolled in such a course~~
 937 ~~must achieve industry certifications or college credits during~~
 938 ~~the third year the course is offered in order for it to be~~
 939 ~~offered a fourth year and thereafter.~~

940 (6) Workforce Florida, Inc., through the secondary career
 941 academies initiatives, The Okaloosa County School District
 942 ~~CHOICE Institutes shall serve in an advisory role and shall~~

943 offer technical assistance in the development and deployment of
 944 newly established career and professional academies ~~for a 3-year~~
 945 ~~period beginning July 1, 2007.~~

946 Section 20. Section 1003.4935, Florida Statutes, is
 947 created to read:

948 1003.4935 Middle school career and professional academy
 949 courses.—

950 (1) Beginning with the 2011-2012 school year, each
 951 district school board, in collaboration with regional workforce
 952 boards, economic development agencies, and state-approved
 953 postsecondary institutions, shall include plans to implement a
 954 career and professional academy in at least one middle school in
 955 the district as part of the strategic 5-year plan pursuant to s.
 956 1003.491(2). The middle school career and professional academy
 957 component of the strategic plan must ensure the transition of
 958 middle school career and professional academy students to a high
 959 school career and professional academy currently operating
 960 within the school district. Students who complete a middle
 961 school career and professional academy must have the opportunity
 962 to earn an industry certificate and high school credit and
 963 participate in career planning, job shadowing, and business
 964 leadership development activities.

965 (2) Each middle school career and professional academy
 966 must be aligned with at least one high school career and
 967 professional academy offered in the district and maintain
 968 partnerships with local business and industry and economic
 969 development boards. Middle school career and professional
 970 academies must:

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

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

977 (c) Offer courses that integrate career and professional
978 academy content with intensive reading and mathematics pursuant
979 to s. 1003.428;

980 (d) Coordinate with high schools to maximize opportunities
981 for middle school career and professional academy students to
982 earn high school credit;

983 (e) Provide access to virtual instruction courses provided
984 by virtual education providers legislatively authorized to
985 provide part-time instruction to middle school students which
986 are aligned to state curriculum standards for middle school
987 career and professional academy students, with priority given to
988 students who have required course deficits;

989 (f) Provide instruction from highly skilled professionals
990 who hold industry certificates in the career area in which they
991 teach;

992 (g) Offer externships; and

993 (h) Provide personalized student advisement that includes
994 a parent-participation component.

995 (3) Beginning with the 2012-2013 school year, if a school
996 district implements a middle school career and professional
997 academy, the Department of Education shall collect and report

998 student achievement data pursuant to performance factors
 999 identified under s. 1003.492(3) for academy students.

1000 Section 21. Section 1003.573, Florida Statutes, is amended
 1001 to read:

1002 1003.573 Use of ~~seclusion and restraint~~ or seclusion on
 1003 students with disabilities.—

1004 (1) DOCUMENTATION AND REPORTING.—

1005 (a) A school shall prepare an incident report within 24
 1006 hours after a student with disabilities is released from
 1007 restraint or seclusion. If the student's release occurs on a day
 1008 before the school closes for the weekend, a holiday, or another
 1009 reason, the incident report must be completed by the end of the
 1010 school day on the day the school reopens. For purposes of this
 1011 section, the term "student with disabilities" has the same
 1012 meaning as provided in s. 1003.01(3)(a).

1013 (b) The following must be included in the incident report:

- 1014 1. The name of the student restrained or secluded.
- 1015 2. The date and time of the event and the duration of the
 1016 restraint or seclusion.
- 1017 3. The location at which the restraint or seclusion
 1018 occurred.
- 1019 4. The type of restraint or seclusion that occurred. The
 1020 terms used to describe each occurrence must be in conformity
 1021 with the terms identified and described in state board rule.
- 1022 5. The name of the person using or assisting in the
 1023 restraint or seclusion of the student.
- 1024 6. The name of any nonstudent who was present to witness
 1025 the restraint or seclusion.

- 1026 7. A description of the incident, including:
- 1027 a. The context in which the restraint or seclusion
- 1028 occurred.
- 1029 b. The student's behavior leading up to and precipitating
- 1030 the decision to use ~~manual-physical~~ restraint or seclusion,
- 1031 including an indication as to why there was an imminent risk of
- 1032 serious injury or death to the student or others.
- 1033 c. The specific positive behavioral strategies used to
- 1034 prevent and deescalate the behavior.
- 1035 d. What occurred with the student immediately after the
- 1036 termination of the restraint or seclusion.
- 1037 e. Any injuries, visible marks, or possible medical
- 1038 emergencies that may have occurred during the restraint or
- 1039 seclusion, documented according to district policies.
- 1040 f. Evidence of steps taken to notify the student's parent
- 1041 or guardian.
- 1042 8. Other variables identified in state board rule.
- 1043 (c) A school shall notify the parent or guardian of a
- 1044 student each time ~~manual-physical~~ restraint or seclusion is
- 1045 used. Such notification must be in writing and provided before
- 1046 the end of the school day on which the restraint or seclusion
- 1047 occurs. Reasonable efforts must also be taken to notify the
- 1048 parent or guardian by telephone or computer e-mail, or both, and
- 1049 these efforts must be documented. The school shall obtain, and
- 1050 keep in its records, the parent's or guardian's signed
- 1051 acknowledgment that he or she was notified of his or her child's
- 1052 restraint or seclusion.
- 1053 (d) A school shall also provide the parent or guardian

1054 with the completed incident report in writing by mail within 3
 1055 school days after a student was ~~manually physically~~ restrained
 1056 or secluded. The school shall obtain, and keep in its records,
 1057 the parent's or guardian's signed acknowledgment that he or she
 1058 received a copy of the incident report.

1059 (2) MONITORING.—

1060 (a) Monitoring of the use of ~~manual physical~~ restraint or
 1061 seclusion on students shall occur at the classroom, building,
 1062 district, and state levels.

1063 (b) Each month that a school is in session, incident
 1064 reports required under ~~Beginning July 1, 2010, documentation~~
 1065 ~~prepared as required in~~ subsection (1) shall be provided to the
 1066 school principal and, the district director of Exceptional
 1067 Student Education, and shall be provided electronically to the
 1068 bureau chief of the Bureau of Exceptional Education and Student
 1069 Services within the department electronically each month that
 1070 ~~the school is in session.~~

1071 (c) The department shall maintain aggregate data of
 1072 incidents of ~~manual physical~~ restraint and seclusion and
 1073 disaggregate the data for analysis by county, school, disability
 1074 of the student ~~exceptionality~~, and other variables. This
 1075 information shall be updated monthly.

1076 (3) SCHOOL DISTRICT POLICIES AND PROCEDURES.—

1077 ~~(a)~~ Each school district shall develop policies and
 1078 procedures that are consistent with this section and that
 1079 include, but are not limited to govern the following:

1080 (a)1. Reporting incidents of restraint or seclusion as
 1081 required under subsection (1) Incident-reporting procedures.

1082 (b)2. Collecting, monitoring, and reporting data regarding
 1083 restraint and seclusion, including when, where, and why students
 1084 are restrained or secluded; the frequency of occurrences of such
 1085 restraint or seclusion; and the number of times each type of
 1086 restraint is used ~~Data collection.~~

1087 (c) Setting goals for the reduction of restraint and
 1088 seclusion, particularly in settings in which restraint or
 1089 seclusion occurs frequently or at times when particular students
 1090 are restrained or secluded repeatedly, and identifying the
 1091 resources, skills, and activities needed to achieve such goals.
 1092 Activities may include, but are not limited to:

1093 1. Additional training in positive behavioral support and
 1094 crisis management.

1095 2. Parental involvement.

1096 3. Data review.

1097 4. Updates to a student's functional behavioral analysis
 1098 and positive behavior intervention plans.

1099 5. Additional student evaluations.

1100 6. Debriefing with staff.

1101 7. Use of schoolwide positive behavior support.

1102 8. Changes to the school environment.

1103 ~~3. Monitoring and reporting of data collected.~~

1104 ~~(b) Any revisions to such policies and procedures, which~~
 1105 ~~must be prepared as part of the school district's special~~
 1106 ~~policies and procedures, must be filed with the bureau chief of~~
 1107 ~~the Bureau of Exceptional Education and Student Services no~~
 1108 ~~later than January 31, 2011.~~

1109 (4) PROHIBITED RESTRAINT.—School personnel may not use a

1110 ~~mechanical restraint or a manual physical~~ restraint that
1111 restricts a student's breathing.

1112 (5) SECLUSION.—School personnel may not close, lock, or
1113 physically block a student in a room that is unlit and does not
1114 meet the rules of the State Fire Marshal for seclusion time-out
1115 rooms.

1116 (6) RULES.—The State Board of Education shall adopt rules
1117 to implement this section. The rules shall define the terms
1118 seclusion and restraint, which shall include physical and
1119 mechanical restraint, and identify the appropriate terms to be
1120 used in the incident report when describing the type of
1121 seclusion or restraint that occurred. The rules shall identify
1122 additional variables that must be documented in each incident
1123 report as well as the standards for documentation and the
1124 process for submitting each incident report. These rules shall
1125 be provided to school districts on or before March 1, 2012.

1126 Section 22. The amendments to s. 1003.573(1), Florida
1127 Statutes, made by this act apply to incident reports submitted
1128 on or after July 1, 2012.

1129 Section 23. Paragraph (e) of subsection (1) of section
1130 1012.582, Florida Statutes, is amended to read:

1131 1012.582 Continuing education and inservice training for
1132 teaching students with developmental disabilities.—

1133 (1) The Commissioner of Education shall develop
1134 recommendations to incorporate instruction regarding autism
1135 spectrum disorder, Down syndrome, and other developmental
1136 disabilities into continuing education or inservice training
1137 requirements for instructional personnel. These recommendations

1138 shall address:

1139 (e) Appropriate use of ~~manual physical~~ restraint and
 1140 seclusion techniques.

1141 Section 24. Section 1003.575, Florida Statutes, is amended
 1142 to read:

1143 1003.575 Assistive technology devices; findings;
 1144 interagency agreements.—Accessibility, utilization, and
 1145 coordination of appropriate assistive technology devices and
 1146 services are essential as a young person with disabilities moves
 1147 from early intervention to preschool, from preschool to school,
 1148 from one school to another, and from school to employment or
 1149 independent living. If an individual education plan team makes a
 1150 recommendation in accordance with State Board of Education rule
 1151 for a student with a disability, as defined in s. 1003.01(3), to
 1152 receive an assistive technology assessment, that assessment must
 1153 be completed within 60 school days after the team's
 1154 recommendation. To ensure that an assistive technology device
 1155 issued to a young person as part of his or her individualized
 1156 family support plan, individual support plan, or an individual
 1157 education plan remains with the individual through such
 1158 transitions, the following agencies shall enter into interagency
 1159 agreements, as appropriate, to ensure the transaction of
 1160 assistive technology devices:

1161 (1) The Florida Infants and Toddlers Early Intervention
 1162 Program in the Division of Children's Medical Services of the
 1163 Department of Health.

1164 (2) The Division of Blind Services, the Bureau of
 1165 Exceptional Education and Student Services, and the Division of
 1166 Vocational Rehabilitation of the Department of Education.

1167 (3) The Voluntary Prekindergarten Education Program
 1168 administered by the Department of Education and the Agency for
 1169 Workforce Innovation.

1170
 1171 Interagency agreements entered into pursuant to this section
 1172 shall provide a framework for ensuring that young persons with
 1173 disabilities and their families, educators, and employers are
 1174 informed about the utilization and coordination of assistive
 1175 technology devices and services that may assist in meeting
 1176 transition needs, and shall establish a mechanism by which a
 1177 young person or his or her parent may request that an assistive
 1178 technology device remain with the young person as he or she
 1179 moves through the continuum from home to school to postschool.

1180 Section 25. Effective upon this act becoming a law,
 1181 subsection (2) and paragraph (c) of subsection (3) of section
 1182 1008.22, Florida Statutes, are amended to read:

1183 1008.22 Student assessment program for public schools.—

1184 (2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—It
 1185 is Florida's intent to participate in the measurement of
 1186 national educational goals. The Commissioner of Education shall
 1187 direct Florida school districts to participate in the
 1188 administration of the National Assessment of Educational
 1189 Progress, or ~~a~~ similar national or international assessment
 1190 program, both for the national sample and for any state-by-state
 1191 comparison programs which may be initiated. The assessments must

1192 be conducted using the data collection procedures, the student
 1193 surveys, the educator surveys, and other instruments included in
 1194 the National Assessment of Educational Progress or similar
 1195 national or international assessment program being administered
 1196 in Florida. The results of these assessments shall be included
 1197 in the annual report of the Commissioner of Education specified
 1198 in this section, as applicable. The administration of the
 1199 National Assessment of Educational Progress or similar national
 1200 or international assessment program shall be in addition to and
 1201 separate from the administration of the statewide assessment
 1202 program.

1203 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
 1204 design and implement a statewide program of educational
 1205 assessment that provides information for the improvement of the
 1206 operation and management of the public schools, including
 1207 schools operating for the purpose of providing educational
 1208 services to youth in Department of Juvenile Justice programs.
 1209 The commissioner may enter into contracts for the continued
 1210 administration of the assessment, testing, and evaluation
 1211 programs authorized and funded by the Legislature. Contracts may
 1212 be initiated in 1 fiscal year and continue into the next and may
 1213 be paid from the appropriations of either or both fiscal years.
 1214 The commissioner is authorized to negotiate for the sale or
 1215 lease of tests, scoring protocols, test scoring services, and
 1216 related materials developed pursuant to law. Pursuant to the
 1217 statewide assessment program, the commissioner shall:

1218 (c) Develop and implement a student achievement testing
 1219 program as follows:

1220 1. The Florida Comprehensive Assessment Test (FCAT)
1221 measures a student's content knowledge and skills in reading,
1222 writing, science, and mathematics. The content knowledge and
1223 skills assessed by the FCAT must be aligned to the core
1224 curricular content established in the Next Generation Sunshine
1225 State Standards. Other content areas may be included as directed
1226 by the commissioner. Comprehensive assessments of reading and
1227 mathematics shall be administered annually in grades 3 through
1228 10 except, beginning with the 2010-2011 school year, the
1229 administration of grade 9 FCAT Mathematics shall be
1230 discontinued, and beginning with the 2011-2012 school year, the
1231 administration of grade 10 FCAT Mathematics shall be
1232 discontinued, except as required for students who have not
1233 attained minimum performance expectations for graduation as
1234 provided in paragraph (9)(c). FCAT Writing and FCAT Science
1235 shall be administered at least once at the elementary, middle,
1236 and high school levels except, beginning with the 2011-2012
1237 school year, the administration of FCAT Science at the high
1238 school level shall be discontinued.

1239 2.a. End-of-course assessments for a subject shall be
1240 administered in addition to the comprehensive assessments
1241 required under subparagraph 1. End-of-course assessments must be
1242 rigorous, statewide, standardized, and developed or approved by
1243 the department. The content knowledge and skills assessed by
1244 end-of-course assessments must be aligned to the core curricular
1245 content established in the Next Generation Sunshine State
1246 Standards.

1247 (I) Statewide, standardized end-of-course assessments in
1248 mathematics shall be administered according to this sub-sub-
1249 subparagraph. Beginning with the 2010-2011 school year, all
1250 students enrolled in Algebra I or an equivalent course must take
1251 the Algebra I end-of-course assessment. ~~Students who earned high~~
1252 ~~school credit in Algebra I while in grades 6 through 8 during~~
1253 ~~the 2007-2008 through 2009-2010 school years and who have not~~
1254 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~
1255 ~~course assessment during the 2010-2011 school year.~~ For students
1256 entering grade 9 during the 2010-2011 school year and who are
1257 enrolled in Algebra I or an equivalent, each student's
1258 performance on the end-of-course assessment in Algebra I shall
1259 constitute 30 percent of the student's final course grade.
1260 Beginning with students entering grade 9 in the 2011-2012 school
1261 year, a student who is enrolled in Algebra I or an equivalent
1262 must earn a passing score on the end-of-course assessment in
1263 Algebra I or attain an equivalent score as described in
1264 subsection (11) in order to earn course credit. Beginning with
1265 the 2011-2012 school year, all students enrolled in geometry or
1266 an equivalent course must take the geometry end-of-course
1267 assessment. For students entering grade 9 during the 2011-2012
1268 school year, each student's performance on the end-of-course
1269 assessment in geometry shall constitute 30 percent of the
1270 student's final course grade. Beginning with students entering
1271 grade 9 during the 2012-2013 school year, a student must earn a
1272 passing score on the end-of-course assessment in geometry or
1273 attain an equivalent score as described in subsection (11) in
1274 order to earn course credit.

1275 (II) Statewide, standardized end-of-course assessments in
1276 science shall be administered according to this sub-sub-
1277 subparagraph. Beginning with the 2011-2012 school year, all
1278 students enrolled in Biology I or an equivalent course must take
1279 the Biology I end-of-course assessment. For the 2011-2012 school
1280 year, each student's performance on the end-of-course assessment
1281 in Biology I shall constitute 30 percent of the student's final
1282 course grade. Beginning with students entering grade 9 during
1283 the 2012-2013 school year, a student must earn a passing score
1284 on the end-of-course assessment in Biology I in order to earn
1285 course credit.

1286 b. During the 2012-2013 school year, an end-of-course
1287 assessment in civics education shall be administered as a field
1288 test at the middle school level. During the 2013-2014 school
1289 year, each student's performance on the statewide, standardized
1290 end-of-course assessment in civics education shall constitute 30
1291 percent of the student's final course grade. Beginning with the
1292 2014-2015 school year, a student must earn a passing score on
1293 the end-of-course assessment in civics education in order to
1294 pass the course and be promoted from the middle grades ~~receive~~
1295 ~~course credit.~~ The school principal of a middle school shall
1296 determine, in accordance with State Board of Education rule,
1297 whether a student who transfers to the middle school and who has
1298 successfully completed a civics education course at the
1299 student's previous school must take an end-of-course assessment
1300 in civics education.

1301 c. The commissioner may select one or more nationally
1302 developed comprehensive examinations, which may include, but

1303 need not be limited to, examinations for a College Board
1304 Advanced Placement course, International Baccalaureate course,
1305 or Advanced International Certificate of Education course, or
1306 industry-approved examinations to earn national industry
1307 certifications identified in the Industry Certification Funding
1308 List, pursuant to rules adopted by the State Board of Education,
1309 for use as end-of-course assessments under this paragraph, if
1310 the commissioner determines that the content knowledge and
1311 skills assessed by the examinations meet or exceed the grade
1312 level expectations for the core curricular content established
1313 for the course in the Next Generation Sunshine State Standards.
1314 The commissioner may collaborate with the American Diploma
1315 Project in the adoption or development of rigorous end-of-course
1316 assessments that are aligned to the Next Generation Sunshine
1317 State Standards.

1318 d. Contingent upon funding provided in the General
1319 Appropriations Act, including the appropriation of funds
1320 received through federal grants, the Commissioner of Education
1321 shall establish an implementation schedule for the development
1322 and administration of additional statewide, standardized end-of-
1323 course assessments in English/Language Arts II, Algebra II,
1324 chemistry, physics, earth/space science, United States history,
1325 and world history. Priority shall be given to the development of
1326 end-of-course assessments in English/Language Arts II. The
1327 Commissioner of Education shall evaluate the feasibility and
1328 effect of transitioning from the grade 9 and grade 10 FCAT
1329 Reading and high school level FCAT Writing to an end-of-course
1330 assessment in English/Language Arts II. The commissioner shall

1331 report the results of the evaluation to the President of the
1332 Senate and the Speaker of the House of Representatives no later
1333 than July 1, 2011.

1334 3. The testing program shall measure student content
1335 knowledge and skills adopted by the State Board of Education as
1336 specified in paragraph (a) and measure and report student
1337 performance levels of all students assessed in reading, writing,
1338 mathematics, and science. The commissioner shall provide for the
1339 tests to be developed or obtained, as appropriate, through
1340 contracts and project agreements with private vendors, public
1341 vendors, public agencies, postsecondary educational
1342 institutions, or school districts. The commissioner shall obtain
1343 input with respect to the design and implementation of the
1344 testing program from state educators, assistive technology
1345 experts, and the public.

1346 4. The testing program shall be composed of criterion-
1347 referenced tests that shall, to the extent determined by the
1348 commissioner, include test items that require the student to
1349 produce information or perform tasks in such a way that the core
1350 content knowledge and skills he or she uses can be measured.

1351 5. FCAT Reading, Mathematics, and Science and all
1352 statewide, standardized end-of-course assessments shall measure
1353 the content knowledge and skills a student has attained on the
1354 assessment by the use of scaled scores and achievement levels.
1355 Achievement levels shall range from 1 through 5, with level 1
1356 being the lowest achievement level, level 5 being the highest
1357 achievement level, and level 3 indicating satisfactory
1358 performance on an assessment. For purposes of FCAT Writing,

1359 student achievement shall be scored using a scale of 1 through 6
1360 and the score earned shall be used in calculating school grades.
1361 A score shall be designated for each subject area tested, below
1362 which score a student's performance is deemed inadequate. The
1363 school districts shall provide appropriate remedial instruction
1364 to students who score below these levels.

1365 6. The State Board of Education shall, by rule, designate
1366 a passing score for each part of the grade 10 assessment test
1367 and end-of-course assessments. Any rule that has the effect of
1368 raising the required passing scores may apply only to students
1369 taking the assessment for the first time after the rule is
1370 adopted by the State Board of Education. Except as otherwise
1371 provided in this subparagraph and as provided in s.
1372 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a
1373 passing score on grade 10 FCAT Reading and grade 10 FCAT
1374 Mathematics or attain concordant scores as described in
1375 subsection (10) in order to qualify for a standard high school
1376 diploma.

1377 7. In addition to designating a passing score under
1378 subparagraph 6., the State Board of Education shall also
1379 designate, by rule, a score for each statewide, standardized
1380 end-of-course assessment which indicates that a student is high
1381 achieving and has the potential to meet college-readiness
1382 standards by the time the student graduates from high school.

1383 8. Participation in the testing program is mandatory for
1384 all students attending public school, including students served
1385 in Department of Juvenile Justice programs, except as otherwise
1386 prescribed by the commissioner. A student who has not earned

1387 passing scores on the grade 10 FCAT as provided in subparagraph
1388 6. must participate in each retake of the assessment until the
1389 student earns passing scores or achieves scores on a
1390 standardized assessment which are concordant with passing scores
1391 pursuant to subsection (10). If a student does not participate
1392 in the statewide assessment, the district must notify the
1393 student's parent and provide the parent with information
1394 regarding the implications of such nonparticipation. A parent
1395 must provide signed consent for a student to receive classroom
1396 instructional accommodations that would not be available or
1397 permitted on the statewide assessments and must acknowledge in
1398 writing that he or she understands the implications of such
1399 instructional accommodations. The State Board of Education shall
1400 adopt rules, based upon recommendations of the commissioner, for
1401 the provision of test accommodations for students in exceptional
1402 education programs and for students who have limited English
1403 proficiency. Accommodations that negate the validity of a
1404 statewide assessment are not allowable in the administration of
1405 the FCAT or an end-of-course assessment. However, instructional
1406 accommodations are allowable in the classroom if included in a
1407 student's individual education plan. Students using
1408 instructional accommodations in the classroom that are not
1409 allowable as accommodations on the FCAT or an end-of-course
1410 assessment may have the FCAT or an end-of-course assessment
1411 requirement waived pursuant to the requirements of s.
1412 1003.428(8) (b) or s. 1003.43(11) (b).

1413 9. A student seeking an adult high school diploma must
1414 meet the same testing requirements that a regular high school
1415 student must meet.

1416 10. District school boards must provide instruction to
1417 prepare students in the core curricular content established in
1418 the Next Generation Sunshine State Standards adopted under s.
1419 1003.41, including the core content knowledge and skills
1420 necessary for successful grade-to-grade progression and high
1421 school graduation. If a student is provided with instructional
1422 accommodations in the classroom that are not allowable as
1423 accommodations in the statewide assessment program, as described
1424 in the test manuals, the district must inform the parent in
1425 writing and must provide the parent with information regarding
1426 the impact on the student's ability to meet expected performance
1427 levels in reading, writing, mathematics, and science. The
1428 commissioner shall conduct studies as necessary to verify that
1429 the required core curricular content is part of the district
1430 instructional programs.

1431 11. District school boards must provide opportunities for
1432 students to demonstrate an acceptable performance level on an
1433 alternative standardized assessment approved by the State Board
1434 of Education following enrollment in summer academies.

1435 12. The Department of Education must develop, or select,
1436 and implement a common battery of assessment tools that will be
1437 used in all juvenile justice programs in the state. These tools
1438 must accurately measure the core curricular content established
1439 in the Next Generation Sunshine State Standards.

1440 13. For students seeking a special diploma pursuant to s.
1441 1003.438, the Department of Education must develop or select and
1442 implement an alternate assessment tool that accurately measures
1443 the core curricular content established in the Next Generation
1444 Sunshine State Standards for students with disabilities under s.
1445 1003.438.

1446 14. The Commissioner of Education shall establish
1447 schedules for the administration of statewide assessments and
1448 the reporting of student test results. When establishing the
1449 schedules for the administration of statewide assessments, the
1450 commissioner shall consider the observance of religious and
1451 school holidays. The commissioner shall, by August 1 of each
1452 year, notify each school district in writing and publish on the
1453 department's Internet website the testing and reporting
1454 schedules for, at a minimum, the school year following the
1455 upcoming school year. The testing and reporting schedules shall
1456 require that:

1457 a. There is the latest possible administration of
1458 statewide assessments and the earliest possible reporting to the
1459 school districts of student test results which is feasible
1460 within available technology and specific appropriations;
1461 however, test results for the FCAT must be made available no
1462 later than the week of June 8. Student results for end-of-course
1463 assessments must be provided no later than 1 week after the
1464 school district completes testing for each course. The
1465 commissioner may extend the reporting schedule under exigent
1466 circumstances.

1467 b. ~~Beginning with the 2010-2011 school year,~~ FCAT Writing
1468 may ~~is~~ not be administered earlier than the week of March 1 and
1469 a comprehensive statewide assessment of any other subject may ~~is~~
1470 not be administered earlier than the week of April 15.

1471 c. A statewide, standardized end-of-course assessment is
1472 administered ~~during a 3-week period~~ at the end of the course.
1473 The commissioner shall select an ~~a 3-week~~ administration period
1474 for assessments that meets the intent of end-of-course
1475 assessments and provides student results prior to the end of the
1476 course. School districts shall administer tests in accordance
1477 with the schedule determined by the commissioner ~~select 1~~
1478 ~~testing week within the 3-week administration period for each~~
1479 ~~end-of-course assessment~~. For an end-of-course assessment
1480 administered at the end of the first semester, the commissioner
1481 shall determine the most appropriate testing dates based on a
1482 review of each school district's academic calendar.

1483
1484 The commissioner may, based on collaboration and input from
1485 school districts, design and implement student testing programs,
1486 for any grade level and subject area, necessary to effectively
1487 monitor educational achievement in the state, including the
1488 measurement of educational achievement of the Next Generation
1489 Sunshine State Standards for students with disabilities.
1490 Development and refinement of assessments shall include
1491 universal design principles and accessibility standards that
1492 will prevent any unintended obstacles for students with
1493 disabilities while ensuring the validity and reliability of the
1494 test. These principles should be applicable to all technology

1495 platforms and assistive devices available for the assessments.
 1496 The field testing process and psychometric analyses for the
 1497 statewide assessment program must include an appropriate
 1498 percentage of students with disabilities and an evaluation or
 1499 determination of the effect of test items on such students.

1500 Section 26. Subsection (3) of section 1008.30, Florida
 1501 Statutes, is amended to read:

1502 1008.30 Common placement testing for public postsecondary
 1503 education.—

1504 (3) The State Board of Education shall adopt rules that
 1505 require high schools to evaluate before the beginning of grade
 1506 12 the college readiness of each student who ~~indicates an~~
 1507 ~~interest in postsecondary education and~~ scores at Level 2 or
 1508 Level 3 on the reading portion of the grade 10 FCAT or Level 2,
 1509 Level 3, or Level 4 on the mathematics assessments under s.
 1510 1008.22(3)(c). High schools shall perform this evaluation using
 1511 results from the corresponding component of the common placement
 1512 test prescribed in this section, or an equivalent test
 1513 identified by the State Board of Education. The State Board
 1514 ~~Department~~ of Education shall identify in rule ~~purchase or~~
 1515 ~~develop~~ the assessments necessary to perform the evaluations
 1516 required by this subsection and shall work with the school
 1517 districts to administer the assessments. The State Board of
 1518 Education shall establish by rule the minimum test scores a
 1519 student must achieve to demonstrate readiness. Students who
 1520 demonstrate readiness by achieving the minimum test scores
 1521 established by the state board and enroll in a community college
 1522 within 2 years of achieving such scores shall not be required to

1523 retest or enroll in remediation when admitted ~~courses as a~~
 1524 ~~condition of acceptance~~ to any community college. The high
 1525 school shall use the results of the test to advise the students
 1526 of any identified deficiencies and to ~~the maximum extent~~
 1527 ~~practicable~~ provide 12th grade students, and require them to
 1528 complete, access to appropriate postsecondary preparatory
 1529 ~~remedial~~ instruction prior to high school graduation. The
 1530 curriculum ~~remedial instruction~~ provided under this subsection
 1531 shall be identified in rule by the State Board of Education and
 1532 encompass Florida's Postsecondary Readiness Competencies. Other
 1533 elective courses may not be substituted for the selected
 1534 postsecondary mathematics, reading, or writing preparatory
 1535 courses unless the elective course covers the same competencies
 1536 included in the required postsecondary preparatory course ~~a~~
 1537 ~~collaborative effort between secondary and postsecondary~~
 1538 ~~educational institutions. To the extent courses are available,~~
 1539 ~~the Florida Virtual School may be used to provide the remedial~~
 1540 ~~instruction required by this subsection.~~

1541 Section 27. Paragraph (b) of subsection (3) and subsection
 1542 (4) of section 1008.33, Florida Statutes, are amended to read:

1543 1008.33 Authority to enforce public school improvement.—

1544 (3)

1545 (b) For the purpose of determining whether a public school
 1546 requires action to achieve a sufficient level of school
 1547 improvement, beginning with the 2010-2011 school year, the
 1548 Department of Education shall annually categorize a public
 1549 school in one of six categories based on the following:

1550 1. A school's grade based upon statewide assessments
1551 administered pursuant to s. 1008.22; and

1552 ~~2. school's grade, pursuant to s. 1008.34,~~ and The level
1553 and rate of change in student performance in the areas of
1554 reading and mathematics, disaggregated into student subgroups as
1555 described in the federal Elementary and Secondary Education Act,
1556 20 U.S.C. s. 6311(b) (2) (C) (v) (II).

1557 (4) The Department of Education shall create a matrix that
1558 reflects intervention and support strategies to address the
1559 particular needs of schools in each category.

1560 (a) Intervention and support strategies shall be applied
1561 to schools based upon the school categorization pursuant to
1562 paragraph (3) (b). The Department of Education shall apply the
1563 most intense intervention strategies to the lowest-performing
1564 schools. For all but the lowest category and "F" schools in the
1565 second lowest category, the intervention and support strategies
1566 shall be administered solely by the districts and the schools.

1567 (b) The lowest-performing schools are schools that are
1568 categorized pursuant to paragraph (3) (b) and have received:

1569 1. A grade of "F" in the most recent school year and in 4
1570 of the last 6 years; or

1571 2. A grade of "D" or "F" in the most recent school year
1572 and meet at least three of the following criteria:

1573 a. The percentage of students who are not proficient in
1574 reading has increased when compared to measurements taken 5
1575 years previously;

1576 b. The percentage of students who are not proficient in
1577 mathematics has increased when compared to measurements taken 5
1578 years previously;

1579 c. At least 65 percent of the school's students are not
1580 proficient in reading; or

1581 d. At least 65 percent of the school's students are not
1582 proficient in mathematics.

1583 Section 28. Paragraphs (b) and (c) of subsection (3) of
1584 section 1008.34, Florida Statutes, are amended to read:

1585 1008.34 School grading system; school report cards;
1586 district grade.—

1587 (3) DESIGNATION OF SCHOOL GRADES.—

1588 (b)1. A school's grade shall be based on a combination of:

1589 a. Student achievement scores, including achievement on
1590 all FCAT assessments administered under s. 1008.22(3)(c)1., end-
1591 of-course assessments administered under s. 1008.22(3)(c)2.a.,
1592 and achievement scores for students seeking a special diploma.

1593 b. Student learning gains in reading and mathematics as
1594 measured by FCAT and end-of-course assessments, as described in
1595 s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking
1596 a special diploma, as measured by an alternate assessment tool,
1597 shall be included not later than the 2009-2010 school year.

1598 c. Improvement of the lowest 25th percentile of students
1599 in the school in reading and mathematics on the FCAT or end-of-
1600 course assessments described in s. 1008.22(3)(c)2.a., unless
1601 these students are exhibiting satisfactory performance.

1602 2. Beginning with the 2011-2012 school year, for schools
1603 comprised of middle school grades 6 through 8 or grades 7 and 8,

1604 the school's grade shall include the performance and
 1605 participation of its students enrolled in high school level
 1606 courses with end-of-course assessments administered under s.
 1607 1008.22(3)(c)2.a. Performance and participation must be weighted
 1608 equally. As valid data becomes available, the school grades
 1609 shall include the students' attainment of national industry
 1610 certification identified in the Industry Certification Funding
 1611 List pursuant to rules adopted by the State Board of Education.

1612 ~~3.2.~~ Beginning with the 2009-2010 school year for schools
 1613 comprised of high school grades 9, 10, 11, and 12, or grades 10,
 1614 11, and 12, 50 percent of the school grade shall be based on a
 1615 combination of the factors listed in sub-subparagraphs 1.a.-c.
 1616 and the remaining 50 percent on the following factors:

- 1617 a. The high school graduation rate of the school;
- 1618 b. As valid data becomes available, the performance and
 1619 participation of the school's students in College Board Advanced
 1620 Placement courses, International Baccalaureate courses, dual
 1621 enrollment courses, and Advanced International Certificate of
 1622 Education courses; and the students' achievement of national
 1623 industry certification identified in the Industry Certification
 1624 Funding List, pursuant to rules adopted by the State Board of
 1625 Education;
- 1626 c. Postsecondary readiness of the school's students as
 1627 measured by the SAT, ACT, or the common placement test;
- 1628 d. The high school graduation rate of at-risk students who
 1629 scored at Level 2 or lower on the grade 8 FCAT Reading and
 1630 Mathematics examinations;

1631 e. As valid data becomes available, the performance of the
1632 school's students on statewide standardized end-of-course
1633 assessments administered under s. 1008.22(3)(c)2.b. and c.; and

1634 f. The growth or decline in the components listed in sub-
1635 subparagraphs a.-e. from year to year.

1636 (c) Student assessment data used in determining school
1637 grades shall include:

1638 1. The aggregate scores of all eligible students enrolled
1639 in the school who have been assessed on the FCAT and statewide,
1640 standardized end-of-course assessments in courses required for
1641 high school graduation, including, beginning with the 2010-2011
1642 school year, the end-of-course assessment in Algebra I; and
1643 beginning with the 2011-2012 school year, the end-of-course
1644 assessments in geometry and Biology; and beginning with the
1645 2013-2014 school year, on the statewide, standardized end-of-
1646 course assessment in civics education at the middle school
1647 level.

1648 2. The aggregate scores of all eligible students enrolled
1649 in the school who have been assessed on the FCAT and end-of-
1650 course assessments as described in s. 1008.22(3)(c)2.a., and who
1651 have scored at or in the lowest 25th percentile of students in
1652 the school in reading and mathematics, unless these students are
1653 exhibiting satisfactory performance.

1654 3. The achievement scores and learning gains of eligible
1655 students attending alternative schools that provide dropout
1656 prevention and academic intervention services pursuant to s.
1657 1003.53. The term "eligible students" in this subparagraph does
1658 not include students attending an alternative school who are

1659 subject to district school board policies for expulsion for
1660 repeated or serious offenses, who are in dropout retrieval
1661 programs serving students who have officially been designated as
1662 dropouts, or who are in programs operated or contracted by the
1663 Department of Juvenile Justice. The student performance data for
1664 eligible students identified in this subparagraph shall be
1665 included in the calculation of the home school's grade. As used
1666 in this subparagraph ~~section~~ and s. 1008.341, the term "home
1667 school" means the school to which the student would be assigned
1668 if the student were not assigned to an alternative school. If an
1669 alternative school chooses to be graded under this section,
1670 student performance data for eligible students identified in
1671 this subparagraph shall not be included in the home school's
1672 grade but shall be included only in the calculation of the
1673 alternative school's grade. A school district that fails to
1674 assign the FCAT and end-of-course assessment as described in s.
1675 1008.22 (3) (c) 2.a. scores of each of its students to his or her
1676 home school or to the alternative school that receives a grade
1677 shall forfeit Florida School Recognition Program funds for 1
1678 fiscal year. School districts must require collaboration between
1679 the home school and the alternative school in order to promote
1680 student success. This collaboration must include an annual
1681 discussion between the principal of the alternative school and
1682 the principal of each student's home school concerning the most
1683 appropriate school assignment of the student.

1684 4. The achievement scores and learning gains of students
1685 designated as hospital or homebound. Student assessment data for
1686 students designated as hospital or homebound shall be assigned

1687 to their home school for the purposes of school grades. As used
1688 in this subparagraph, the term "home school" means the school to
1689 which a student would be assigned if the student were not
1690 assigned to a hospital or homebound program.

1691 ~~5.4.~~ For schools comprised of high school grades 9, 10,
1692 11, and 12, or grades 10, 11, and 12, the data listed in
1693 subparagraphs 1.-3. and the following data as the Department of
1694 Education determines such data are valid and available:

1695 a. The high school graduation rate of the school as
1696 calculated by the Department of Education;

1697 b. The participation rate of all eligible students
1698 enrolled in the school and enrolled in College Board Advanced
1699 Placement courses; International Baccalaureate courses; dual
1700 enrollment courses; Advanced International Certificate of
1701 Education courses; and courses or sequence of courses leading to
1702 national industry certification identified in the Industry
1703 Certification Funding List, pursuant to rules adopted by the
1704 State Board of Education;

1705 c. The aggregate scores of all eligible students enrolled
1706 in the school in College Board Advanced Placement courses,
1707 International Baccalaureate courses, and Advanced International
1708 Certificate of Education courses;

1709 d. Earning of college credit by all eligible students
1710 enrolled in the school in dual enrollment programs under s.
1711 1007.271;

1712 e. Earning of a national industry certification identified
1713 in the Industry Certification Funding List, pursuant to rules
1714 adopted by the State Board of Education;

1715 f. The aggregate scores of all eligible students enrolled
 1716 in the school in reading, mathematics, and other subjects as
 1717 measured by the SAT, the ACT, and the common placement test for
 1718 postsecondary readiness;

1719 g. The high school graduation rate of all eligible at-risk
 1720 students enrolled in the school who scored at Level 2 or lower
 1721 on the grade 8 FCAT Reading and Mathematics examinations;

1722 h. The performance of the school's students on statewide
 1723 standardized end-of-course assessments administered under s.
 1724 1008.22(3)(c)2.b. and c.; and

1725 i. The growth or decline in the data components listed in
 1726 sub-subparagraphs a.-h. from year to year.

1727
 1728 The State Board of Education shall adopt appropriate criteria
 1729 for each school grade. The criteria must also give added weight
 1730 to student achievement in reading. Schools designated with a
 1731 grade of "C," making satisfactory progress, shall be required to
 1732 demonstrate that adequate progress has been made by students in
 1733 the school who are in the lowest 25th percentile in reading and
 1734 mathematics on the FCAT and end-of-course assessments as
 1735 described in s. 1008.22(3)(c)2.a., unless these students are
 1736 exhibiting satisfactory performance. Beginning with the 2009-
 1737 2010 school year for schools comprised of high school grades 9,
 1738 10, 11, and 12, or grades 10, 11, and 12, the criteria for
 1739 school grades must also give added weight to the graduation rate
 1740 of all eligible at-risk students, as defined in this paragraph.
 1741 Beginning in the 2009-2010 school year, in order for a high
 1742 school to be designated as having a grade of "A," making

1743 | excellent progress, the school must demonstrate that at-risk
 1744 | students, as defined in this paragraph, in the school are making
 1745 | adequate progress.

1746 | Section 29. Paragraph (a) of subsection (3) of section
 1747 | 1011.01, Florida Statutes, is amended to read:

1748 | 1011.01 Budget system established.—

1749 | (3) (a) Each district school board and each community
 1750 | college board of trustees shall prepare, adopt, and submit to
 1751 | the Commissioner of Education ~~for review~~ an annual operating
 1752 | budget. Operating budgets shall be prepared and submitted in
 1753 | accordance with the provisions of law, rules of the State Board
 1754 | of Education, the General Appropriations Act, and for district
 1755 | school boards in accordance with the provisions of ss. 200.065
 1756 | and 1011.64.

1757 | Section 30. Subsection (4) of section 1011.03, Florida
 1758 | Statutes, is amended to read:

1759 | 1011.03 Public hearings; budget to be submitted to
 1760 | Department of Education.—

1761 | (4) The board shall hold public hearings to adopt
 1762 | tentative and final budgets pursuant to s. 200.065. The hearings
 1763 | shall be primarily for the purpose of hearing requests and
 1764 | complaints from the public regarding the budgets and the
 1765 | proposed tax levies and for explaining the budget and proposed
 1766 | or adopted amendments thereto, if any. The district school board
 1767 | shall then require the superintendent to transmit forthwith two
 1768 | copies of the adopted budget to the Department of Education ~~for~~
 1769 | ~~approval~~ as prescribed by law and rules of the State Board of
 1770 | Education.

1771 Section 31. Section 1011.035, Florida Statutes, is created
1772 to read:

1773 1011.035 School district budget transparency.-

1774 (1) It is important for school districts to provide
1775 budgetary transparency to enable taxpayers, parents, and
1776 education advocates to obtain school district budget and related
1777 information in a manner that is simply explained and easily
1778 understandable. Budgetary transparency leads to more responsible
1779 spending, more citizen involvement, and improved accountability.
1780 A budget that is not transparent, accessible, and accurate
1781 cannot be properly analyzed, its implementation thoroughly
1782 monitored, or its outcomes evaluated.

1783 (2) Each district school board shall post on its website a
1784 plain language version of each proposed, tentative, and official
1785 budget which describes each budget item in terms that are easily
1786 understandable to the public. This information must be
1787 prominently posted on the school district's website in a manner
1788 that is readily accessible to the public.

1789 (3) Each district school board is encouraged to post the
1790 following information on its website:

1791 (a) Timely information as to when a budget hearing will be
1792 conducted.

1793 (b) Each contract between the district school board and
1794 the teachers' union.

1795 (c) Each contract between the district school board and
1796 noninstructional staff.

1797 (d) Each contract exceeding \$35,000 between the school
 1798 board and a vendor of services, supplies, or programs or for the
 1799 purchase or lease of lands, facilities, or properties.

1800 (e) Each contract exceeding \$35,000 that is an emergency
 1801 procurement or is with a single source as authorized under s.
 1802 287.057(3).

1803 (f) Recommendations of the citizens' budget advisory
 1804 committee.

1805 (g) Current and archived video recordings of each district
 1806 school board meeting and workshop.

1807 (4) The website should contain links to:

1808 (a) Help explain or provide background information on
 1809 various budget items that are required by state or federal law.

1810 (b) Allow users to navigate to related sites to view
 1811 supporting details.

1812 (c) Enable taxpayers, parents, and education advocates to
 1813 send e-mails asking questions about the budget and enable others
 1814 to view the questions and responses.

1815 Section 32. Paragraph (e) of subsection (1) of section
 1816 1011.62, Florida Statutes, is amended to read:

1817 1011.62 Funds for operation of schools.—If the annual
 1818 allocation from the Florida Education Finance Program to each
 1819 district for operation of schools is not determined in the
 1820 annual appropriations act or the substantive bill implementing
 1821 the annual appropriations act, it shall be determined as
 1822 follows:

1823 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 1824 OPERATION.—The following procedure shall be followed in

1825 determining the annual allocation to each district for
 1826 operation:

1827 (e) Funding model for exceptional student education
 1828 programs.—

1829 1.a. The funding model uses basic, at-risk, support levels
 1830 IV and V for exceptional students and career Florida Education
 1831 Finance Program cost factors, and a guaranteed allocation for
 1832 exceptional student education programs. Exceptional education
 1833 cost factors are determined by using a matrix of services to
 1834 document the services that each exceptional student will
 1835 receive. The nature and intensity of the services indicated on
 1836 the matrix shall be consistent with the services described in
 1837 each exceptional student's individual educational plan. The
 1838 Department of Education shall review and revise the descriptions
 1839 of the services and supports included in the matrix of services
 1840 for exceptional students and shall implement those revisions
 1841 before the beginning of the 2012-2013 school year.

1842 b. In order to generate funds using one of the two
 1843 weighted cost factors, a matrix of services must be completed at
 1844 the time of the student's initial placement into an exceptional
 1845 student education program and at least once every 3 years by
 1846 personnel who have received approved training. Nothing listed in
 1847 the matrix shall be construed as limiting the services a school
 1848 district must provide in order to ensure that exceptional
 1849 students are provided a free, appropriate public education.

1850 c. Students identified as exceptional, in accordance with
 1851 chapter 6A-6, Florida Administrative Code, who do not have a
 1852 matrix of services as specified in sub-subparagraph b. shall

1853 generate funds on the basis of full-time-equivalent student
1854 membership in the Florida Education Finance Program at the same
1855 funding level per student as provided for basic students.

1856 Additional funds for these exceptional students will be provided
1857 through the guaranteed allocation designated in subparagraph 2.

1858 2. For students identified as exceptional who do not have
1859 a matrix of services and students who are gifted in grades K
1860 through 8, there is created a guaranteed allocation to provide
1861 these students with a free appropriate public education, in
1862 accordance with s. 1001.42(4)(m) and rules of the State Board of
1863 Education, which shall be allocated annually to each school
1864 district in the amount provided in the General Appropriations
1865 Act. These funds shall be in addition to the funds appropriated
1866 on the basis of FTE student membership in the Florida Education
1867 Finance Program, and the amount allocated for each school
1868 district shall not be recalculated during the year. These funds
1869 shall be used to provide special education and related services
1870 for exceptional students and students who are gifted in grades K
1871 through 8. Beginning with the 2007-2008 fiscal year, a
1872 district's expenditure of funds from the guaranteed allocation
1873 for students in grades 9 through 12 who are gifted may not be
1874 greater than the amount expended during the 2006-2007 fiscal
1875 year for gifted students in grades 9 through 12.

1876 Section 33. Paragraph (c) of subsection (1) of section
1877 1012.39, Florida Statutes, is amended to read:

1878 1012.39 Employment of substitute teachers, teachers of
1879 adult education, nondegreed teachers of career education, and

1880 career specialists; students performing clinical field
 1881 experience.—

1882 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and
 1883 1012.57, or any other provision of law or rule to the contrary,
 1884 each district school board shall establish the minimal
 1885 qualifications for:

1886 (c) Part-time and full-time nondegreed teachers of career
 1887 programs. Qualifications shall be established for nondegreed
 1888 teachers of career and technical education courses for program
 1889 clusters that are recognized in the state and are agriculture,
 1890 business, health occupations, family and consumer sciences,
 1891 industrial, marketing, career specialist, and public service
 1892 education teachers, based primarily on successful occupational
 1893 experience rather than academic training. The qualifications for
 1894 such teachers shall require:

1895 1. The filing of a complete set of fingerprints in the
 1896 same manner as required by s. 1012.32. Faculty employed solely
 1897 to conduct postsecondary instruction may be exempted from this
 1898 requirement.

1899 2. Documentation of education and successful occupational
 1900 experience including documentation of:

1901 a. A high school diploma or the equivalent.

1902 b. Completion of 6 years of full-time successful
 1903 occupational experience or the equivalent of part-time
 1904 experience in the teaching specialization area. The district
 1905 school board may establish alternative qualifications for
 1906 teachers with an industry certification in the career area in
 1907 which they teach. ~~Alternate means of determining successful~~

1908 ~~occupational experience may be established by the district~~
 1909 ~~school board.~~

1910 c. Completion of career education training conducted
 1911 through the local school district inservice master plan.

1912 d. For full-time teachers, completion of professional
 1913 education training in teaching methods, course construction,
 1914 lesson planning and evaluation, and teaching special needs
 1915 students. This training may be completed through coursework from
 1916 an accredited or approved institution or an approved district
 1917 teacher education program.

1918 e. Demonstration of successful teaching performance.

1919 f. Documentation of industry certification when state or
 1920 national industry certifications are available and applicable.

1921 Section 34. Except as otherwise expressly provided in this
 1922 act and except for this section, which shall take effect upon
 1923 this act becoming a law, this act shall take effect July 1,
 1924 2011.