

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. 1002.20, F.S.; adding auditory-oral education  
13      programs to the list of public school choice options;  
14      amending s. 1002.37, F.S.; conforming provisions to  
15      changes made by the act; amending s. 1002.38, F.S.;  
16      requiring that a school's grade be based on statewide  
17      assessments for purposes of the Opportunity Scholarship  
18      Program; amending s. 1002.39, F.S.; providing requirements  
19      for determining the end of the term of a John M. McKay  
20      Scholarship; creating s. 1002.391, F.S.; providing for the  
21      establishment of auditory-oral education programs as a  
22      school of choice; providing definitions; providing  
23      requirements for enrollment and attendance; amending s.  
24      1002.45, F.S.; revising provisions relating to virtual  
25      instruction program provider qualifications; amending s.  
26      1002.66, F.S.; providing an additional instructional  
27      service for children with disabilities in the Voluntary  
28      Prekindergarten Education Program; amending s. 1002.67,

29 F.S.; requiring that the State Board of Education  
30 periodically review and revise the performance standards  
31 for the statewide kindergarten screening; amending s.  
32 1002.69, F.S.; authorizing nonpublic schools to administer  
33 the statewide kindergarten screening to kindergarten  
34 students who were enrolled in the Voluntary  
35 Prekindergarten Education Program; revising provisions  
36 relating to the minimum kindergarten readiness rate and  
37 criteria for good cause exemptions from meeting the  
38 requirement; requiring prekindergarten enrollment  
39 screening and post-assessment under certain circumstances;  
40 amending s. 1002.71, F.S.; providing that a child may  
41 reenroll more than once in a prekindergarten program if  
42 granted a good cause exemption; amending s. 1002.73, F.S.;  
43 requiring the Department of Education to adopt procedures  
44 relating to prekindergarten enrollment screening, the  
45 standardized post-assessment, and reporting of the results  
46 of readiness measures; amending s. 1003.01, F.S.;  
47 providing an additional special education service;  
48 amending s. 1003.4156, F.S.; revising the general  
49 requirements for middle grades promotion; providing that a  
50 student with a disability may have end-of-course  
51 assessment results waived under certain circumstances;  
52 providing that a middle grades student may be exempt from  
53 reading remediation requirements under certain  
54 circumstances; creating s. 1003.4203, F.S.; authorizing  
55 each district school board to develop and implement a  
56 digital curriculum for students in grades 6 through 12;

57 requiring the Department of Education to develop a model  
58 digital curriculum; authorizing partnerships with private  
59 businesses and consultants; amending s. 1003.428, F.S.;  
60 revising provisions relating to the general requirements  
61 for high school graduation; providing that a high school  
62 student may be exempt from reading remediation  
63 requirements under certain circumstances; amending s.  
64 1003.429, F.S.; revising provisions relating to the  
65 selection of accelerated high school graduation options;  
66 amending s. 1003.491, F.S.; revising provisions relating  
67 to the development, contents, and approval of the  
68 strategic plan to address workforce needs; amending s.  
69 1003.493, F.S.; revising requirements for career and  
70 professional academies and enrollment of students;  
71 creating s. 1003.4935, F.S.; requiring each district  
72 school board to develop a plan to implement a career and  
73 professional academy in at least one middle school;  
74 providing requirements for middle school career and  
75 professional academies and academy courses; amending s.  
76 1003.573, F.S.; revising provisions relating to the use of  
77 restraint and seclusion on students with disabilities;  
78 requiring that certain information be included in incident  
79 reports; removing an obsolete date; requiring that the  
80 Department of Education maintain certain data of incidents  
81 of manual or physical restraint and seclusion and  
82 establish standards for documenting, reporting, and  
83 monitoring the use of restraint and seclusion; requiring  
84 that the department provide these standards to school

85 | districts by a specified date; revising provisions  
86 | relating to school district policies and procedures to  
87 | include monitoring, training, selecting personnel to be  
88 | trained, and planning for reducing the use of restraint  
89 | and seclusion; extending the date that such policies and  
90 | procedures must be revised and filed with the bureau chief  
91 | of the Bureau of Exceptional Education and Student  
92 | Services within the Department of Education; amending s.  
93 | 1003.575, F.S.; providing requirements for completion of  
94 | an assistive technology assessment; amending s. 1008.22,  
95 | F.S.; revising provisions relating to the student  
96 | assessment program for public schools; requiring that the  
97 | Commissioner of Education direct school districts to  
98 | participate in certain international assessment programs;  
99 | authorizing a school principal to exempt certain students  
100 | from the end-of-course assessment in civics education;  
101 | revising provisions relating to administration and  
102 | reporting of results of assessments; amending s. 1008.30,  
103 | F.S.; revising provisions relating to evaluation of  
104 | college readiness and providing for postsecondary  
105 | preparatory instruction; requiring the State Board of  
106 | Education to adopt certain rules; amending s. 1008.33,  
107 | F.S.; revising provisions relating to public school  
108 | improvement; requiring the Department of Education to  
109 | categorize public schools based on a school's grade that  
110 | relies on statewide assessments; amending s. 1008.331,  
111 | F.S.; revising the responsibilities of the Department of  
112 | Education; authorizing school districts to select

113 acceptable premethods and postmethods for measuring  
114 student learning gains; amending s. 1008.34, F.S.;  
115 revising the basis for the designation of school grades;  
116 including achievement scores and learning gains for  
117 students who are hospital or homebound; amending s.  
118 1011.01, F.S.; revising provisions relating to the annual  
119 operating budgets of district school boards and Florida  
120 College System institution boards of trustees; amending s.  
121 1011.03, F.S.; revising provisions relating to adopted  
122 district school board budgets; creating s. 1011.035, F.S.;  
123 requiring each school district to post budgetary  
124 information on its website; amending s. 1011.62, F.S.;  
125 revising provisions relating to the funding model for  
126 exceptional student education programs; requiring the  
127 Department of Education to revise the descriptions of  
128 services and to implement the revisions; amending s.  
129 1012.39, F.S.; revising provisions relating to the  
130 qualifications for nondegreed teachers of career  
131 education; providing effective dates.

132

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

134

135 Section 1. Paragraph (a) of subsection (4) of section  
136 1001.20, Florida Statutes, is amended to read:

137 1001.20 Department under direction of state board.—

138 (4) The Department of Education shall establish the  
139 following offices within the Office of the Commissioner of  
140 Education which shall coordinate their activities with all other

141 divisions and offices:

142 (a) *Office of Technology and Information Services.*—  
 143 Responsible for developing a systemwide technology plan, making  
 144 budget recommendations to the commissioner, providing data  
 145 collection and management for the system, assisting school  
 146 districts in securing Internet access and telecommunications  
 147 services, including those eligible for funding under the Schools  
 148 and Libraries Program of the federal Universal Service Fund, and  
 149 coordinating services with other state, local, and private  
 150 agencies. The office shall develop a method to address the need  
 151 for a statewide approach to planning and operations of library  
 152 and information services to achieve a single K-20 education  
 153 system library information portal and a unified higher education  
 154 library management system. ~~The Florida Virtual School shall be~~  
 155 ~~administratively housed within the office.~~

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

158 1001.42 Powers and duties of district school board.—The  
 159 district school board, acting as a board, shall exercise all  
 160 powers and perform all duties listed below:

161 (23) FLORIDA VIRTUAL SCHOOL.—Provide students with access  
 162 to ~~enroll in~~ courses available through the Florida Virtual  
 163 School and award credit for successful completion of such  
 164 courses. Access shall be available to students during and ~~or~~  
 165 after the normal school day and through summer school  
 166 enrollment.

167 Section 3. Section 1001.421, Florida Statutes, is created  
 168 to read:

169        1001.421 Gifts.—Notwithstanding any other provision of law  
 170 to the contrary, district school board members and their  
 171 relatives, as defined in s. 112.312(21), may not directly or  
 172 indirectly solicit any gift, or directly or indirectly accept  
 173 any gift in excess of \$50, from any person, vendor, potential  
 174 vendor, or other entity doing business with the school district.  
 175 The term "gift" has the same meaning as in s. 112.312(12).

176        Section 4. Paragraph (a) of subsection (6) of section  
 177 1002.20, Florida Statutes, is amended to read:

178        1002.20 K-12 student and parent rights.—Parents of public  
 179 school students must receive accurate and timely information  
 180 regarding their child's academic progress and must be informed  
 181 of ways they can help their child to succeed in school. K-12  
 182 students and their parents are afforded numerous statutory  
 183 rights including, but not limited to, the following:

184        (6) EDUCATIONAL CHOICE.—

185        (a) *Public school choices.*—Parents of public school  
 186 students may seek whatever public school choice options that are  
 187 applicable ~~to their students~~ and are available to students in  
 188 their school districts. These options may include controlled  
 189 open enrollment, single-gender programs, lab schools, school  
 190 district virtual instruction programs, charter schools, charter  
 191 technical career centers, magnet schools, alternative schools,  
 192 special programs, auditory-oral education programs, advanced  
 193 placement, dual enrollment, International Baccalaureate,  
 194 International General Certificate of Secondary Education (pre-  
 195 AICE), Advanced International Certificate of Education, early  
 196 admissions, credit by examination or demonstration of

197 competency, the New World School of the Arts, the Florida School  
 198 for the Deaf and the Blind, and the Florida Virtual School.  
 199 These options may also include the public school choice options  
 200 of the Opportunity Scholarship Program and the McKay  
 201 Scholarships for Students with Disabilities Program.

202 Section 5. Paragraph (a) of subsection (1) of section  
 203 1002.37, Florida Statutes, is amended to read:

204 1002.37 The Florida Virtual School.—

205 (1) (a) The Florida Virtual School is established for the  
 206 development and delivery of online and distance learning  
 207 education and ~~shall be administratively housed within the~~  
 208 ~~Commissioner of Education's Office of Technology and Information~~  
 209 ~~Services~~. The Commissioner of Education shall monitor the  
 210 school's performance and report its performance to the State  
 211 Board of Education and the Legislature.

212  
 213 The board of trustees of the Florida Virtual School shall  
 214 identify appropriate performance measures and standards based on  
 215 student achievement that reflect the school's statutory mission  
 216 and priorities, and shall implement an accountability system for  
 217 the school that includes assessment of its effectiveness and  
 218 efficiency in providing quality services that encourage high  
 219 student achievement, seamless articulation, and maximum access.

220 Section 6. Subsection (2) and paragraph (a) of subsection  
 221 (3) of section 1002.38, Florida Statutes, are amended to read:

222 1002.38 Opportunity Scholarship Program.—

223 (2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.—For purposes of  
 224 this section, a school's grade shall be based upon statewide



225 assessments administered pursuant to s. 1008.22. A public school  
 226 student's parent may request and receive from the state an  
 227 opportunity scholarship for the student to enroll in and attend  
 228 a private school in accordance with the provisions of this  
 229 section if:

230 (a)1. By assigned school attendance area or by special  
 231 assignment, the student has spent the prior school year in  
 232 attendance at a public school that has been designated ~~pursuant~~  
 233 ~~to s. 1008.34~~ as performance grade category "F," failing to make  
 234 adequate progress, and that has had 2 school years in a 4-year  
 235 period of such low performance, and the student's attendance  
 236 occurred during a school year in which such designation was in  
 237 effect;

238 2. The student has been in attendance elsewhere in the  
 239 public school system and has been assigned to such school for  
 240 the next school year; or

241 3. The student is entering kindergarten or first grade and  
 242 has been notified that the student has been assigned to such  
 243 school for the next school year.

244 (b) The parent has obtained acceptance for admission of  
 245 the student to a private school eligible for the program  
 246 pursuant to subsection (4), and has notified the Department of  
 247 Education and the school district of the request for an  
 248 opportunity scholarship no later than July 1 of the first year  
 249 in which the student intends to use the scholarship.

250  
 251 The provisions of this section do ~~shall~~ not apply to a student  
 252 who is enrolled in a school operating for the purpose of

253 providing educational services to youth in Department of  
254 Juvenile Justice commitment programs. For purposes of continuity  
255 of educational choice, the opportunity scholarship shall remain  
256 in force until the student returns to a public school or, if the  
257 student chooses to attend a private school the highest grade of  
258 which is grade 8, until the student matriculates to high school  
259 and the public high school to which the student is assigned is  
260 an accredited school with a performance grade category  
261 designation of "C" or better. However, at any time upon  
262 reasonable notice to the Department of Education and the school  
263 district, the student's parent may remove the student from the  
264 private school and place the student in a public school, as  
265 provided in subparagraph (3) (a)2.

266 (3) SCHOOL DISTRICT OBLIGATIONS.—

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

270 1. Timely notify the parent of the student as soon as such  
271 designation is made of all options available pursuant to this  
272 section.

273 2. Offer that student's parent an opportunity to enroll  
274 the student in the public school within the district that has  
275 been designated by the state ~~pursuant to s. 1008.34~~ as a school  
276 performing higher than that in which the student is currently  
277 enrolled or to which the student has been assigned, but not less  
278 than performance grade category "C." The parent is not required  
279 to accept this offer in lieu of requesting a state opportunity  
280 scholarship to a private school. The opportunity to continue

281 attending the higher performing public school shall remain in  
 282 force until the student graduates from high school.

283 Section 7. Paragraph (a) of subsection (4) of section  
 284 1002.39, Florida Statutes, is amended to read:

285 1002.39 The John M. McKay Scholarships for Students with  
 286 Disabilities Program.—There is established a program that is  
 287 separate and distinct from the Opportunity Scholarship Program  
 288 and is named the John M. McKay Scholarships for Students with  
 289 Disabilities Program.

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

291 (a) For purposes of continuity of educational choice, a  
 292 John M. McKay Scholarship shall remain in force until the  
 293 student returns to a public school, graduates from high school,  
 294 or reaches the age of 22, whichever occurs first. A scholarship  
 295 student who enrolls in a public school or public school program  
 296 is considered to have returned to a public school for the  
 297 purpose of determining the end of the scholarship's term.  
 298 However, if a student enters a Department of Juvenile Justice  
 299 detention center for a period of no more than 21 days, the  
 300 student is not considered to have returned to a public school  
 301 for that purpose.

302 Section 8. Section 1002.391, Florida Statutes, is created  
 303 to read:

304 1002.391 Auditory-oral education programs.—

305 (1) As used in this section, the term:

306 (a) "Auditory-oral education program" means a program that  
 307 develops and relies solely on listening skills and uses an  
 308 implant or assistive hearing device for the purpose of relying

309 on speech and spoken language skills as the method of  
310 communication.

311 (b) "Deaf or hard of hearing" means aided or unaided  
312 hearing loss that affects the processing of linguistic  
313 information and adversely affects performance in the educational  
314 environment. The degree of loss may range from mild to profound  
315 in accordance with criteria established by rule of the State  
316 Board of Education.

317 (c) "School" means a public or private school located in  
318 this state which can teach children who have obtained an implant  
319 or assistive hearing device, using faculty certified as  
320 listening and spoken language specialists.

321 (2) The parent of a child who is deaf or hard of hearing  
322 and who meets the following requirements may enroll the child in  
323 an auditory-oral education program as a school of choice  
324 pursuant to s. 1002.20. Such child may continue attending the  
325 school and complete the development of listening and spoken  
326 language skills at the school. In order to enroll and attend,  
327 the child must:

328 (a) Have received an implant or assistive hearing device;

329 (b) Be between the ages of 3 and 7 years, or between the  
330 ages of 2 and 7 years when the school district elects to serve  
331 children with disabilities who are under the age of 3 years; and

332 (c) Be a resident of the state.

333 (3) The level of services shall be determined by the  
334 individual educational plan team or individualized family  
335 support plan team, which includes the child's parent in  
336 accordance with the rules of the State Board of Education. A

337 child is eligible for services under this section until the end  
 338 of the school year in which he or she reaches the age of 7 years  
 339 or after grade 2, whichever comes first.

340 Section 9. Paragraph (b) of subsection (2) of section  
 341 1002.45, Florida Statutes, is amended to read:

342 1002.45 School district virtual instruction programs.—

343 (2) PROVIDER QUALIFICATIONS.—

344 (b) An approved provider shall retain its approved status  
 345 during the 3 school years ~~for a period of 3 years~~ after the date  
 346 of the department's approval under paragraph (a) as long as the  
 347 provider continues to comply with all requirements of this  
 348 section.

349 Section 10. Paragraph (e) is added to subsection (2) of  
 350 section 1002.66, Florida Statutes, to read:

351 1002.66 Specialized instructional services for children  
 352 with disabilities.—

353 (2) The parent of a child who is eligible for the  
 354 prekindergarten program for children with disabilities may  
 355 select one or more specialized instructional services that are  
 356 consistent with the child's individual educational plan. These  
 357 specialized instructional services may include, but are not  
 358 limited to:

359 (e) Listening and spoken language specialists and an  
 360 appropriate acoustical environment for a child who is deaf or  
 361 hard of hearing who has received an implant or assistive hearing  
 362 device.

363 Section 11. Subsection (1) and paragraph (c) of subsection  
 364 (3) of section 1002.67, Florida Statutes, are amended to read:

365 1002.67 Performance standards; curricula and  
 366 accountability.—

367 (1) (a) By April 1, 2005, the department shall develop and  
 368 adopt performance standards for students in the Voluntary  
 369 Prekindergarten Education Program. The performance standards  
 370 must address the age-appropriate progress of students in the  
 371 development of:

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

374 ~~2.(b)~~ Emergent literacy skills, including oral  
 375 communication, knowledge of print and letters, phonemic and  
 376 phonological awareness, and vocabulary and comprehension  
 377 development.

378 (b) The State Board of Education shall periodically review  
 379 and revise the performance standards for the statewide  
 380 kindergarten screening administered under s. 1002.69 and align  
 381 the standards to the standards established by the state board  
 382 for student performance on the statewide assessments  
 383 administered pursuant to s. 1008.22.

384 (3)

385 (c)1. If the kindergarten readiness rate of a private  
 386 prekindergarten provider or public school falls below the  
 387 minimum rate adopted by the State Board of Education as  
 388 satisfactory under s. 1002.69(6), the early learning coalition  
 389 or school district, as applicable, shall require the provider or  
 390 school to submit an improvement plan for approval by the  
 391 coalition or school district, as applicable, and to implement  
 392 the plan.

393           2. If a private prekindergarten provider or public school  
394 fails to meet the minimum rate adopted by the State Board of  
395 Education as satisfactory under s. 1002.69(6) ~~for 2 consecutive~~  
396 ~~years~~, the early learning coalition or school district, as  
397 applicable, shall place the provider or school on probation and  
398 must require the provider or school to take certain corrective  
399 actions, including the use of a curriculum approved by the  
400 department under paragraph (2)(c).

401           3. A private prekindergarten provider or public school  
402 that is placed on probation must continue the corrective actions  
403 required under subparagraph 2., including the use of a  
404 curriculum approved by the department, until the provider or  
405 school meets the minimum rate adopted by the State Board of  
406 Education as satisfactory under s. 1002.69(6).

407           4. If a private prekindergarten provider or public school  
408 remains on probation for 2 consecutive years and fails to meet  
409 the minimum rate adopted by the State Board of Education as  
410 satisfactory under s. 1002.69(6) and is not granted a good cause  
411 exemption by the department pursuant to s. 1002.69(7), the  
412 Agency for Workforce Innovation shall require the early learning  
413 coalition or the Department of Education shall require the  
414 school district to remove, as applicable, the provider or school  
415 from eligibility to deliver the Voluntary Prekindergarten  
416 Education Program and receive state funds for the program.

417           Section 12. Subsections (1), (5), and (6) and paragraphs  
418 (b) and (c) of subsection (7) of section 1002.69, Florida  
419 Statutes, are amended to read:

420           1002.69 Statewide kindergarten screening; kindergarten

421 readiness rates; state-approved prekindergarten enrollment  
422 screening; good cause exemption.—

423 (1) The department shall adopt a statewide kindergarten  
424 screening that assesses the readiness of each student for  
425 kindergarten based upon the performance standards adopted by the  
426 department under s. 1002.67(1) for the Voluntary Prekindergarten  
427 Education Program. The department shall require that each school  
428 district administer the statewide kindergarten screening to each  
429 kindergarten student in the school district within the first 30  
430 school days of each school year. Nonpublic schools may  
431 administer the statewide kindergarten screening to each  
432 kindergarten student in a nonpublic school who was enrolled in  
433 the Voluntary Prekindergarten Education Program.

434 (5) The State Board of Education shall adopt procedures  
435 for the department to annually calculate each private  
436 prekindergarten provider's and public school's kindergarten  
437 readiness rate, which must be expressed as the percentage of the  
438 provider's or school's students who are assessed as ready for  
439 kindergarten. The kindergarten readiness rates must be based  
440 exclusively upon the results of the statewide kindergarten  
441 screening for students completing the Voluntary Prekindergarten  
442 Education Program, beginning with students completing the  
443 program during the 2005-2006 school year who are administered  
444 the statewide kindergarten screening during the 2006-2007 school  
445 year. The methodology for calculating each provider's  
446 kindergarten readiness rate must include the percentage of  
447 students who meet all state readiness measures. The rates must  
448 not include students who are not administered the statewide



449 kindergarten screening.

450 (6) ~~(a)~~ The State Board of Education shall periodically  
451 adopt a minimum kindergarten readiness rate that, if achieved by  
452 a private prekindergarten provider or public school, would  
453 demonstrate the provider's or school's satisfactory delivery of  
454 the Voluntary Prekindergarten Education Program.

455 ~~(b) The minimum rate must not exceed the rate at which~~  
456 ~~more than 15 percent of the kindergarten readiness rates of all~~  
457 ~~private prekindergarten providers and public schools delivering~~  
458 ~~the Voluntary Prekindergarten Education Program in the state~~  
459 ~~would fall below the minimum rate.~~

460 (7)

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

466 1. Submission of data by the private prekindergarten  
467 provider or public school which documents ~~on a standardized~~  
468 ~~assessment~~ the achievement and progress of the children served  
469 as measured by the state-approved prekindergarten enrollment  
470 screening and the standardized post-assessment approved by the  
471 department pursuant to subparagraph (c)1.

472 2. Submission and review of data available from the  
473 respective early learning coalition or district school board,  
474 the Department of Children and Family Services, local licensing  
475 authority, or an accrediting association, as applicable,  
476 relating to the private prekindergarten provider's or public

477 school's compliance with state and local health and safety  
478 standards.

479 3. Submission and review of data available to the  
480 department on the performance of the children served and the  
481 calculation of the private prekindergarten provider's or public  
482 school's kindergarten readiness rate.

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

486 1. Learning gains of children served in the Voluntary  
487 Prekindergarten Education Program by the private prekindergarten  
488 provider or public school. A provider seeking a good cause  
489 exemption shall have the early learning coalition or a  
490 department-approved second party administer the state-approved  
491 prekindergarten enrollment screening to each child in the  
492 prekindergarten provider's program within the first 30 days of  
493 each school year for which a good cause exemption is sought, and  
494 the provider shall administer the standardized post-assessment  
495 approved by the department to measure the student's learning  
496 gains for the year or summer, as appropriate. All data must be  
497 submitted to the department within 30 days after the  
498 administration of each assessment. Each parent who enrolls his  
499 or her child in a Voluntary Prekindergarten Education Program  
500 offered by a provider seeking a good cause exemption must submit  
501 the child for the state-approved prekindergarten enrollment  
502 screening.

503 ~~2. Verification that the private prekindergarten provider~~  
504 ~~or public school serves at least twice the statewide percentage~~

505 ~~of children with disabilities as defined in s. 1003.01(3)(a) or~~  
 506 ~~children identified as limited English proficient as defined in~~  
 507 ~~s. 1003.56.~~

508 2.3. Verification that local and state health and safety  
 509 requirements are met.

510 Section 13. Subsection (4) of section 1002.71, Florida  
 511 Statutes, is amended to read:

512 1002.71 Funding; financial and attendance reporting.—

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

514 (a) A child who, for any of the prekindergarten programs  
 515 listed in s. 1002.53(3), has not completed more than 70 percent  
 516 of the hours authorized to be reported for funding under  
 517 subsection (2), or has not expended more than 70 percent of the  
 518 funds authorized for the child under s. 1002.66, may withdraw  
 519 from the program for good cause and reenroll in one of the  
 520 programs. The total funding for a child who reenrolls in one of  
 521 the programs for good cause may not exceed one full-time  
 522 equivalent student. Funding for a child who withdraws and  
 523 reenrolls in one of the programs for good cause shall be issued  
 524 in accordance with the agency's uniform attendance policy  
 525 adopted pursuant to paragraph (6)(d).

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

533  
534 A child may reenroll only once in a prekindergarten program  
535 under this section. A child who reenrolls in a prekindergarten  
536 program under this subsection may not subsequently withdraw from  
537 the program and reenroll, unless the child is granted a good  
538 cause exemption under this subsection. The Agency for Workforce  
539 Innovation shall establish criteria specifying whether a good  
540 cause exists for a child to withdraw from a program under  
541 paragraph (a), whether a child has substantially completed a  
542 program under paragraph (b), and whether an extreme hardship  
543 exists which is beyond the child's or parent's control under  
544 paragraph (b).

545 Section 14. Subsection (2) of section 1002.73, Florida  
546 Statutes, is amended to read:

547 1002.73 Department of Education; powers and duties;  
548 accountability requirements.—

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

550 (a) Approval of prekindergarten director credentials under  
551 ss. 1002.55 and 1002.57.

552 (b) Approval of emergent literacy training courses under  
553 ss. 1002.55 and 1002.59.

554 (c) Administration of the statewide kindergarten screening  
555 and calculation of kindergarten readiness rates under s.  
556 1002.69.

557 (d) Implementation of, and determination of costs  
558 associated with, the state-approved prekindergarten enrollment  
559 screening and the standardized post-assessment approved by the  
560 department, and determination of the learning gains of students

561 who complete the state-approved prekindergarten enrollment  
 562 screening and the standardized post-assessment approved by the  
 563 department.

564 (e)~~(d)~~ Approval of specialized instructional services  
 565 providers under s. 1002.66.

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

568 (g)~~(e)~~ Granting of a private prekindergarten provider's or  
 569 public school's request for a good cause exemption under s.  
 570 1002.69(7).

571 Section 15. Paragraph (b) of subsection (3) of section  
 572 1003.01, Florida Statutes, is amended to read:

573 1003.01 Definitions.—As used in this chapter, the term:

574 (3)

575 (b) "Special education services" means specially designed  
 576 instruction and such related services as are necessary for an  
 577 exceptional student to benefit from education. Such services may  
 578 include: transportation; diagnostic and evaluation services;  
 579 social services; physical and occupational therapy; speech and  
 580 language pathology services; job placement; orientation and  
 581 mobility training; braillists, typists, and readers for the  
 582 blind; interpreters and auditory amplification; services  
 583 provided by a certified listening and spoken language  
 584 specialist; rehabilitation counseling; transition services;  
 585 mental health services; guidance and career counseling;  
 586 specified materials, assistive technology devices, and other  
 587 specialized equipment; and other such services as approved by  
 588 rules of the state board.

589 Section 16. Subsection (1) of section 1003.4156, Florida  
 590 Statutes, is amended to read:

591 1003.4156 General requirements for middle grades  
 592 promotion.—

593 ~~(1) Beginning with students entering grade 6 in the 2006-~~  
 594 ~~2007 school year,~~ Promotion from a school composed of middle  
 595 grades 6, 7, and 8 requires that:

596 (a) The student must successfully complete academic  
 597 courses as follows:

598 1. Three middle school or higher courses in English. These  
 599 courses shall emphasize literature, composition, and technical  
 600 text.

601 2. Three middle school or higher courses in mathematics.  
 602 Each middle school must offer at least one high school level  
 603 mathematics course for which students may earn high school  
 604 credit. Successful completion of a high school level Algebra I  
 605 or geometry course is not contingent upon the student's  
 606 performance on the end-of-course assessment required under s.  
 607 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012  
 608 school year, to earn high school credit for an Algebra I course,  
 609 a middle school student must pass the Algebra I end-of-course  
 610 assessment, and beginning with the 2012-2013 school year, to  
 611 earn high school credit for a geometry course, a middle school  
 612 student must pass the geometry end-of-course assessment.

613 3. Three middle school or higher courses in social  
 614 studies, one semester of which must include the study of state  
 615 and federal government and civics education. Beginning with  
 616 students entering grade 6 in the 2012-2013 school year, one of

617 | these courses must be at least a one-semester civics education  
618 | course that a student successfully completes in accordance with  
619 | s. 1008.22(3)(c) and that includes the roles and  
620 | responsibilities of federal, state, and local governments; the  
621 | structures and functions of the legislative, executive, and  
622 | judicial branches of government; and the meaning and  
623 | significance of historic documents, such as the Articles of  
624 | Confederation, the Declaration of Independence, and the  
625 | Constitution of the United States.

626 |         4. Three middle school or higher courses in science.  
627 | Successful completion of a high school level Biology I course is  
628 | not contingent upon the student's performance on the end-of-  
629 | course assessment required under s. 1008.22(3)(c)2.a.(II).  
630 | However, beginning with the 2012-2013 school year, to earn high  
631 | school credit for a Biology I course, a middle school student  
632 | must pass the Biology I end-of-course assessment.

633 |         5. One course in career and education planning to be  
634 | completed in 7th or 8th grade. The course may be taught by any  
635 | member of the instructional staff; must include career  
636 | exploration using Florida CHOICES or a comparable cost-effective  
637 | program; must include educational planning using the online  
638 | student advising system known as Florida Academic Counseling and  
639 | Tracking for Students at the Internet website FACTS.org; and  
640 | shall result in the completion of a personalized academic and  
641 | career plan. The required personalized academic and career plan  
642 | must inform students of high school graduation requirements,  
643 | high school assessment and college entrance test requirements,  
644 | Florida Bright Futures Scholarship Program requirements, state

645 university and Florida college admission requirements, and  
646 programs through which a high school student can earn college  
647 credit, including Advanced Placement, International  
648 Baccalaureate, Advanced International Certificate of Education,  
649 dual enrollment, career academy opportunities, and courses that  
650 lead to national industry certification.

651  
652 A student with a disability, as defined in s. 1007.02(2), for  
653 whom the individual education plan team determines that an end-  
654 of-course assessment cannot accurately measure the student's  
655 abilities, taking into consideration all allowable  
656 accommodations, shall have the end-of-course assessment results  
657 waived for purposes of determining the student's course grade  
658 and completing the requirements for middle grades promotion.

659 Each school must hold a parent meeting either in the evening or  
660 on a weekend to inform parents about the course curriculum and  
661 activities. Each student shall complete an electronic personal  
662 education plan that must be signed by the student; the student's  
663 instructor, guidance counselor, or academic advisor; and the  
664 student's parent. The Department of Education shall develop  
665 course frameworks and professional development materials for the  
666 career exploration and education planning course. The course may  
667 be implemented as a stand-alone course or integrated into  
668 another course or courses. The Commissioner of Education shall  
669 collect longitudinal high school course enrollment data by  
670 student ethnicity in order to analyze course-taking patterns.

671 (b) For each year in which a student scores at Level 1 on  
672 FCAT Reading, the student must be enrolled in and complete an



673 intensive reading course the following year. Placement of Level  
674 2 readers in either an intensive reading course or a content  
675 area course in which reading strategies are delivered shall be  
676 determined by diagnosis of reading needs. The department shall  
677 provide guidance on appropriate strategies for diagnosing and  
678 meeting the varying instructional needs of students reading  
679 below grade level. Reading courses shall be designed and offered  
680 pursuant to the comprehensive reading plan required by s.  
681 1011.62(9). A middle grades student who scores at Level 1 or  
682 Level 2 on FCAT Reading but who did not score below Level 3 in  
683 the previous 3 years may be granted a 1-year exemption from the  
684 reading remediation requirement; however, the student must have  
685 an approved academic improvement plan already in place, signed  
686 by the appropriate school staff and the student's parent, for  
687 the year for which the exemption is granted.

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

692 Section 17. Section 1003.4203, Florida Statutes, is  
693 created to read:

694 1003.4203 Digital curriculum.—

695 (1) Each district school board, in consultation with the  
696 district school superintendent, may develop and implement a  
697 digital curriculum for students in grades 6 through 12 in order  
698 to enable students to attain competencies in web communications  
699 and web design. A digital curriculum may include web-based  
700 skills, web-based core technologies, web design, use of digital

701 technologies and markup language to show competency in computer  
 702 skills, and use of web-based core technologies to design  
 703 creative, informational, and content standards for web-based  
 704 digital products that demonstrate proficiency in creating,  
 705 publishing, testing, monitoring, and maintaining a website.

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

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

712 (4) A district school board may seek partnerships with  
 713 private businesses and consultants to offer classes and  
 714 instruction to teachers and students to assist the school  
 715 district in providing digital curriculum instruction.

716 Section 18. Paragraph (b) of subsection (2) of section  
 717 1003.428, Florida Statutes, is amended to read:

718 1003.428 General requirements for high school graduation;  
 719 revised.—

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

723 (b) Eight credits in electives.

724 1. For each year in which a student scores at Level 1 on  
 725 FCAT Reading, the student must be enrolled in and complete an  
 726 intensive reading course the following year. Placement of Level  
 727 2 readers in either an intensive reading course or a content  
 728 area course in which reading strategies are delivered shall be

729 determined by diagnosis of reading needs. The department shall  
 730 provide guidance on appropriate strategies for diagnosing and  
 731 meeting the varying instructional needs of students reading  
 732 below grade level. Reading courses shall be designed and offered  
 733 pursuant to the comprehensive reading plan required by s.  
 734 1011.62(9). A high school student who scores at Level 1 or Level  
 735 2 on FCAT Reading but who did not score below Level 3 in the  
 736 previous 3 years may be granted a 1-year exemption from the  
 737 reading remediation requirement; however, the student must have  
 738 an approved academic improvement plan already in place, signed  
 739 by the appropriate school staff and the student's parent, for  
 740 the year for which the exemption is granted.

741 2. For each year in which a student scores at Level 1 or  
 742 Level 2 on FCAT Mathematics, the student must receive  
 743 remediation the following year. These courses may be taught  
 744 through applied, integrated, or combined courses and are subject  
 745 to approval by the department for inclusion in the Course Code  
 746 Directory.

747 Section 19. Subsections (2), (3), (4), and (7) of section  
 748 1003.429, Florida Statutes, are amended to read:

749 1003.429 Accelerated high school graduation options.—

750 (2) Prior to selecting a program described in paragraph  
 751 (1) (b) or paragraph (1) (c), a student and the student's parent  
 752 should ~~must~~ meet with designated school personnel to receive an  
 753 explanation of the relative requirements, advantages, and  
 754 disadvantages of each program option, and the student must ~~also~~  
 755 receive the written consent of the student's parent. If an  
 756 effort to meet with the student's parent fails and that effort

757 has been documented by designated school personnel, the student  
758 may select a program described in paragraph (1)(b) or paragraph  
759 (1)(c) with the written consent of the student's parent. A  
760 student may select a program described in paragraph (1)(b) or  
761 paragraph (1)(c) without the written consent of the student's  
762 parent if the student is 18 years of age or older.

763 (3) Beginning with the 2011-2012 ~~2006-2007~~ school year,  
764 each district school board shall provide each student in grades  
765 6 through 12 ~~9~~ and their parents with information concerning the  
766 3-year and 4-year high school graduation options listed in  
767 subsection (1), including the respective curriculum requirements  
768 for those options, so that the students and their parents may  
769 select the program that best fits their needs. The information  
770 must include a timeframe for achieving each graduation option.

771 (4) Selection of one of the graduation options listed in  
772 subsection (1) may ~~must~~ be completed by the student at any time  
773 during grades 9 through 12 ~~prior to the end of grade 9 and is~~  
774 ~~exclusively up to the student and parent,~~ subject to the  
775 requirements in subsection (2). ~~Each district school board shall~~  
776 ~~establish policies for extending this deadline to the end of a~~  
777 ~~student's first semester of grade 10 for a student who entered a~~  
778 ~~Florida public school after grade 9 upon transfer from a private~~  
779 ~~school or another state or who was prevented from choosing a~~  
780 ~~graduation option due to illness during grade 9.~~ If the student  
781 and parent fail to select one of the accelerated high school  
782 graduation options ~~a graduation option,~~ the student shall be  
783 considered to have selected the general requirements for high  
784 school graduation pursuant to paragraph (1)(a).

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

789 (a) The requirements that the student is not currently  
 790 meeting.

791 (b) The specific performance necessary in grade 11 for the  
 792 student to meet the accelerated graduation requirements.

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

795 Section 20. Subsections (2), (3), and (5) of section  
 796 1003.491, Florida Statutes, are amended to read:

797 1003.491 Florida Career and Professional Education Act.—  
 798 The Florida Career and Professional Education Act is created to  
 799 provide a statewide planning partnership between the business  
 800 and education communities in order to attract, expand, and  
 801 retain targeted, high-value industry and to sustain a strong,  
 802 knowledge-based economy.

803 (2) ~~Beginning with the 2007-2008 school year,~~ Each  
 804 district school board shall develop, in collaboration with  
 805 regional local workforce boards, economic development agencies,  
 806 and postsecondary institutions approved to operate in the state,  
 807 a strategic 5-year plan to address and meet local and regional  
 808 workforce demands. If involvement of a regional ~~the local~~  
 809 workforce board or an economic development agency in the  
 810 strategic plan development is not feasible, the local school  
 811 board, with the approval of the Agency for Workforce Innovation,  
 812 shall collaborate with the most appropriate regional local

813 business leadership board. Two or more school districts may  
 814 collaborate in the development of the strategic plan and offer a  
 815 career and professional academy as a joint venture. The  
 816 strategic plan ~~Such plans~~ must describe in detail provisions for  
 817 the efficient transportation of students, the maximum use of  
 818 shared resources, and access to courses aligned to state  
 819 curriculum standards through virtual education providers  
 820 legislatively authorized to provide part-time instruction to  
 821 middle school students, and an objective review of career and  
 822 professional academy courses to determine if the courses will  
 823 lead to the attainment of industry certifications included on  
 824 the Industry Certified Funding List pursuant to rules adopted by  
 825 the State Board of Education ~~the Florida Virtual School when~~  
 826 ~~appropriate.~~ Each strategic plan shall be reviewed, updated, and  
 827 jointly approved every 5 years by the local school district,  
 828 regional workforce boards, economic development agencies, and  
 829 state-approved postsecondary institutions ~~completed no later~~  
 830 ~~than June 30, 2008, and shall include provisions to have in~~  
 831 ~~place at least one operational career and professional academy,~~  
 832 ~~pursuant to s. 1003.492, no later than the beginning of the~~  
 833 ~~2008-2009 school year.~~

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

838 (a) Research conducted to objectively determine local and  
 839 regional workforce needs for the ensuing 5 years, using labor  
 840 projections of the United States Department of Labor and the

841 Agency for Workforce Innovation;

842 (b) Strategies to develop and implement career academies

843 based on those careers determined to be in high demand;

844 (c) Maximum use of private sector facilities and

845 personnel;

846 (d) Strategies that ensure instruction by industry-

847 certified faculty and standards and strategies to maintain

848 current industry credentials and for recruiting and retaining

849 faculty to meet those standards;

850 (e) Alignment of ~~to~~ requirements for middle school career

851 exploration, middle and high school career and professional

852 academies leading to industry certification, and high school

853 graduation requirements ~~redesign~~;

854 (f) Provisions to ensure that courses offered through

855 career and professional academies are academically rigorous,

856 meet or exceed appropriate state-adopted subject area standards,

857 result in attainment of industry certification, and, when

858 appropriate, result in postsecondary credit;

859 (g) Strategies to improve the passage rate for industry

860 certification examinations if the rate falls below 50 percent;

861 (h) ~~(g)~~ Establishment of student eligibility criteria in

862 career and professional academies which include opportunities

863 for students who have been unsuccessful in traditional

864 classrooms but who show aptitude to participate in academies.

865 School boards shall address the analysis of eighth grade student

866 achievement data to provide opportunities for students who may

867 be deemed as potential dropouts to participate in career and

868 professional academies;

869        (i)~~(h)~~ Strategies to provide sufficient space within  
 870 academies to meet workforce needs and to provide access to all  
 871 interested and qualified students;

872        (j)~~(i)~~ Strategies to implement ~~engage Department of~~  
 873 ~~Juvenile Justice students in~~ career and professional academy  
 874 training that leads to industry certification at Department of  
 875 Juvenile Justice facilities;

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

879        (l)~~(k)~~ Promotion of the benefits of the Gold Seal Bright  
 880 Futures Scholarship;

881        (m)~~(l)~~ Strategies to ensure the review of district pupil-  
 882 progression plans and to amend such plans to include career and  
 883 professional courses and to include courses that may qualify as  
 884 substitute courses for core graduation requirements and those  
 885 that may be counted as elective courses; and

886        (n)~~(m)~~ Strategies to provide professional development for  
 887 secondary guidance counselors on the benefits of career and  
 888 professional academies.

889        (5) The submission and review of newly proposed core  
 890 courses shall be conducted electronically, and each proposed  
 891 core course shall be approved or denied within 60 days. All  
 892 courses approved as core courses for purposes of middle school  
 893 promotion and high school graduation ~~purposes~~ shall be  
 894 immediately added to the Course Code Directory. Approved core  
 895 courses shall also be reviewed and considered for approval for  
 896 dual enrollment credit. The Board of Governors and the



897 Commissioner of Education shall jointly recommend an annual  
 898 deadline for approval of new core courses to be included for  
 899 purposes of postsecondary admissions and dual enrollment credit  
 900 the following academic year. The State Board of Education shall  
 901 establish an appeals process in the event that a proposed course  
 902 is denied which shall require a consensus ruling by the Agency  
 903 for Workforce Innovation and the Commissioner of Education  
 904 within 15 days. The curriculum review committee must be  
 905 established and operational no later than September 1, 2007.

906 Section 21. Subsections (2), (4), (5), and (6) of section  
 907 1003.493, Florida Statutes, are amended to read:

908 1003.493 Career and professional academies.—

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

910 (a) Increase student academic achievement and graduation  
 911 rates through integrated academic and career curricula.

912 (b) Prepare graduating high school students to make  
 913 appropriate choices relative to employment and future  
 914 educational experiences.

915 (c) Focus on career preparation through rigorous academics  
 916 and industry certification.

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

919 ~~(e) Support graduation requirements pursuant to s.~~  
 920 ~~1003.428 by providing creative, applied major areas of interest.~~

921 (e) ~~(f)~~ Promote acceleration mechanisms, such as dual  
 922 enrollment, articulated credit, or occupational completion  
 923 points, so that students may earn postsecondary credit while in  
 924 high school.

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

927            (4) Each career and professional academy must:

928            (a) Provide a rigorous standards-based academic curriculum  
 929 integrated with a career curriculum. The curriculum must take  
 930 into consideration multiple styles of student learning; promote  
 931 learning by doing through application and adaptation; maximize  
 932 relevance of the subject matter; enhance each student's capacity  
 933 to excel; and include an emphasis on work habits and work  
 934 ethics.

935            (b) Include one or more partnerships with postsecondary  
 936 institutions, businesses, industry, employers, economic  
 937 development organizations, or other appropriate partners from  
 938 the local community. Such partnerships shall be delineated in  
 939 articulation agreements to provide for career-based courses that  
 940 earn postsecondary credit. Such agreements may include  
 941 articulation between the academy and public or private 2-year  
 942 and 4-year postsecondary institutions and technical centers. The  
 943 Department of Education, in consultation with the Board of  
 944 Governors, shall establish a mechanism to ensure articulation  
 945 and transfer of credits to postsecondary institutions in this  
 946 state. Such partnerships must provide opportunities for:

- 947            1. Instruction from highly skilled professionals who
- 948 possess industry-certification credentials for courses they are
- 949 teaching.
- 950            2. Internships, externships, and on-the-job training.
- 951            3. A postsecondary degree, diploma, or certificate.
- 952            4. The highest available level of industry certification.

953           5. Maximum articulation of credits pursuant to s. 1007.23  
954 upon program completion.

955           (c) Provide shared, maximum use of private sector  
956 facilities and personnel.

957           (d) Provide personalized student advisement, including a  
958 parent-participation component, and coordination with middle  
959 schools to promote and support career exploration and education  
960 planning as required under s. 1003.4156. Coordination with  
961 middle schools must provide information to middle school  
962 students about secondary and postsecondary career education  
963 programs and academies.

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

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

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

975           (h) Offer applied courses that combine academic content  
976 with technical skills.

977           (i) Provide instruction resulting in competency,  
978 certification, or credentials in workplace skills, including,  
979 but not limited to, communication skills, interpersonal skills,  
980 decisionmaking skills, the importance of attendance and

981 | timeliness in the work environment, and work ethics.

982 |       (j) Include a plan to sustain career and professional  
 983 | academies ~~Provide opportunities for students to obtain the~~  
 984 | ~~Florida Ready to Work Certification pursuant to s. 1004.99.~~

985 |       ~~(k) Include an evaluation plan developed jointly with the~~  
 986 | ~~Department of Education and the local workforce board. The~~  
 987 | ~~evaluation plan must include an assessment tool based on~~  
 988 | ~~national industry standards, such as the Career Academy National~~  
 989 | ~~Standards of Practice, and outcome measures, including, but not~~  
 990 | ~~limited to, achievement of national industry certifications~~  
 991 | ~~identified in the Industry Certification Funding List, pursuant~~  
 992 | ~~to rules adopted by the State Board of Education, graduation~~  
 993 | ~~rates, enrollment in postsecondary education, business and~~  
 994 | ~~industry satisfaction, employment and earnings, awards of~~  
 995 | ~~postsecondary credit and scholarships, and student achievement~~  
 996 | ~~levels and learning gains on statewide assessments administered~~  
 997 | ~~under s. 1008.22(3)(c). The Department of Education shall use~~  
 998 | ~~Workforce Florida, Inc., and Enterprise Florida, Inc., in~~  
 999 | ~~identifying industry experts to participate in developing and~~  
 1000 | ~~implementing such assessments.~~

1001 |       ~~(k)-(m)~~ Redirect appropriated career funding to career and  
 1002 | professional academies.

1003 |       (5) All career courses offered in a career and  
 1004 | professional academy must lead to industry certification or  
 1005 | college credit linked directly to the career theme of the  
 1006 | course. If the passage rate on an industry certification  
 1007 | examination that is associated with the career and professional  
 1008 | academy falls below 50 percent, the academy must discontinue

1009 enrollment of new students the following school year and each  
 1010 year thereafter until such time as the passage rate is above 50  
 1011 percent or the academy is discontinued. At least 50 percent of  
 1012 ~~students enrolled in a career course must achieve industry~~  
 1013 ~~certifications or college credits during the second year the~~  
 1014 ~~course is offered in order for the course to be offered a third~~  
 1015 ~~year. At least 66 percent of students enrolled in such a course~~  
 1016 ~~must achieve industry certifications or college credits during~~  
 1017 ~~the third year the course is offered in order for it to be~~  
 1018 ~~offered a fourth year and thereafter.~~

1019 (6) Workforce Florida, Inc., through the secondary career  
 1020 academies initiatives, The Okaloosa County School District  
 1021 ~~CHOICE Institutes~~ shall serve in an advisory role and shall  
 1022 offer technical assistance in the development and deployment of  
 1023 newly established career and professional academies ~~for a 3-year~~  
 1024 ~~period beginning July 1, 2007.~~

1025 Section 22. Section 1003.4935, Florida Statutes, is  
 1026 created to read:

1027 1003.4935 Middle school career and professional academy  
 1028 courses.—

1029 (1) Beginning with the 2011-2012 school year, each  
 1030 district school board, in collaboration with regional workforce  
 1031 boards, economic development agencies, and state-approved  
 1032 postsecondary institutions, shall include plans to implement a  
 1033 career and professional academy in at least one middle school in  
 1034 the district as part of the strategic 5-year plan pursuant to s.  
 1035 1003.491(2). The middle school career and professional academy  
 1036 component of the strategic plan must ensure the transition of

1037 middle school career and professional academy students to a high  
 1038 school career and professional academy currently operating  
 1039 within the school district. Students who complete a middle  
 1040 school career and professional academy must have the opportunity  
 1041 to earn an industry certificate and high school credit and  
 1042 participate in career planning, job shadowing, and business  
 1043 leadership development activities.

1044 (2) Each middle school career and professional academy  
 1045 must be aligned with at least one high school career and  
 1046 professional academy offered in the district and maintain  
 1047 partnerships with local business and industry and economic  
 1048 development boards. Middle school career and professional  
 1049 academies must:

1050 (a) Provide instruction in courses leading to careers in  
 1051 occupations designated as high growth, high demand, and high pay  
 1052 in the Industry Certification Funding List approved under rules  
 1053 adopted by the State Board of Education;

1054 (b) Offer career and professional academy courses that  
 1055 integrate content from core subject areas;

1056 (c) Offer courses that integrate career and professional  
 1057 academy content with intensive reading and mathematics pursuant  
 1058 to s. 1003.428;

1059 (d) Coordinate with high schools to maximize opportunities  
 1060 for middle school career and professional academy students to  
 1061 earn high school credit;

1062 (e) Provide access to virtual instruction courses provided  
 1063 by virtual education providers legislatively authorized to  
 1064 provide part-time instruction to middle school students which

1065 are aligned to state curriculum standards for middle school  
 1066 career and professional academy students, with priority given to  
 1067 students who have required course deficits;

1068 (f) Provide instruction from highly skilled professionals  
 1069 who hold industry certificates in the career area in which they  
 1070 teach;

1071 (g) Offer externships; and

1072 (h) Provide personalized student advisement that includes  
 1073 a parent-participation component.

1074 (3) Beginning with the 2012-2013 school year, if a school  
 1075 district implements a middle school career and professional  
 1076 academy, the Department of Education shall collect and report  
 1077 student achievement data pursuant to performance factors  
 1078 identified under s. 1003.492(3) for academy students.

1079 Section 23. Section 1003.573, Florida Statutes, is amended  
 1080 to read:

1081 1003.573 Use of ~~seclusion and~~ restraint and seclusion on  
 1082 students with disabilities.—

1083 (1) DOCUMENTATION AND REPORTING.—

1084 (a) A school shall prepare an incident report within 24  
 1085 hours after a student is released from restraint or seclusion.  
 1086 If the student's release occurs on a day before the school  
 1087 closes for the weekend, a holiday, or another reason, the  
 1088 incident report must be completed by the end of the school day  
 1089 on the day the school reopens.

1090 (b) The following must be included in the incident report:

1091 1. The name of the student restrained or secluded.

1092 2. The age, grade, ethnicity, and disability of the

1093 student restrained or secluded.

1094 ~~3.2.~~ The date and time of the event and the duration of

1095 the restraint or seclusion.

1096 ~~4.3.~~ The location at which the restraint or seclusion

1097 occurred.

1098 ~~5.4.~~ A description of the type of restraint used in terms

1099 established by the Department of Education.

1100 ~~6.5.~~ The name of the person using or assisting in the

1101 restraint or seclusion of the student.

1102 ~~7.6.~~ The name of any nonstudent who was present to witness

1103 the restraint or seclusion.

1104 ~~8.7.~~ A description of the incident, including:

1105 a. The context in which the restraint or seclusion

1106 occurred.

1107 b. The student's behavior leading up to and precipitating

1108 the decision to use manual or physical restraint or seclusion,

1109 including an indication as to why there was an imminent risk of

1110 serious injury or death to the student or others.

1111 c. The specific positive behavioral strategies used to

1112 prevent and deescalate the behavior.

1113 d. What occurred with the student immediately after the

1114 termination of the restraint or seclusion.

1115 e. Any injuries, visible marks, or possible medical

1116 emergencies that may have occurred during the restraint or

1117 seclusion, documented according to district policies.

1118 f. Evidence of steps taken to notify the student's parent

1119 or guardian.

1120 (c) A school shall notify the parent or guardian of a



1121 student each time manual or physical restraint or seclusion is  
1122 used. Such notification must be in writing and provided before  
1123 the end of the school day on which the restraint or seclusion  
1124 occurs. Reasonable efforts must also be taken to notify the  
1125 parent or guardian by telephone or computer e-mail, or both, and  
1126 these efforts must be documented. The school shall obtain, and  
1127 keep in its records, the parent's or guardian's signed  
1128 acknowledgment that he or she was notified of his or her child's  
1129 restraint or seclusion.

1130 (d) A school shall also provide the parent or guardian  
1131 with the completed incident report in writing by mail within 3  
1132 school days after a student was manually or physically  
1133 restrained or secluded. The school shall obtain, and keep in its  
1134 records, the parent's or guardian's signed acknowledgment that  
1135 he or she received a copy of the incident report.

1136 (2) MONITORING.—

1137 (a) Monitoring of the use of manual or physical restraint  
1138 or seclusion on students shall occur at the classroom, building,  
1139 district, and state levels.

1140 (b) ~~Beginning July 1, 2010,~~ Documentation prepared as  
1141 required in subsection (1) shall be provided to the school  
1142 principal, the district director of Exceptional Student  
1143 Education, and the bureau chief of the Bureau of Exceptional  
1144 Education and Student Services electronically each month that  
1145 the school is in session.

1146 (c) The department shall maintain aggregate data of  
1147 incidents of manual or physical restraint and seclusion and  
1148 disaggregate the data for analysis by county, school, student

1149 | exceptional~~ity~~, and other variables, including the type and  
 1150 | method of restraint or seclusion used. This information shall be  
 1151 | updated monthly.

1152 | (d) The department shall establish standards for  
 1153 | documenting, reporting, and monitoring the use of manual or  
 1154 | physical restraint or mechanical restraint, and occurrences of  
 1155 | seclusion. These standards shall be provided to school districts  
 1156 | by October 1, 2011.

1157 | (3) SCHOOL DISTRICT POLICIES AND PROCEDURES.—

1158 | (a) Each school district shall develop policies and  
 1159 | procedures that are consistent with this section and that govern  
 1160 | the following:

- 1161 | 1. Incident-reporting procedures.
- 1162 | 2. Data collection and monitoring, including when, where,  
 1163 | and why students are restrained or secluded; the frequency of  
 1164 | occurrences of such restraint or seclusion; and the prone or  
 1165 | mechanical restraint that is most used.
- 1166 | 3. Monitoring and reporting of data collected.
- 1167 | 4. Training programs relating to manual or physical  
 1168 | restraint and seclusion.
- 1169 | 5. The district's plan for selecting personnel to be  
 1170 | trained.
- 1171 | 6. The district's plan for reducing the use of restraint  
 1172 | and seclusion particularly in settings in which it occurs  
 1173 | frequently or with students who are restrained repeatedly, and  
 1174 | for reducing the use of prone restraint and mechanical  
 1175 | restraint. The plan must include a goal for reducing the use of  
 1176 | restraint and seclusion and must include activities, skills, and

- 1177 resources needed to achieve that goal. Activities may include,  
 1178 but are not limited to:
- 1179 a. Additional training in positive behavioral support and  
 1180 crisis management;
  - 1181 b. Parental involvement;
  - 1182 c. Data review;
  - 1183 d. Updates of students' functional behavioral analysis and  
 1184 positive behavior intervention plans;
  - 1185 e. Additional student evaluations;
  - 1186 f. Debriefing with staff;
  - 1187 g. Use of schoolwide positive behavior support; and
  - 1188 h. Changes to the school environment.

1189 (b) Any revisions to the district's ~~such~~ policies and  
 1190 procedures, which must be prepared as part of its ~~the school~~  
 1191 ~~district's~~ special policies and procedures, must be filed with  
 1192 the bureau chief of the Bureau of Exceptional Education and  
 1193 Student Services no later than January 31, 2012 ~~2011~~.

1194 (4) PROHIBITED RESTRAINT.—School personnel may not use a  
 1195 mechanical restraint or a manual or physical restraint that  
 1196 restricts a student's breathing.

1197 (5) SECLUSION.—School personnel may not close, lock, or  
 1198 physically block a student in a room that is unlit and does not  
 1199 meet the rules of the State Fire Marshal for seclusion time-out  
 1200 rooms.

1201 Section 24. Section 1003.575, Florida Statutes, is amended  
 1202 to read:

1203 1003.575 Assistive technology devices; findings;  
 1204 interagency agreements.—Accessibility, utilization, and

1205 coordination of appropriate assistive technology devices and  
1206 services are essential as a young person with disabilities moves  
1207 from early intervention to preschool, from preschool to school,  
1208 from one school to another, and from school to employment or  
1209 independent living. If an individual education plan team makes a  
1210 recommendation in accordance with State Board of Education rule  
1211 for a student with a disability, as defined in s. 1003.01(3), to  
1212 receive an assistive technology assessment, that assessment must  
1213 be completed within 60 school days after the team's  
1214 recommendation. To ensure that an assistive technology device  
1215 issued to a young person as part of his or her individualized  
1216 family support plan, individual support plan, or an individual  
1217 education plan remains with the individual through such  
1218 transitions, the following agencies shall enter into interagency  
1219 agreements, as appropriate, to ensure the transaction of  
1220 assistive technology devices:

1221 (1) The Florida Infants and Toddlers Early Intervention  
1222 Program in the Division of Children's Medical Services of the  
1223 Department of Health.

1224 (2) The Division of Blind Services, the Bureau of  
1225 Exceptional Education and Student Services, and the Division of  
1226 Vocational Rehabilitation of the Department of Education.

1227 (3) The Voluntary Prekindergarten Education Program  
1228 administered by the Department of Education and the Agency for  
1229 Workforce Innovation.

1230

1231 Interagency agreements entered into pursuant to this section  
1232 shall provide a framework for ensuring that young persons with

1233 disabilities and their families, educators, and employers are  
1234 informed about the utilization and coordination of assistive  
1235 technology devices and services that may assist in meeting  
1236 transition needs, and shall establish a mechanism by which a  
1237 young person or his or her parent may request that an assistive  
1238 technology device remain with the young person as he or she  
1239 moves through the continuum from home to school to postschool.

1240 Section 25. Effective upon this act becoming a law,  
1241 subsection (2) and paragraph (c) of subsection (3) of section  
1242 1008.22, Florida Statutes, are amended to read:

1243 1008.22 Student assessment program for public schools.—

1244 (2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—It  
1245 is Florida's intent to participate in the measurement of  
1246 national educational goals. The Commissioner of Education shall  
1247 direct Florida school districts to participate in the  
1248 administration of the National Assessment of Educational  
1249 Progress, or ~~a~~ similar national or international assessment  
1250 program, both for the national sample and for any state-by-state  
1251 comparison programs which may be initiated. The assessments must  
1252 be conducted using the data collection procedures, the student  
1253 surveys, the educator surveys, and other instruments included in  
1254 the National Assessment of Educational Progress or similar  
1255 national or international assessment program being administered  
1256 in Florida. The results of these assessments shall be included  
1257 in the annual report of the Commissioner of Education specified  
1258 in this section, as applicable. The administration of the  
1259 National Assessment of Educational Progress or similar national  
1260 or international assessment program shall be in addition to and

1261 separate from the administration of the statewide assessment  
 1262 program.

1263 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
 1264 design and implement a statewide program of educational  
 1265 assessment that provides information for the improvement of the  
 1266 operation and management of the public schools, including  
 1267 schools operating for the purpose of providing educational  
 1268 services to youth in Department of Juvenile Justice programs.  
 1269 The commissioner may enter into contracts for the continued  
 1270 administration of the assessment, testing, and evaluation  
 1271 programs authorized and funded by the Legislature. Contracts may  
 1272 be initiated in 1 fiscal year and continue into the next and may  
 1273 be paid from the appropriations of either or both fiscal years.  
 1274 The commissioner is authorized to negotiate for the sale or  
 1275 lease of tests, scoring protocols, test scoring services, and  
 1276 related materials developed pursuant to law. Pursuant to the  
 1277 statewide assessment program, the commissioner shall:

1278 (c) Develop and implement a student achievement testing  
 1279 program as follows:

1280 1. The Florida Comprehensive Assessment Test (FCAT)  
 1281 measures a student's content knowledge and skills in reading,  
 1282 writing, science, and mathematics. The content knowledge and  
 1283 skills assessed by the FCAT must be aligned to the core  
 1284 curricular content established in the Next Generation Sunshine  
 1285 State Standards. Other content areas may be included as directed  
 1286 by the commissioner. Comprehensive assessments of reading and  
 1287 mathematics shall be administered annually in grades 3 through  
 1288 10 except, beginning with the 2010-2011 school year, the

1289 administration of grade 9 FCAT Mathematics shall be  
 1290 discontinued, and beginning with the 2011-2012 school year, the  
 1291 administration of grade 10 FCAT Mathematics shall be  
 1292 discontinued, except as required for students who have not  
 1293 attained minimum performance expectations for graduation as  
 1294 provided in paragraph (9) (c). FCAT Writing and FCAT Science  
 1295 shall be administered at least once at the elementary, middle,  
 1296 and high school levels except, beginning with the 2011-2012  
 1297 school year, the administration of FCAT Science at the high  
 1298 school level shall be discontinued.

1299 2.a. End-of-course assessments for a subject shall be  
 1300 administered in addition to the comprehensive assessments  
 1301 required under subparagraph 1. End-of-course assessments must be  
 1302 rigorous, statewide, standardized, and developed or approved by  
 1303 the department. The content knowledge and skills assessed by  
 1304 end-of-course assessments must be aligned to the core curricular  
 1305 content established in the Next Generation Sunshine State  
 1306 Standards.

1307 (I) Statewide, standardized end-of-course assessments in  
 1308 mathematics shall be administered according to this sub-sub-  
 1309 subparagraph. Beginning with the 2010-2011 school year, all  
 1310 students enrolled in Algebra I or an equivalent course must take  
 1311 the Algebra I end-of-course assessment. ~~Students who earned high~~  
 1312 ~~school credit in Algebra I while in grades 6 through 8 during~~  
 1313 ~~the 2007-2008 through 2009-2010 school years and who have not~~  
 1314 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~  
 1315 ~~course assessment during the 2010-2011 school year.~~ For students  
 1316 entering grade 9 during the 2010-2011 school year and who are

1317 enrolled in Algebra I or an equivalent, each student's  
 1318 performance on the end-of-course assessment in Algebra I shall  
 1319 constitute 30 percent of the student's final course grade.  
 1320 Beginning with students entering grade 9 in the 2011-2012 school  
 1321 year, a student who is enrolled in Algebra I or an equivalent  
 1322 must earn a passing score on the end-of-course assessment in  
 1323 Algebra I or attain an equivalent score as described in  
 1324 subsection (11) in order to earn course credit. Beginning with  
 1325 the 2011-2012 school year, all students enrolled in geometry or  
 1326 an equivalent course must take the geometry end-of-course  
 1327 assessment. For students entering grade 9 during the 2011-2012  
 1328 school year, each student's performance on the end-of-course  
 1329 assessment in geometry shall constitute 30 percent of the  
 1330 student's final course grade. Beginning with students entering  
 1331 grade 9 during the 2012-2013 school year, a student must earn a  
 1332 passing score on the end-of-course assessment in geometry or  
 1333 attain an equivalent score as described in subsection (11) in  
 1334 order to earn course credit.

1335 (II) Statewide, standardized end-of-course assessments in  
 1336 science shall be administered according to this sub-sub-  
 1337 subparagraph. Beginning with the 2011-2012 school year, all  
 1338 students enrolled in Biology I or an equivalent course must take  
 1339 the Biology I end-of-course assessment. For the 2011-2012 school  
 1340 year, each student's performance on the end-of-course assessment  
 1341 in Biology I shall constitute 30 percent of the student's final  
 1342 course grade. Beginning with students entering grade 9 during  
 1343 the 2012-2013 school year, a student must earn a passing score  
 1344 on the end-of-course assessment in Biology I in order to earn



1345 course credit.

1346       b. During the 2012-2013 school year, an end-of-course  
 1347 assessment in civics education shall be administered as a field  
 1348 test at the middle school level. During the 2013-2014 school  
 1349 year, each student's performance on the statewide, standardized  
 1350 end-of-course assessment in civics education shall constitute 30  
 1351 percent of the student's final course grade. Beginning with the  
 1352 2014-2015 school year, a student must earn a passing score on  
 1353 the end-of-course assessment in civics education in order to  
 1354 pass the course and be promoted from the middle grades ~~receive~~  
 1355 ~~course credit.~~ The school principal of a middle school shall  
 1356 determine, in accordance with State Board of Education rule,  
 1357 whether a student who transfers to the middle school and who has  
 1358 successfully completed a civics education course at the  
 1359 student's previous school must take an end-of-course assessment  
 1360 in civics education.

1361       c. The commissioner may select one or more nationally  
 1362 developed comprehensive examinations, which may include, but  
 1363 need not be limited to, examinations for a College Board  
 1364 Advanced Placement course, International Baccalaureate course,  
 1365 or Advanced International Certificate of Education course, or  
 1366 industry-approved examinations to earn national industry  
 1367 certifications identified in the Industry Certification Funding  
 1368 List, pursuant to rules adopted by the State Board of Education,  
 1369 for use as end-of-course assessments under this paragraph, if  
 1370 the commissioner determines that the content knowledge and  
 1371 skills assessed by the examinations meet or exceed the grade  
 1372 level expectations for the core curricular content established

1373 for the course in the Next Generation Sunshine State Standards.  
1374 The commissioner may collaborate with the American Diploma  
1375 Project in the adoption or development of rigorous end-of-course  
1376 assessments that are aligned to the Next Generation Sunshine  
1377 State Standards.

1378 d. Contingent upon funding provided in the General  
1379 Appropriations Act, including the appropriation of funds  
1380 received through federal grants, the Commissioner of Education  
1381 shall establish an implementation schedule for the development  
1382 and administration of additional statewide, standardized end-of-  
1383 course assessments in English/Language Arts II, Algebra II,  
1384 chemistry, physics, earth/space science, United States history,  
1385 and world history. Priority shall be given to the development of  
1386 end-of-course assessments in English/Language Arts II. The  
1387 Commissioner of Education shall evaluate the feasibility and  
1388 effect of transitioning from the grade 9 and grade 10 FCAT  
1389 Reading and high school level FCAT Writing to an end-of-course  
1390 assessment in English/Language Arts II. The commissioner shall  
1391 report the results of the evaluation to the President of the  
1392 Senate and the Speaker of the House of Representatives no later  
1393 than July 1, 2011.

1394 3. The testing program shall measure student content  
1395 knowledge and skills adopted by the State Board of Education as  
1396 specified in paragraph (a) and measure and report student  
1397 performance levels of all students assessed in reading, writing,  
1398 mathematics, and science. The commissioner shall provide for the  
1399 tests to be developed or obtained, as appropriate, through  
1400 contracts and project agreements with private vendors, public

1401 vendors, public agencies, postsecondary educational  
1402 institutions, or school districts. The commissioner shall obtain  
1403 input with respect to the design and implementation of the  
1404 testing program from state educators, assistive technology  
1405 experts, and the public.

1406 4. The testing program shall be composed of criterion-  
1407 referenced tests that shall, to the extent determined by the  
1408 commissioner, include test items that require the student to  
1409 produce information or perform tasks in such a way that the core  
1410 content knowledge and skills he or she uses can be measured.

1411 5. FCAT Reading, Mathematics, and Science and all  
1412 statewide, standardized end-of-course assessments shall measure  
1413 the content knowledge and skills a student has attained on the  
1414 assessment by the use of scaled scores and achievement levels.  
1415 Achievement levels shall range from 1 through 5, with level 1  
1416 being the lowest achievement level, level 5 being the highest  
1417 achievement level, and level 3 indicating satisfactory  
1418 performance on an assessment. For purposes of FCAT Writing,  
1419 student achievement shall be scored using a scale of 1 through 6  
1420 and the score earned shall be used in calculating school grades.  
1421 A score shall be designated for each subject area tested, below  
1422 which score a student's performance is deemed inadequate. The  
1423 school districts shall provide appropriate remedial instruction  
1424 to students who score below these levels.

1425 6. The State Board of Education shall, by rule, designate  
1426 a passing score for each part of the grade 10 assessment test  
1427 and end-of-course assessments. Any rule that has the effect of  
1428 raising the required passing scores may apply only to students

1429 taking the assessment for the first time after the rule is  
1430 adopted by the State Board of Education. Except as otherwise  
1431 provided in this subparagraph and as provided in s.  
1432 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a  
1433 passing score on grade 10 FCAT Reading and grade 10 FCAT  
1434 Mathematics or attain concordant scores as described in  
1435 subsection (10) in order to qualify for a standard high school  
1436 diploma.

1437 7. In addition to designating a passing score under  
1438 subparagraph 6., the State Board of Education shall also  
1439 designate, by rule, a score for each statewide, standardized  
1440 end-of-course assessment which indicates that a student is high  
1441 achieving and has the potential to meet college-readiness  
1442 standards by the time the student graduates from high school.

1443 8. Participation in the testing program is mandatory for  
1444 all students attending public school, including students served  
1445 in Department of Juvenile Justice programs, except as otherwise  
1446 prescribed by the commissioner. A student who has not earned  
1447 passing scores on the grade 10 FCAT as provided in subparagraph  
1448 6. must participate in each retake of the assessment until the  
1449 student earns passing scores or achieves scores on a  
1450 standardized assessment which are concordant with passing scores  
1451 pursuant to subsection (10). If a student does not participate  
1452 in the statewide assessment, the district must notify the  
1453 student's parent and provide the parent with information  
1454 regarding the implications of such nonparticipation. A parent  
1455 must provide signed consent for a student to receive classroom  
1456 instructional accommodations that would not be available or

1457 permitted on the statewide assessments and must acknowledge in  
1458 writing that he or she understands the implications of such  
1459 instructional accommodations. The State Board of Education shall  
1460 adopt rules, based upon recommendations of the commissioner, for  
1461 the provision of test accommodations for students in exceptional  
1462 education programs and for students who have limited English  
1463 proficiency. Accommodations that negate the validity of a  
1464 statewide assessment are not allowable in the administration of  
1465 the FCAT or an end-of-course assessment. However, instructional  
1466 accommodations are allowable in the classroom if included in a  
1467 student's individual education plan. Students using  
1468 instructional accommodations in the classroom that are not  
1469 allowable as accommodations on the FCAT or an end-of-course  
1470 assessment may have the FCAT or an end-of-course assessment  
1471 requirement waived pursuant to the requirements of s.  
1472 1003.428(8)(b) or s. 1003.43(11)(b).

1473 9. A student seeking an adult high school diploma must  
1474 meet the same testing requirements that a regular high school  
1475 student must meet.

1476 10. District school boards must provide instruction to  
1477 prepare students in the core curricular content established in  
1478 the Next Generation Sunshine State Standards adopted under s.  
1479 1003.41, including the core content knowledge and skills  
1480 necessary for successful grade-to-grade progression and high  
1481 school graduation. If a student is provided with instructional  
1482 accommodations in the classroom that are not allowable as  
1483 accommodations in the statewide assessment program, as described  
1484 in the test manuals, the district must inform the parent in

1485 writing and must provide the parent with information regarding  
1486 the impact on the student's ability to meet expected performance  
1487 levels in reading, writing, mathematics, and science. The  
1488 commissioner shall conduct studies as necessary to verify that  
1489 the required core curricular content is part of the district  
1490 instructional programs.

1491 11. District school boards must provide opportunities for  
1492 students to demonstrate an acceptable performance level on an  
1493 alternative standardized assessment approved by the State Board  
1494 of Education following enrollment in summer academies.

1495 12. The Department of Education must develop, or select,  
1496 and implement a common battery of assessment tools that will be  
1497 used in all juvenile justice programs in the state. These tools  
1498 must accurately measure the core curricular content established  
1499 in the Next Generation Sunshine State Standards.

1500 13. For students seeking a special diploma pursuant to s.  
1501 1003.438, the Department of Education must develop or select and  
1502 implement an alternate assessment tool that accurately measures  
1503 the core curricular content established in the Next Generation  
1504 Sunshine State Standards for students with disabilities under s.  
1505 1003.438.

1506 14. The Commissioner of Education shall establish  
1507 schedules for the administration of statewide assessments and  
1508 the reporting of student test results. When establishing the  
1509 schedules for the administration of statewide assessments, the  
1510 commissioner shall consider the observance of religious and  
1511 school holidays. The commissioner shall, by August 1 of each  
1512 year, notify each school district in writing and publish on the

1513 department's Internet website the testing and reporting  
 1514 schedules for, at a minimum, the school year following the  
 1515 upcoming school year. The testing and reporting schedules shall  
 1516 require that:

1517 a. There is the latest possible administration of  
 1518 statewide assessments and the earliest possible reporting to the  
 1519 school districts of student test results which is feasible  
 1520 within available technology and specific appropriations;  
 1521 however, test results for the FCAT must be made available no  
 1522 later than the week of June 8. Student results for end-of-course  
 1523 assessments must be provided no later than 1 week after the  
 1524 school district completes testing for each course. The  
 1525 commissioner may extend the reporting schedule under exigent  
 1526 circumstances.

1527 b. ~~Beginning with the 2010-2011 school year,~~ FCAT Writing  
 1528 may is not be administered earlier than the week of March 1 and  
 1529 a comprehensive statewide assessment of any other subject may is  
 1530 not be administered earlier than the week of April 15.

1531 c. A statewide, standardized end-of-course assessment is  
 1532 administered ~~during a 3-week period~~ at the end of the course.  
 1533 The commissioner shall select an a 3-week administration period  
 1534 for assessments that meets the intent of end-of-course  
 1535 assessments and provides student results prior to the end of the  
 1536 course. School districts shall administer tests in accordance  
 1537 with the schedule determined by the commissioner ~~select 1~~  
 1538 ~~testing week within the 3-week administration period for each~~  
 1539 ~~end-of-course assessment.~~ For an end-of-course assessment  
 1540 administered at the end of the first semester, the commissioner

1541 shall determine the most appropriate testing dates based on a  
 1542 review of each school district's academic calendar.

1543  
 1544 The commissioner may, based on collaboration and input from  
 1545 school districts, design and implement student testing programs,  
 1546 for any grade level and subject area, necessary to effectively  
 1547 monitor educational achievement in the state, including the  
 1548 measurement of educational achievement of the Next Generation  
 1549 Sunshine State Standards for students with disabilities.

1550 Development and refinement of assessments shall include  
 1551 universal design principles and accessibility standards that  
 1552 will prevent any unintended obstacles for students with  
 1553 disabilities while ensuring the validity and reliability of the  
 1554 test. These principles should be applicable to all technology  
 1555 platforms and assistive devices available for the assessments.  
 1556 The field testing process and psychometric analyses for the  
 1557 statewide assessment program must include an appropriate  
 1558 percentage of students with disabilities and an evaluation or  
 1559 determination of the effect of test items on such students.

1560 Section 26. Subsection (3) of section 1008.30, Florida  
 1561 Statutes, is amended to read:

1562 1008.30 Common placement testing for public postsecondary  
 1563 education.—

1564 (3) The State Board of Education shall adopt rules that  
 1565 require high schools to evaluate before the beginning of grade  
 1566 12 the college readiness of each student who ~~indicates an~~  
 1567 ~~interest in postsecondary education and~~ scores at Level 2 or  
 1568 Level 3 on the reading portion of the grade 10 FCAT or Level 2,



1569 Level 3, or Level 4 on the mathematics assessments under s.  
 1570 1008.22(3)(c). High schools shall perform this evaluation using  
 1571 results from the corresponding component of the common placement  
 1572 test prescribed in this section, or an equivalent test  
 1573 identified by the State Board of Education. The State Board  
 1574 ~~Department~~ of Education shall identify in rule ~~purchase or~~  
 1575 ~~develop~~ the assessments necessary to perform the evaluations  
 1576 required by this subsection and shall work with the school  
 1577 districts to administer the assessments. The State Board of  
 1578 Education shall establish by rule the minimum test scores a  
 1579 student must achieve to demonstrate readiness. Students who  
 1580 demonstrate readiness by achieving the minimum test scores  
 1581 established by the state board and enroll in a community college  
 1582 within 2 years of achieving such scores shall not be required to  
 1583 retest or enroll in remediation when admitted ~~enroll as a~~  
 1584 ~~condition of acceptance~~ to any community college. The high  
 1585 school shall use the results of the test to advise the students  
 1586 of any identified deficiencies and to ~~the maximum extent~~  
 1587 ~~practicable~~ provide 12th grade students, and require them to  
 1588 complete, access to appropriate postsecondary preparatory  
 1589 ~~remedial~~ instruction prior to high school graduation. The  
 1590 curriculum remedial instruction provided under this subsection  
 1591 shall be identified in rule by the State Board of Education and  
 1592 encompass Florida's Postsecondary Readiness Competencies. Other  
 1593 elective courses may not be substituted for the selected  
 1594 postsecondary reading, mathematics, or writing preparatory  
 1595 course unless the elective course covers the same competencies  
 1596 included in the postsecondary reading, mathematics, or writing

1597 ~~preparatory course a collaborative effort between secondary and~~  
 1598 ~~postsecondary educational institutions. To the extent courses~~  
 1599 ~~are available, the Florida Virtual School may be used to provide~~  
 1600 ~~the remedial instruction required by this subsection.~~

1601 Section 27. Paragraph (b) of subsection (3) and subsection  
 1602 (4) of section 1008.33, Florida Statutes, are amended to read:

1603 1008.33 Authority to enforce public school improvement.—

1604 (3)

1605 (b) For the purpose of determining whether a public school  
 1606 requires action to achieve a sufficient level of school  
 1607 improvement, beginning with the 2010-2011 school year, the  
 1608 Department of Education shall annually categorize a public  
 1609 school in one of six categories based on the following:

1610 1. A school's grade based upon statewide assessments  
 1611 administered pursuant to s. 1008.22; and

1612 2. school's grade, pursuant to s. 1008.34, and The level  
 1613 and rate of change in student performance in the areas of  
 1614 reading and mathematics, disaggregated into student subgroups as  
 1615 described in the federal Elementary and Secondary Education Act,  
 1616 20 U.S.C. s. 6311(b)(2)(C)(v)(II).

1617 (4) The Department of Education shall create a matrix that  
 1618 reflects intervention and support strategies to address the  
 1619 particular needs of schools in each category.

1620 (a) Intervention and support strategies shall be applied  
 1621 to schools based upon the school categorization pursuant to  
 1622 paragraph (3)(b). The Department of Education shall apply the  
 1623 most intense intervention strategies to the lowest-performing  
 1624 schools. For all but the lowest category and "F" schools in the

1625 second lowest category, the intervention and support strategies  
 1626 shall be administered solely by the districts and the schools.

1627 (b) The lowest-performing schools are schools that are  
 1628 categorized pursuant to paragraph (3)(b) and have received:

1629 1. A grade of "F" in the most recent school year and in 4  
 1630 of the last 6 years; or

1631 2. A grade of "D" or "F" in the most recent school year  
 1632 and meet at least three of the following criteria:

1633 a. The percentage of students who are not proficient in  
 1634 reading has increased when compared to measurements taken 5  
 1635 years previously;

1636 b. The percentage of students who are not proficient in  
 1637 mathematics has increased when compared to measurements taken 5  
 1638 years previously;

1639 c. At least 65 percent of the school's students are not  
 1640 proficient in reading; or

1641 d. At least 65 percent of the school's students are not  
 1642 proficient in mathematics.

1643 Section 28. Paragraph (f) of subsection (5) of section  
 1644 1008.331, Florida Statutes, is amended to read:

1645 1008.331 Supplemental educational services in Title I  
 1646 schools; school district, provider, and department  
 1647 responsibilities.—

1648 (5) RESPONSIBILITIES OF THE DEPARTMENT OF EDUCATION.—

1649 (f) By September 1, 2011 ~~2009~~, the department shall  
 1650 approve and a district may select acceptable premethods and  
 1651 postmethods for measuring student learning gains, including  
 1652 standardized assessments, diagnostic assessments, criterion-

1653 | referenced and skills-based assessments, or other applicable  
 1654 | methods appropriate for each grade level, for use by  
 1655 | supplemental educational services providers and local school  
 1656 | districts in determining student learning gains. Each method  
 1657 | must be able to measure student progress toward mastering the  
 1658 | benchmarks or access points set forth in the Sunshine State  
 1659 | Standards and the student's supplemental educational services  
 1660 | plan. The use of a diagnostic and assessment instrument, which  
 1661 | is aligned to a provider's curriculum, is an acceptable  
 1662 | premethod and postmethod if the provider can demonstrate that  
 1663 | the assessment meets the requirements in this paragraph and is  
 1664 | not deemed unreliable or invalid by the department.

1665 |       Section 29. Paragraphs (b) and (c) of subsection (3) of  
 1666 | section 1008.34, Florida Statutes, are amended to read:

1667 |           1008.34 School grading system; school report cards;  
 1668 | district grade.—

1669 |           (3) DESIGNATION OF SCHOOL GRADES.—

1670 |           (b)1. A school's grade shall be based on a combination of:

1671 |           a. Student achievement scores, including achievement on  
 1672 | all FCAT assessments administered under s. 1008.22(3)(c)1., end-  
 1673 | of-course assessments administered under s. 1008.22(3)(c)2.a.,  
 1674 | and achievement scores for students seeking a special diploma.

1675 |           b. Student learning gains in reading and mathematics as  
 1676 | measured by FCAT and end-of-course assessments, as described in  
 1677 | s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking  
 1678 | a special diploma, as measured by an alternate assessment tool,  
 1679 | shall be included not later than the 2009-2010 school year.

1680 |           c. Improvement of the lowest 25th percentile of students

1681 in the school in reading and mathematics on the FCAT or end-of-  
1682 course assessments described in s. 1008.22(3)(c)2.a., unless  
1683 these students are exhibiting satisfactory performance.

1684 2. Beginning with the 2011-2012 school year, for schools  
1685 comprised of middle school grades 6 through 8 or grades 7 and 8,  
1686 the school's grade shall include the performance and  
1687 participation of its students enrolled in high school level  
1688 courses with end-of-course assessments administered under s.  
1689 1008.22(3)(c)2.a. Performance and participation must be weighted  
1690 equally. As valid data becomes available, the school grades  
1691 shall include the students' attainment of national industry  
1692 certification identified in the Industry Certification Funding  
1693 List pursuant to rules adopted by the State Board of Education.

1694 ~~3.2.~~ Beginning with the 2009-2010 school year for schools  
1695 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
1696 11, and 12, 50 percent of the school grade shall be based on a  
1697 combination of the factors listed in sub-subparagraphs 1.a.-c.  
1698 and the remaining 50 percent on the following factors:

1699 a. The high school graduation rate of the school;

1700 b. As valid data becomes available, the performance and  
1701 participation of the school's students in College Board Advanced  
1702 Placement courses, International Baccalaureate courses, dual  
1703 enrollment courses, and Advanced International Certificate of  
1704 Education courses; and the students' achievement of national  
1705 industry certification identified in the Industry Certification  
1706 Funding List, pursuant to rules adopted by the State Board of  
1707 Education;

1708 c. Postsecondary readiness of the school's students as

1709 measured by the SAT, ACT, or the common placement test;

1710 d. The high school graduation rate of at-risk students who

1711 scored at Level 2 or lower on the grade 8 FCAT Reading and

1712 Mathematics examinations;

1713 e. As valid data becomes available, the performance of the

1714 school's students on statewide standardized end-of-course

1715 assessments administered under s. 1008.22(3)(c)2.b. and c.; and

1716 f. The growth or decline in the components listed in sub-

1717 subparagraphs a.-e. from year to year.

1718 (c) Student assessment data used in determining school

1719 grades shall include:

1720 1. The aggregate scores of all eligible students enrolled

1721 in the school who have been assessed on the FCAT and statewide,

1722 standardized end-of-course assessments in courses required for

1723 high school graduation, including, beginning with the 2010-2011

1724 school year, the end-of-course assessment in Algebra I; and

1725 beginning with the 2011-2012 school year, the end-of-course

1726 assessments in geometry and Biology; and beginning with the

1727 2013-2014 school year, on the statewide, standardized end-of-

1728 course assessment in civics education at the middle school

1729 level.

1730 2. The aggregate scores of all eligible students enrolled

1731 in the school who have been assessed on the FCAT and end-of-

1732 course assessments as described in s. 1008.22(3)(c)2.a., and who

1733 have scored at or in the lowest 25th percentile of students in

1734 the school in reading and mathematics, unless these students are

1735 exhibiting satisfactory performance.

1736 3. The achievement scores and learning gains of eligible

1737 students attending alternative schools that provide dropout  
1738 prevention and academic intervention services pursuant to s.  
1739 1003.53. The term "eligible students" in this subparagraph does  
1740 not include students attending an alternative school who are  
1741 subject to district school board policies for expulsion for  
1742 repeated or serious offenses, who are in dropout retrieval  
1743 programs serving students who have officially been designated as  
1744 dropouts, or who are in programs operated or contracted by the  
1745 Department of Juvenile Justice. The student performance data for  
1746 eligible students identified in this subparagraph shall be  
1747 included in the calculation of the home school's grade. As used  
1748 in this subparagraph ~~section~~ and s. 1008.341, the term "home  
1749 school" means the school to which the student would be assigned  
1750 if the student were not assigned to an alternative school. If an  
1751 alternative school chooses to be graded under this section,  
1752 student performance data for eligible students identified in  
1753 this subparagraph shall not be included in the home school's  
1754 grade but shall be included only in the calculation of the  
1755 alternative school's grade. A school district that fails to  
1756 assign the FCAT and end-of-course assessment as described in s.  
1757 1008.22 (3) (c) 2.a. scores of each of its students to his or her  
1758 home school or to the alternative school that receives a grade  
1759 shall forfeit Florida School Recognition Program funds for 1  
1760 fiscal year. School districts must require collaboration between  
1761 the home school and the alternative school in order to promote  
1762 student success. This collaboration must include an annual  
1763 discussion between the principal of the alternative school and  
1764 the principal of each student's home school concerning the most

1765 appropriate school assignment of the student.

1766 4. The achievement scores and learning gains of students  
 1767 designated as hospital or homebound. Student assessment data for  
 1768 students designated as hospital or homebound shall be assigned  
 1769 to their home school for the purposes of school grades. As used  
 1770 in this subparagraph, the term "home school" means the school to  
 1771 which a student would be assigned if the student were not  
 1772 assigned to a hospital or homebound program.

1773 ~~5.4.~~ For schools comprised of high school grades 9, 10,  
 1774 11, and 12, or grades 10, 11, and 12, the data listed in  
 1775 subparagraphs 1.-3. and the following data as the Department of  
 1776 Education determines such data are valid and available:

1777 a. The high school graduation rate of the school as  
 1778 calculated by the Department of Education;

1779 b. The participation rate of all eligible students  
 1780 enrolled in the school and enrolled in College Board Advanced  
 1781 Placement courses; International Baccalaureate courses; dual  
 1782 enrollment courses; Advanced International Certificate of  
 1783 Education courses; and courses or sequence of courses leading to  
 1784 national industry certification identified in the Industry  
 1785 Certification Funding List, pursuant to rules adopted by the  
 1786 State Board of Education;

1787 c. The aggregate scores of all eligible students enrolled  
 1788 in the school in College Board Advanced Placement courses,  
 1789 International Baccalaureate courses, and Advanced International  
 1790 Certificate of Education courses;

1791 d. Earning of college credit by all eligible students  
 1792 enrolled in the school in dual enrollment programs under s.



1793 | 1007.271;

1794 |       e. Earning of a national industry certification identified

1795 | in the Industry Certification Funding List, pursuant to rules

1796 | adopted by the State Board of Education;

1797 |       f. The aggregate scores of all eligible students enrolled

1798 | in the school in reading, mathematics, and other subjects as

1799 | measured by the SAT, the ACT, and the common placement test for

1800 | postsecondary readiness;

1801 |       g. The high school graduation rate of all eligible at-risk

1802 | students enrolled in the school who scored at Level 2 or lower

1803 | on the grade 8 FCAT Reading and Mathematics examinations;

1804 |       h. The performance of the school's students on statewide

1805 | standardized end-of-course assessments administered under s.

1806 | 1008.22(3)(c)2.b. and c.; and

1807 |       i. The growth or decline in the data components listed in

1808 | sub-subparagraphs a.-h. from year to year.

1809 |

1810 | The State Board of Education shall adopt appropriate criteria

1811 | for each school grade. The criteria must also give added weight

1812 | to student achievement in reading. Schools designated with a

1813 | grade of "C," making satisfactory progress, shall be required to

1814 | demonstrate that adequate progress has been made by students in

1815 | the school who are in the lowest 25th percentile in reading and

1816 | mathematics on the FCAT and end-of-course assessments as

1817 | described in s. 1008.22(3)(c)2.a., unless these students are

1818 | exhibiting satisfactory performance. Beginning with the 2009-

1819 | 2010 school year for schools comprised of high school grades 9,

1820 | 10, 11, and 12, or grades 10, 11, and 12, the criteria for

1821 school grades must also give added weight to the graduation rate  
 1822 of all eligible at-risk students, as defined in this paragraph.  
 1823 Beginning in the 2009-2010 school year, in order for a high  
 1824 school to be designated as having a grade of "A," making  
 1825 excellent progress, the school must demonstrate that at-risk  
 1826 students, as defined in this paragraph, in the school are making  
 1827 adequate progress.

1828 Section 30. Paragraph (a) of subsection (3) of section  
 1829 1011.01, Florida Statutes, is amended to read:

1830 1011.01 Budget system established.—

1831 (3) (a) Each district school board and each community  
 1832 college board of trustees shall prepare, adopt, and submit to  
 1833 the Commissioner of Education ~~for review~~ an annual operating  
 1834 budget. Operating budgets shall be prepared and submitted in  
 1835 accordance with the provisions of law, rules of the State Board  
 1836 of Education, the General Appropriations Act, and for district  
 1837 school boards in accordance with the provisions of ss. 200.065  
 1838 and 1011.64.

1839 Section 31. Subsection (4) of section 1011.03, Florida  
 1840 Statutes, is amended to read:

1841 1011.03 Public hearings; budget to be submitted to  
 1842 Department of Education.—

1843 (4) The board shall hold public hearings to adopt  
 1844 tentative and final budgets pursuant to s. 200.065. The hearings  
 1845 shall be primarily for the purpose of hearing requests and  
 1846 complaints from the public regarding the budgets and the  
 1847 proposed tax levies and for explaining the budget and proposed  
 1848 or adopted amendments thereto, if any. The district school board

1849 shall then require the superintendent to transmit forthwith two  
1850 copies of the adopted budget to the Department of Education ~~for~~  
1851 ~~approval~~ as prescribed by law and rules of the State Board of  
1852 Education.

1853 Section 32. Section 1011.035, Florida Statutes, is created  
1854 to read:

1855 1011.035 School district budget transparency.-

1856 (1) It is important for school districts to provide  
1857 budgetary transparency to enable taxpayers, parents, and  
1858 education advocates to obtain school district budget and related  
1859 information in a manner that is simply explained and easily  
1860 understandable. Budgetary transparency leads to more responsible  
1861 spending, more citizen involvement, and improved accountability.  
1862 A budget that is not transparent, accessible, and accurate  
1863 cannot be properly analyzed, its implementation thoroughly  
1864 monitored, or its outcomes evaluated.

1865 (2) Each district school board shall post on its website a  
1866 plain language version of each proposed, tentative, and official  
1867 budget which describes each budget item in terms that are easily  
1868 understandable to the public. This information must be  
1869 prominently posted on the school district's website in a manner  
1870 that is readily accessible to the public.

1871 (3) Each district school board is encouraged to post the  
1872 following information on its website:

1873 (a) Timely information as to when a budget hearing will be  
1874 conducted.

1875 (b) Each contract between the district school board and  
1876 the teachers' union.

1877        (c) Each contract between the district school board and  
1878 noninstructional staff.

1879        (d) Each contract exceeding \$35,000 between the school  
1880 board and a vendor of services, supplies, or programs or for the  
1881 purchase or lease of lands, facilities, or properties.

1882        (e) Each contract exceeding \$35,000 that is an emergency  
1883 procurement or is with a single source as authorized under s.  
1884 287.057(3).

1885        (f) Recommendations of the citizens' budget advisory  
1886 committee.

1887        (g) Current and archived video recordings of each district  
1888 school board meeting and workshop.

1889        (4) The website should contain links to:

1890        (a) Help explain or provide background information on  
1891 various budget items that are required by state or federal law.

1892        (b) Allow users to navigate to related sites to view  
1893 supporting details.

1894        (c) Enable taxpayers, parents, and education advocates to  
1895 send e-mails asking questions about the budget and enable others  
1896 to view the questions and responses.

1897        Section 33. Paragraph (e) of subsection (1) of section  
1898 1011.62, Florida Statutes, is amended to read:

1899        1011.62 Funds for operation of schools.—If the annual  
1900 allocation from the Florida Education Finance Program to each  
1901 district for operation of schools is not determined in the  
1902 annual appropriations act or the substantive bill implementing  
1903 the annual appropriations act, it shall be determined as  
1904 follows:

1905 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
 1906 OPERATION.—The following procedure shall be followed in  
 1907 determining the annual allocation to each district for  
 1908 operation:

1909 (e) *Funding model for exceptional student education*  
 1910 *programs.*—

1911 1.a. The funding model uses basic, at-risk, support levels  
 1912 IV and V for exceptional students and career Florida Education  
 1913 Finance Program cost factors, and a guaranteed allocation for  
 1914 exceptional student education programs. Exceptional education  
 1915 cost factors are determined by using a matrix of services to  
 1916 document the services that each exceptional student will  
 1917 receive. The nature and intensity of the services indicated on  
 1918 the matrix shall be consistent with the services described in  
 1919 each exceptional student's individual educational plan. The  
 1920 Department of Education shall review and revise the descriptions  
 1921 of the services and supports included in the matrix of services  
 1922 for exceptional students and shall implement those revisions  
 1923 before the beginning of the 2012-2013 school year.

1924 b. In order to generate funds using one of the two  
 1925 weighted cost factors, a matrix of services must be completed at  
 1926 the time of the student's initial placement into an exceptional  
 1927 student education program and at least once every 3 years by  
 1928 personnel who have received approved training. Nothing listed in  
 1929 the matrix shall be construed as limiting the services a school  
 1930 district must provide in order to ensure that exceptional  
 1931 students are provided a free, appropriate public education.

1932 c. Students identified as exceptional, in accordance with

1933 chapter 6A-6, Florida Administrative Code, who do not have a  
 1934 matrix of services as specified in sub-subparagraph b. shall  
 1935 generate funds on the basis of full-time-equivalent student  
 1936 membership in the Florida Education Finance Program at the same  
 1937 funding level per student as provided for basic students.

1938 Additional funds for these exceptional students will be provided  
 1939 through the guaranteed allocation designated in subparagraph 2.

1940 2. For students identified as exceptional who do not have  
 1941 a matrix of services and students who are gifted in grades K  
 1942 through 8, there is created a guaranteed allocation to provide  
 1943 these students with a free appropriate public education, in  
 1944 accordance with s. 1001.42(4)(m) and rules of the State Board of  
 1945 Education, which shall be allocated annually to each school  
 1946 district in the amount provided in the General Appropriations  
 1947 Act. These funds shall be in addition to the funds appropriated  
 1948 on the basis of FTE student membership in the Florida Education  
 1949 Finance Program, and the amount allocated for each school  
 1950 district shall not be recalculated during the year. These funds  
 1951 shall be used to provide special education and related services  
 1952 for exceptional students and students who are gifted in grades K  
 1953 through 8. Beginning with the 2007-2008 fiscal year, a  
 1954 district's expenditure of funds from the guaranteed allocation  
 1955 for students in grades 9 through 12 who are gifted may not be  
 1956 greater than the amount expended during the 2006-2007 fiscal  
 1957 year for gifted students in grades 9 through 12.

1958 Section 34. Paragraph (c) of subsection (1) of section  
 1959 1012.39, Florida Statutes, is amended to read:

1960 1012.39 Employment of substitute teachers, teachers of

1961 adult education, nondegreed teachers of career education, and  
 1962 career specialists; students performing clinical field  
 1963 experience.—

1964 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and  
 1965 1012.57, or any other provision of law or rule to the contrary,  
 1966 each district school board shall establish the minimal  
 1967 qualifications for:

1968 (c) Part-time and full-time nondegreed teachers of career  
 1969 programs. Qualifications shall be established for nondegreed  
 1970 teachers of career and technical education courses for program  
 1971 clusters that are recognized in the state and are ~~agriculture,~~  
 1972 ~~business, health occupations, family and consumer sciences,~~  
 1973 ~~industrial, marketing, career specialist, and public service~~  
 1974 ~~education teachers,~~ based primarily on successful occupational  
 1975 experience rather than academic training. The qualifications for  
 1976 such teachers shall require:

1977 1. The filing of a complete set of fingerprints in the  
 1978 same manner as required by s. 1012.32. Faculty employed solely  
 1979 to conduct postsecondary instruction may be exempted from this  
 1980 requirement.

1981 2. Documentation of education and successful occupational  
 1982 experience including documentation of:

1983 a. A high school diploma or the equivalent.

1984 b. Completion of 6 years of full-time successful  
 1985 occupational experience or the equivalent of part-time  
 1986 experience in the teaching specialization area. The district  
 1987 school board may establish alternative qualifications for  
 1988 teachers with an industry certification in the career area in

1989 which they teach. ~~Alternate means of determining successful~~  
 1990 ~~occupational experience may be established by the district~~  
 1991 ~~school board.~~

1992 c. Completion of career education training conducted  
 1993 through the local school district inservice master plan.

1994 d. For full-time teachers, completion of professional  
 1995 education training in teaching methods, course construction,  
 1996 lesson planning and evaluation, and teaching special needs  
 1997 students. This training may be completed through coursework from  
 1998 an accredited or approved institution or an approved district  
 1999 teacher education program.

2000 e. Demonstration of successful teaching performance.

2001 f. Documentation of industry certification when state or  
 2002 national industry certifications are available and applicable.

2003 Section 35. Except as otherwise expressly provided in this  
 2004 act and except for this section, which shall take effect upon  
 2005 this act becoming a law, this act shall take effect July 1,  
 2006 2011.