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Proposed Committee Substitute by the Committee on Education Pre-
K - 12

1 A bill to be entitled
2 An act relating to public school accountability;
3 amending s. 1001.20, F.S.; deleting a provision that
4 requires the Florida Virtual School to be
5 administratively housed within the Office of
6 Technology and Information Services within the
7 Department of Education; amending s. 1001.42, F.S.;
8 revising the powers and duties of district school
9 boards to require that students be provided with
10 access to Florida Virtual School courses; creating s.
11 1001.421, F.S.; prohibiting district school board
12 members from accepting gifts from vendors; amending s.
13 1002.37, F.S.; conforming provisions to changes made
14 by the act; amending s. 1002.38, F.S.; revising
15 provisions relating to the Opportunity Scholarship
16 Program to require that school grades for all schools
17 be based on statewide assessments; amending s.
18 1002.39, F.S.; providing that when a student who is
19 receiving the John M. McKay Scholarship enrolls in a
20 public school or public school program, the term of
21 the student's scholarship ends; providing an exception
22 for students who enter a Department of Juvenile
23 Justice detention center for a period of no more than
24 21 days; amending s. 1002.45, F.S.; revising
25 qualification requirements for virtual instruction
26 program providers; providing that an approved provider
27 retain its approved status for 3 school years after



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28 approval; amending s. 1002.67, F.S.; requiring that
29 the State Board of Education periodically review and
30 revise the performance standards for the statewide
31 kindergarten screening and align the standards to the
32 performance standards for statewide assessments;
33 requiring that a private prekindergarten provider or
34 public school be placed on probation immediately after
35 failing to meet minimum standards rather than after 2
36 consecutive years of such failure; amending s.
37 1002.69, F.S.; authorizing nonpublic schools to
38 administer the statewide kindergarten screening to
39 kindergarten students who were enrolled in the
40 Voluntary Prekindergarten Program; requiring that the
41 Department of Education adopt a statewide voluntary
42 prekindergarten enrollment screening; requiring that
43 each early learning coalition administer the
44 enrollment screening; requiring the Department of
45 Education to include the percentage of students who
46 meet all state readiness measures in its provider
47 rating methodology; requiring that each parent or
48 guardian enrolling his or her child in a voluntary
49 prekindergarten education program submit the child for
50 enrollment screening if required by the provider;
51 removing a limitation on the minimum kindergarten
52 readiness rate for private and public prekindergarten
53 providers; amending s. 1002.71, F.S.; providing that a
54 child may reenroll more than once in a prekindergarten
55 program if granted a good cause exemption; amending s.
56 1002.73, F.S.; requiring the department to adopt



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57 procedures for annually reporting the percentage of
58 students who meet all state readiness measures;
59 requiring that the Department of Education adopt
60 procedures for the statewide voluntary prekindergarten
61 enrollment screening, adopting the fee schedule,
62 determining learning gains of students who complete
63 the voluntary prekindergarten and kindergarten
64 screenings, and annually reporting the readiness of
65 kindergarten students; amending s. 1003.4156, F.S.;
66 revising the general requirements for middle grades
67 promotion; providing that a student with a disability
68 may have his or her end-of-course assessment results
69 waived under certain circumstances; providing that a
70 middle grades student is exempt from the reading
71 remediation requirements under certain circumstances;
72 amending s. 1003.428, F.S.; revising provisions
73 relating to the general requirements for high school
74 graduation; providing that a high school student may
75 be exempt from intensive reading under certain
76 circumstances; amending s. 1003.491, F.S.; revising
77 provisions relating to the Florida Career and
78 Professional Education Act; replacing references to
79 local workforce boards with regional workforce boards;
80 requiring that economic development agencies
81 collaborate with each district school board, regional
82 workforce boards, and postsecondary institutions to
83 develop a strategic 5-year plan that addresses local
84 and regional workforce demands; requiring that the
85 strategic plan include access to courses offered



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86 through virtual education providers and a review of
87 career and professional academy courses; requiring
88 that the strategic plan be reviewed, updated, and
89 jointly approved; amending s. 1003.492, F.S.; revising
90 provisions relating to industry-certified career
91 education programs to conform to changes made by the
92 act; requiring that rules adopted by the State Board
93 of Education include an approval process for
94 determining the funding weights of industry
95 certifications; requiring that the performance factors
96 for students participating in industry-certified
97 career education programs include awards of
98 postsecondary credit and state scholarships; amending
99 s. 1003.493, F.S.; revising provisions relating to
100 career and professional academies to conform to
101 changes made by the act; requiring that career and
102 professional academies discontinue enrollment of
103 students for the following year if the passage rate on
104 the industry certification exam falls below 50
105 percent; creating s. 1003.4935, F.S.; requiring that
106 each district school board, in collaboration with
107 regional workforce boards, economic development
108 agencies, and state-approved postsecondary
109 institutions, include a component in the strategic 5-
110 year plan to implement a career and professional
111 academy in at least one middle school in each
112 district; providing requirements for the middle school
113 career and professional academies; requiring that the
114 Department of Education collect and report student



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115 achievement data for middle school career academy
116 students; amending s. 1003.575, F.S.; revising
117 provisions relating to assistive technology devices
118 for young persons with disabilities to require that
119 any school having an individualized education plan
120 team arrange to complete an assistive technology
121 assessment within a specified number of days after
122 receiving a request for such assessment; amending s.
123 1008.22, F.S.; revising provisions relating to the
124 student assessment program for public schools;
125 requiring that the Commissioner of Education direct
126 school districts to participate in the administration
127 of the National Assessment of Educational Progress or
128 similar national or international assessment program;
129 providing for future expiration of the requirement
130 that school districts participate in international
131 assessment programs; authorizing the school principal
132 to exempt certain students from the end-of-course
133 assessment in civics education; amending s. 1008.33,
134 F.S.; revising provisions relating to public school
135 improvement; requiring that the Department of
136 Education categorize public schools based on the
137 portion of a school's grade that relies on statewide
138 assessments; revising the categorization of the
139 lowest-performing schools; amending s. 1008.331, F.S.,
140 relating to supplemental educational services in Title
141 I schools; providing that a school board may include
142 in its district contract with a provider a requirement
143 to use a uniform standardized assessment if the



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144 Department of Education is notified of such intent
145 before services are provided to the student; amending
146 s. 1008.34, F.S.; revising provisions relating to the
147 designation of school grades to conform to changes
148 made by the act; providing for assigning achievement
149 scores and learning gains for students who are
150 hospital or homebound; requiring that a school that
151 does not meet minimum proficiency standards
152 established by the State Board of Education receive a
153 school grade of "F"; amending ss. 1011.01 and 1011.03,
154 F.S., relating to the annual operating budgets of
155 district school boards and community college boards of
156 trustees; deleting a requirement that the adopted
157 budget be transmitted to the Department of Education
158 for review and approval; creating s. 1011.035, F.S.;
159 requiring each school district to post certain
160 budgetary information on its website; requiring that
161 each district school board's website contain certain
162 specified links; amending s. 1011.61, F.S.; redefining
163 the term "full-time equivalent student" as it relates
164 to students in virtual instruction programs; amending
165 s. 1011.62, F.S.; revising provisions relating to the
166 calculation of additional full-time equivalent
167 membership based on certification of successful
168 completion of industry-certified career and
169 professional academy programs; requiring that the
170 value of full-time equivalent membership be determined
171 by weights adopted by the State Board of Education;
172 conforming provisions; amending s. 1012.39, F.S.;



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173 requiring that each district school board establish
174 qualifications for nondegreed teachers of career and
175 technical education courses for program clusters
176 recognized in the state; authorizing district school
177 boards to establish alternative qualifications for
178 certain teachers; providing legislative findings
179 relating to management deficiencies by a district
180 school board; requiring that the Commissioner of
181 Education certify to the Governor and the Legislature
182 that a deficiency in management exists if a grand jury
183 determines that significant deficiencies exist;
184 requiring that the Governor and the Legislature
185 establish a school district oversight board after
186 receiving certification of management deficiencies;
187 providing for membership of the board and the
188 reimbursement of travel and per diem expenses;
189 providing duties; requiring a report; providing
190 effective dates.

191
192 Be It Enacted by the Legislature of the State of Florida:

193
194 Section 1. Paragraph (a) of subsection (4) of section
195 1001.20, Florida Statutes, is amended to read:

196 1001.20 Department under direction of state board.—

197 (4) The Department of Education shall establish the
198 following offices within the Office of the Commissioner of
199 Education which shall coordinate their activities with all other
200 divisions and offices:

201 (a) *Office of Technology and Information Services.*—



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202 Responsible for developing a systemwide technology plan, making
203 budget recommendations to the commissioner, providing data
204 collection and management for the system, assisting school
205 districts in securing Internet access and telecommunications
206 services, including those eligible for funding under the Schools
207 and Libraries Program of the federal Universal Service Fund, and
208 coordinating services with other state, local, and private
209 agencies. The office shall develop a method to address the need
210 for a statewide approach to planning and operations of library
211 and information services to achieve a single K-20 education
212 system library information portal and a unified higher education
213 library management system. ~~The Florida Virtual School shall be~~
214 ~~administratively housed within the office.~~

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

217 1001.42 Powers and duties of district school board.—The
218 district school board, acting as a board, shall exercise all
219 powers and perform all duties listed below:

220 (23) FLORIDA VIRTUAL SCHOOL.—Provide students with access
221 to ~~enroll in~~ courses available through the Florida Virtual
222 School and award credit for successful completion of such
223 courses. Access shall be available to students during and ~~or~~
224 after the normal school day and through summer school
225 enrollment.

226 Section 3. Section 1001.421, Florida Statutes, is created
227 to read:

228 1001.421 Gifts.—Notwithstanding ss. 112.3148 and 112.3149,
229 or any other provision of law to the contrary, school board
230 members and their relatives as defined in s. 112.312(21), may



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

234 Section 4. Paragraph (a) of subsection (1) of section
235 1002.37, Florida Statutes, is amended to read:

236 1002.37 The Florida Virtual School.—

237 (1) (a) The Florida Virtual School is established for the
238 development and delivery of online and distance learning
239 education ~~and shall be administratively housed within the~~
240 ~~Commissioner of Education's Office of Technology and Information~~
241 ~~Services~~. The Commissioner of Education shall monitor the
242 school's performance and report its performance to the State
243 Board of Education and the Legislature.

244
245 The board of trustees of the Florida Virtual School shall
246 identify appropriate performance measures and standards based on
247 student achievement that reflect the school's statutory mission
248 and priorities, and shall implement an accountability system for
249 the school that includes assessment of its effectiveness and
250 efficiency in providing quality services that encourage high
251 student achievement, seamless articulation, and maximum access.

252 Section 5. Paragraph (f) is added to subsection (3) of
253 section 1002.38, Florida Statutes, to read:

254 1002.38 Opportunity Scholarship Program.—

255 (3) SCHOOL DISTRICT OBLIGATIONS.—

256 (f) For purposes of this subsection, school grades for all
257 schools shall be based upon statewide assessments administered
258 pursuant to s. 1008.22.

259 Section 6. Paragraph (a) of subsection (4) of section



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260 1002.39, Florida Statutes, is amended to read:

261 1002.39 The John M. McKay Scholarships for Students with
262 Disabilities Program.—There is established a program that is
263 separate and distinct from the Opportunity Scholarship Program
264 and is named the John M. McKay Scholarships for Students with
265 Disabilities Program.

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

267 (a) For purposes of continuity of educational choice, a
268 John M. McKay Scholarship shall remain in force until the
269 student returns to a public school, graduates from high school,
270 or reaches the age of 22, whichever occurs first. A scholarship
271 student who enrolls in a public school or public school program
272 has returned to a public school for purposes of determining the
273 end of the scholarship's term. However, if a student enters a
274 Department of Juvenile Justice detention center for a period of
275 no more than 21 days, the student is not considered to have
276 returned to a public school for that purpose.

277 Section 7. Paragraph (b) of subsection (2) of section
278 1002.45, Florida Statutes, is amended to read:

279 1002.45 School district virtual instruction programs.—

280 (2) PROVIDER QUALIFICATIONS.—

281 (b) An approved provider shall retain its approved status
282 during the 3 school years ~~for a period of 3 years~~ after the date
283 of the department's approval under paragraph (a) as long as the
284 provider continues to comply with all requirements of this
285 section.

286 Section 8. Subsection (1) and paragraph (c) of subsection
287 (3) of section 1002.67, Florida Statutes, are amended to read:

288 1002.67 Performance standards; curricula and



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289 accountability.-

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

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

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

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

307 (3)

308 (c)1. If the kindergarten readiness rate of a private
309 prekindergarten provider or public school falls below the
310 minimum rate adopted by the State Board of Education as
311 satisfactory under s. 1002.69(6), the early learning coalition
312 or school district, as applicable, shall require the provider or
313 school to submit an improvement plan for approval by the
314 coalition or school district, as applicable, and to implement
315 the plan.

316 2. If a private prekindergarten provider or public school
317 fails to meet the minimum rate adopted by the State Board of



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318 Education as satisfactory under s. 1002.69(6) ~~for 2 consecutive~~
319 ~~years~~, the early learning coalition or school district, as
320 applicable, shall place the provider or school on probation and
321 must require the provider or school to take certain corrective
322 actions, including the use of a curriculum approved by the
323 department under paragraph (2)(c) and requiring newly admitted
324 voluntary prekindergarten program students to complete the
325 statewide voluntary prekindergarten enrollment screening for
326 which the provider must pay.

327 3. A private prekindergarten provider or public school that
328 is placed on probation must continue the corrective actions
329 required under subparagraph 2., including the use of a
330 curriculum approved by the department, until the provider or
331 school meets the minimum rate adopted by the State Board of
332 Education as satisfactory under s. 1002.69(6).

333 4. If a private prekindergarten provider or public school
334 remains on probation for 2 consecutive years and fails to meet
335 the minimum rate adopted by the State Board of Education as
336 satisfactory under s. 1002.69(6) and is not granted a good cause
337 exemption by the department pursuant to s. 1002.69(7), the
338 Agency for Workforce Innovation shall require the early learning
339 coalition or the Department of Education shall require the
340 school district to remove, as applicable, the provider or school
341 from eligibility to deliver the Voluntary Prekindergarten
342 Education Program and receive state funds for the program.

343 Section 9. Section 1002.69, Florida Statutes, is amended to
344 read:

345 1002.69 Statewide kindergarten screening; kindergarten
346 readiness rates; prekindergarten enrollment screening.-



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

358 (b) The department shall also adopt a statewide voluntary
359 prekindergarten enrollment screening that assesses the readiness
360 of each student for kindergarten upon entry into a voluntary
361 prekindergarten program, for which the voluntary prekindergarten
362 provider must pay. The department shall require each early
363 learning coalition to administer the statewide voluntary
364 prekindergarten enrollment screening in accordance with this
365 section.

366 (2) The statewide voluntary prekindergarten enrollment
367 screening and the kindergarten screening shall provide objective
368 data concerning each student's readiness for kindergarten and
369 progress in attaining the performance standards adopted by the
370 department under s. 1002.67(1).

371 (3) The statewide voluntary prekindergarten enrollment
372 screening and the kindergarten screening shall incorporate
373 mechanisms for recognizing potential variations in kindergarten
374 readiness rates for students with disabilities.

375 (4) Each parent who enrolls his or her child in the



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376 Voluntary Prekindergarten Education Program must submit the
377 child for the statewide kindergarten screening, regardless of
378 whether the child is admitted to kindergarten in a public school
379 or nonpublic school. Each parent who enrolls his or her child in
380 a voluntary prekindergarten education program must submit the
381 child for statewide voluntary prekindergarten enrollment
382 screening if required by the provider. Each school district
383 shall designate sites to administer the statewide kindergarten
384 screening for children admitted to kindergarten in a nonpublic
385 school.

386 (5) The State Board of Education shall adopt procedures for
387 the department to annually calculate each private
388 prekindergarten provider's and public school's kindergarten
389 readiness rate, which must be expressed as the percentage of the
390 provider's or school's students who are assessed as ready for
391 kindergarten. The kindergarten readiness rates must be based
392 exclusively upon the results of the statewide kindergarten
393 screening for students completing the Voluntary Prekindergarten
394 Education Program, beginning with students completing the
395 program during the 2005-2006 school year who are administered
396 the statewide kindergarten screening during the 2006-2007 school
397 year. The methodology for calculating each provider's readiness
398 rate must include the percentage of students who meet all state
399 readiness measures. The rates must not include students who are
400 not administered the statewide kindergarten screening.

401 (6) ~~(a)~~ The State Board of Education shall periodically
402 adopt a minimum kindergarten readiness rate that, if achieved by
403 a private prekindergarten provider or public school, would
404 demonstrate the provider's or school's satisfactory delivery of



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405 the Voluntary Prekindergarten Education Program.

406 ~~(b) The minimum rate must not exceed the rate at which more~~
407 ~~than 15 percent of the kindergarten readiness rates of all~~
408 ~~private prekindergarten providers and public schools delivering~~
409 ~~the Voluntary Prekindergarten Education Program in the state~~
410 ~~would fall below the minimum rate.~~

411 (7) (a) Notwithstanding s. 1002.67(3)(c)4., the State Board
412 of Education, upon the request of a private prekindergarten
413 provider or public school that remains on probation for 2
414 consecutive years or more and subsequently fails to meet the
415 minimum rate adopted under subsection (6) and for good cause
416 shown, may grant to the provider or school an exemption from
417 being determined ineligible to deliver the Voluntary
418 Prekindergarten Education Program and receive state funds for
419 the program. Such exemption is valid for 1 year and, upon the
420 request of the private prekindergarten provider or public school
421 and for good cause shown, may be renewed.

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

427 1. Submission of data by the private prekindergarten
428 provider or public school which documents on a standardized
429 assessment the achievement and progress of the children served.

430 2. Submission and review of data available from the
431 respective early learning coalition or district school board,
432 the Department of Children and Family Services, local licensing
433 authority, or an accrediting association, as applicable,



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434 relating to the private prekindergarten provider's or public
435 school's compliance with state and local health and safety
436 standards.

437 3. Submission and review of data available to the
438 department on the performance of the children served and the
439 calculation of the private prekindergarten provider's or public
440 school's kindergarten readiness rate.

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

444 1. Learning gains of children served in the Voluntary
445 Prekindergarten Education Program by the private prekindergarten
446 provider or public school.

447 ~~2. Verification that the private prekindergarten provider~~
448 ~~or public school serves at least twice the statewide percentage~~
449 ~~of children with disabilities as defined in s. 1003.01(3)(a) or~~
450 ~~children identified as limited English proficient as defined in~~
451 ~~s. 1003.56.~~

452 ~~2.3.~~ Verification that local and state health and safety
453 requirements are met.

454 (d) A good cause exemption may not be granted to any
455 private prekindergarten provider that has any class I violations
456 or two or more class II violations within the 2 years preceding
457 the provider's or school's request for the exemption. For
458 purposes of this paragraph, class I and class II violations have
459 the same meaning as provided in s. 402.281(3).

460 (e) A private prekindergarten provider or public school
461 granted a good cause exemption shall continue to implement its
462 improvement plan and continue the corrective actions required



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463 under s. 1002.67(3)(c)2., including the use of a curriculum
464 approved by the department, until the provider or school meets
465 the minimum rate adopted under subsection (6).

466 (f) The State Board of Education shall notify the Agency
467 for Workforce Innovation of any good cause exemption granted to
468 a private prekindergarten provider under this subsection. If a
469 good cause exemption is granted to a private prekindergarten
470 provider who remains on probation for 2 consecutive years, the
471 Agency for Workforce Innovation shall notify the early learning
472 coalition of the good cause exemption and direct that the
473 coalition, notwithstanding s. 1002.67(3)(c)4., not remove the
474 provider from eligibility to deliver the Voluntary
475 Prekindergarten Education Program or to receive state funds for
476 the program, if the provider meets all other applicable
477 requirements of this part.

478 Section 10. Subsection (4) of section 1002.71, Florida
479 Statutes, is amended to read:

480 1002.71 Funding; financial and attendance reporting.-

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

482 (a) A child who, for any of the prekindergarten programs
483 listed in s. 1002.53(3), has not completed more than 70 percent
484 of the hours authorized to be reported for funding under
485 subsection (2), or has not expended more than 70 percent of the
486 funds authorized for the child under s. 1002.66, may withdraw
487 from the program for good cause and reenroll in one of the
488 programs. The total funding for a child who reenrolls in one of
489 the programs for good cause may not exceed one full-time
490 equivalent student. Funding for a child who withdraws and
491 reenrolls in one of the programs for good cause shall be issued



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492 in accordance with the agency's uniform attendance policy
493 adopted pursuant to paragraph (6) (d).

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

501
502 A child may reenroll only once in a prekindergarten program
503 under this section, unless the child is granted a good cause
504 exemption under this subsection. A child who reenrolls in a
505 prekindergarten program under this subsection may not
506 subsequently withdraw from the program and reenroll. The Agency
507 for Workforce Innovation shall establish criteria specifying
508 whether a good cause exists for a child to withdraw from a
509 program under paragraph (a), whether a child has substantially
510 completed a program under paragraph (b), and whether an extreme
511 hardship exists which is beyond the child's or parent's control
512 under paragraph (b).

513 Section 11. Subsection (2) of section 1002.73, Florida
514 Statutes, is amended to read:

515 1002.73 Department of Education; powers and duties;
516 accountability requirements.—

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

518 (a) Approval of prekindergarten director credentials under
519 ss. 1002.55 and 1002.57.

520 (b) Approval of emergent literacy training courses under



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521 ss. 1002.55 and 1002.59.

522 (c) Administration of the statewide kindergarten screening
523 and calculation of kindergarten readiness rates under s.
524 1002.69.

525 (d) Adoption of the statewide voluntary prekindergarten
526 enrollment screening, the associated fee schedule, and the
527 process for determining learning gains of students who complete
528 the statewide voluntary prekindergarten enrollment screening and
529 the statewide kindergarten screening.

530 (e)~~(d)~~ Approval of specialized instructional services
531 providers under s. 1002.66.

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

534 (g)~~(e)~~ Granting of a private prekindergarten provider's or
535 public school's request for a good cause exemption under s.
536 1002.69(7).

537 Section 12. Subsection (1) of section 1003.4156, Florida
538 Statutes, is amended to read:

539 1003.4156 General requirements for middle grades
540 promotion.—

541 (1) Beginning with students entering grade 6 in the 2006-
542 2007 school year, promotion from a school composed of middle
543 grades 6, 7, and 8 requires that:

544 (a) The student must successfully complete academic courses
545 as follows:

546 1. Three middle school or higher courses in English. These
547 courses shall emphasize literature, composition, and technical
548 text.

549 2. Three middle school or higher courses in mathematics.



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550 Each middle school must offer at least one high school level
551 mathematics course for which students may earn high school
552 credit. Successful completion of a high school level Algebra I
553 or geometry course is not contingent upon the student's
554 performance on the end-of-course assessment required under s.
555 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
556 school year, to earn high school credit for an Algebra I course,
557 a middle school student must pass the Algebra I end-of-course
558 assessment, and beginning with the 2012-2013 school year, to
559 earn high school credit for a geometry course, a middle school
560 student must pass the geometry end-of-course assessment.

561 3. Three middle school or higher courses in social studies,
562 one semester of which must include the study of state and
563 federal government and civics education. Beginning with students
564 entering grade 6 in the 2012-2013 school year, one of these
565 courses must be at least a one-semester civics education course
566 that a student successfully completes in accordance with s.
567 1008.22(3)(c) and that includes the roles and responsibilities
568 of federal, state, and local governments; the structures and
569 functions of the legislative, executive, and judicial branches
570 of government; and the meaning and significance of historic
571 documents, such as the Articles of Confederation, the
572 Declaration of Independence, and the Constitution of the United
573 States.

574 4. Three middle school or higher courses in science.
575 Successful completion of a high school level Biology I course is
576 not contingent upon the student's performance on the end-of-
577 course assessment required under s. 1008.22(3)(c)2.a.(II).
578 However, beginning with the 2012-2013 school year, to earn high



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579 school credit for a Biology I course, a middle school student
580 must pass the Biology I end-of-course assessment.

581 5. One course in career and education planning to be
582 completed in 7th or 8th grade. The course may be taught by any
583 member of the instructional staff; must include career
584 exploration using Florida CHOICES or a comparable cost-effective
585 program; must include educational planning using the online
586 student advising system known as Florida Academic Counseling and
587 Tracking for Students at the Internet website FACTS.org; and
588 shall result in the completion of a personalized academic and
589 career plan. The required personalized academic and career plan
590 must inform students of high school graduation requirements,
591 high school assessment and college entrance test requirements,
592 Florida Bright Futures Scholarship Program requirements, state
593 university and Florida college admission requirements, and
594 programs through which a high school student can earn college
595 credit, including Advanced Placement, International
596 Baccalaureate, Advanced International Certificate of Education,
597 dual enrollment, career academy opportunities, and courses that
598 lead to national industry certification.

599
600 A student with a disability, as defined in s. 1007.02(2), for
601 whom the individual education plan committee determines that the
602 end-of-course assessment cannot accurately measure the student's
603 abilities, taking into consideration all allowable
604 accommodations, shall have the end-of-course assessment results
605 waived for purposes of determining the student's course grade
606 and completing the requirements for middle grades promotion.

607 Each school must hold a parent meeting either in the evening or



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608 on a weekend to inform parents about the course curriculum and
609 activities. Each student shall complete an electronic personal
610 education plan that must be signed by the student; the student's
611 instructor, guidance counselor, or academic advisor; and the
612 student's parent. The Department of Education shall develop
613 course frameworks and professional development materials for the
614 career exploration and education planning course. The course may
615 be implemented as a stand-alone course or integrated into
616 another course or courses. The Commissioner of Education shall
617 collect longitudinal high school course enrollment data by
618 student ethnicity in order to analyze course-taking patterns.

619 (b) For each year in which a student scores at Level 1 on
620 FCAT Reading, the student must be enrolled in and complete an
621 intensive reading course the following year. Placement of Level
622 2 readers in either an intensive reading course or a content
623 area course in which reading strategies are delivered shall be
624 determined by diagnosis of reading needs. The department shall
625 provide guidance on appropriate strategies for diagnosing and
626 meeting the varying instructional needs of students reading
627 below grade level. Reading courses shall be designed and offered
628 pursuant to the comprehensive reading plan required by s.
629 1011.62(9). A middle grades student who scores at Level 1 or
630 Level 2 on FCAT Reading, but who did not score below Level 3 the
631 year before, may be granted an exemption from the reading
632 remediation requirements. A student may be granted a 1-year
633 exemption from intensive reading; however, the student must have
634 an approved academic improvement plan already in place and
635 signed by the school and a parent or guardian for the year that
636 the exemption is granted.



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

641 Section 13. Subsection (2) of section 1003.428, Florida
642 Statutes, is amended to read:

643 1003.428 General requirements for high school graduation;
644 revised.—

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

648 (a) Sixteen core curriculum credits:

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

651 2. Four credits in mathematics, one of which must be
652 Algebra I, a series of courses equivalent to Algebra I, or a
653 higher-level mathematics course. Beginning with students
654 entering grade 9 in the 2010-2011 school year, in addition to
655 the Algebra I credit requirement, one of the four credits in
656 mathematics must be geometry or a series of courses equivalent
657 to geometry as approved by the State Board of Education.

658 Beginning with students entering grade 9 in the 2010-2011 school
659 year, the end-of-course assessment requirements under s.

660 1008.22(3)(c)2.a.(I) must be met in order for a student to earn
661 the required credit in Algebra I. Beginning with students
662 entering grade 9 in the 2011-2012 school year, the end-of-course
663 assessment requirements under s. 1008.22(3)(c)2.a.(I) must be
664 met in order for a student to earn the required credit in
665 geometry. Beginning with students entering grade 9 in the 2012-



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666 2013 school year, in addition to the Algebra I and geometry
667 credit requirements, one of the four credits in mathematics must
668 be Algebra II or a series of courses equivalent to Algebra II as
669 approved by the State Board of Education.

670 3. Three credits in science, two of which must have a
671 laboratory component. Beginning with students entering grade 9
672 in the 2011-2012 school year, one of the three credits in
673 science must be Biology I or a series of courses equivalent to
674 Biology I as approved by the State Board of Education. Beginning
675 with students entering grade 9 in the 2011-2012 school year, the
676 end-of-course assessment requirements under s.

677 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
678 the required credit in Biology I. Beginning with students
679 entering grade 9 in the 2013-2014 school year, one of the three
680 credits must be Biology I or a series of courses equivalent to
681 Biology I as approved by the State Board of Education, one
682 credit must be chemistry or physics or a series of courses
683 equivalent to chemistry or physics as approved by the State
684 Board of Education, and one credit must be an equally rigorous
685 course, as determined by the State Board of Education.

686 4. Three credits in social studies as follows: one credit
687 in United States history; one credit in world history; one-half
688 credit in economics; and one-half credit in United States
689 government.

690 5. One credit in fine or performing arts, speech and
691 debate, or a practical arts course that incorporates artistic
692 content and techniques of creativity, interpretation, and
693 imagination. Eligible practical arts courses shall be identified
694 through the Course Code Directory.



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695 6. One credit in physical education to include integration
696 of health. Participation in an interscholastic sport at the
697 junior varsity or varsity level for two full seasons shall
698 satisfy the one-credit requirement in physical education if the
699 student passes a competency test on personal fitness with a
700 score of "C" or better. The competency test on personal fitness
701 must be developed by the Department of Education. A district
702 school board may not require that the one credit in physical
703 education be taken during the 9th grade year. Completion of one
704 semester with a grade of "C" or better in a marching band class,
705 in a physical activity class that requires participation in
706 marching band activities as an extracurricular activity, or in a
707 dance class shall satisfy one-half credit in physical education
708 or one-half credit in performing arts. This credit may not be
709 used to satisfy the personal fitness requirement or the
710 requirement for adaptive physical education under an individual
711 education plan (IEP) or 504 plan. Completion of 2 years in a
712 Reserve Officer Training Corps (R.O.T.C.) class, a significant
713 component of which is drills, shall satisfy the one-credit
714 requirement in physical education and the one-credit requirement
715 in performing arts. This credit may not be used to satisfy the
716 personal fitness requirement or the requirement for adaptive
717 physical education under an individual education plan (IEP) or
718 504 plan.

719 (b) Eight credits in electives.

720 1. For each year in which a student scores at Level 1 on
721 FCAT Reading, the student must be enrolled in and complete an
722 intensive reading course the following year. Placement of Level
723 2 readers in either an intensive reading course or a content



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724 area course in which reading strategies are delivered shall be
725 determined by diagnosis of reading needs. The department shall
726 provide guidance on appropriate strategies for diagnosing and
727 meeting the varying instructional needs of students reading
728 below grade level. Reading courses shall be designed and offered
729 pursuant to the comprehensive reading plan required by s.
730 1011.62(9).

731 2. For each year in which a student scores at Level 1 or
732 Level 2 on FCAT Mathematics, the student must receive
733 remediation the following year. These courses may be taught
734 through applied, integrated, or combined courses and are subject
735 to approval by the department for inclusion in the Course Code
736 Directory.

737
738 A high school student who scores at Level 1 or Level 2 on FCAT
739 Reading, but who did not score below Level 3 the year before,
740 may be granted an exemption from intensive reading. A student
741 may be granted a 1-year exemption from intensive reading;
742 however, the student must have an approved academic improvement
743 plan already in place and signed by the school and a parent or
744 guardian for the year the exemption is granted.

745 Section 14. Subsections (2), (3), and (5) of section
746 1003.491, Florida Statutes, are amended to read:

747 1003.491 Florida Career and Professional Education Act.—The
748 Florida Career and Professional Education Act is created to
749 provide a statewide planning partnership between the business
750 and education communities in order to attract, expand, and
751 retain targeted, high-value industry and to sustain a strong,
752 knowledge-based economy.



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753 (2) ~~Beginning with the 2007-2008 school year,~~ Each district
754 school board shall develop, in collaboration with regional local
755 workforce boards, economic development agencies, and
756 postsecondary institutions approved to operate in the state, a
757 strategic 5-year plan to address and meet local and regional
758 workforce demands. If involvement of a regional the local
759 workforce board or an economic development agency in the
760 strategic plan development is not feasible, the local school
761 board, with the approval of the Agency for Workforce Innovation,
762 shall collaborate with the most appropriate regional local
763 business leadership board. Two or more school districts may
764 collaborate in the development of the strategic plan and offer a
765 career and professional academy as a joint venture. The
766 strategic plan ~~Such plans~~ must describe in detail provisions for
767 the efficient transportation of students, the maximum use of
768 shared resources, ~~and~~ access to courses aligned to state
769 curriculum standards through virtual education providers, and an
770 objective review of career and professional academy courses to
771 determine if the courses will lead to the attainment of industry
772 certifications included on the Industry Certified Funding List
773 pursuant to rules adopted by the State Board of Education the
774 Florida Virtual School when appropriate. Each strategic plan
775 shall be reviewed, updated, and jointly approved every 5 years
776 by the local school district, regional workforce boards,
777 economic development agencies, and state-approved postsecondary
778 institutions ~~completed no later than June 30, 2008, and shall~~
779 ~~include provisions to have in place at least one operational~~
780 ~~career and professional academy, pursuant to s. 1003.492, no~~
781 ~~later than the beginning of the 2008-2009 school year.~~



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782 (3) The strategic 5-year plan developed jointly between the
783 local school district, regional local workforce boards, economic
784 development agencies, and state-approved postsecondary
785 institutions shall be constructed and based on:

786 (a) Research conducted to objectively determine local and
787 regional workforce needs for the ensuing 5 years, using labor
788 projections of the United States Department of Labor and the
789 Agency for Workforce Innovation;

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

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

793 (d) Strategies that ensure instruction by industry-
794 certified faculty and standards and strategies to maintain
795 current industry credentials and for recruiting and retaining
796 faculty to meet those standards;

797 (e) Alignment of ~~to~~ requirements for middle school career
798 exploration, middle and high school career and professional
799 academies leading to industry certification, and high school
800 graduation requirements redesign;

801 (f) Provisions to ensure that courses offered through
802 career and professional academies are academically rigorous,
803 meet or exceed appropriate state-adopted subject area standards,
804 result in attainment of industry certification, and, when
805 appropriate, result in postsecondary credit;

806 (g) Strategies to improve the passage rate for industry
807 certification exams if the rate falls below 50 percent;

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



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811 classrooms but who show aptitude to participate in academies.
812 School boards shall address the analysis of eighth grade student
813 achievement data to provide opportunities for students who may
814 be deemed as potential dropouts to participate in career and
815 professional academies;

816 ~~(i)-(h)~~ Strategies to provide sufficient space within
817 academies to meet workforce needs and to provide access to all
818 interested and qualified students;

819 ~~(j)-(i)~~ Strategies to implement ~~engage Department of~~
820 ~~Juvenile Justice students in~~ career and professional academy
821 training that leads to industry certification at Department of
822 Juvenile Justice facilities;

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

826 ~~(l)-(k)~~ Promotion of the benefits of the Gold Seal Bright
827 Futures Scholarship;

828 ~~(m)-(l)~~ Strategies to ensure the review of district pupil-
829 progression plans and to amend such plans to include career and
830 professional courses and to include courses that may qualify as
831 substitute courses for core graduation requirements and those
832 that may be counted as elective courses; and

833 ~~(n)-(m)~~ Strategies to provide professional development for
834 secondary guidance counselors on the benefits of career and
835 professional academies.

836 (5) The submission and review of newly proposed core
837 courses shall be conducted electronically, and each proposed
838 core course shall be approved or denied within 60 days. All
839 courses approved as core courses for purposes of middle school



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840 promotion and high school graduation ~~purposes~~ shall be
841 immediately added to the Course Code Directory. Approved core
842 courses shall also be reviewed and considered for approval for
843 dual enrollment credit. The Board of Governors and the
844 Commissioner of Education shall jointly recommend an annual
845 deadline for approval of new core courses to be included for
846 purposes of postsecondary admissions and dual enrollment credit
847 the following academic year. The State Board of Education shall
848 establish an appeals process in the event that a proposed course
849 is denied which shall require a consensus ruling by the Agency
850 for Workforce Innovation and the Commissioner of Education
851 within 15 days. The curriculum review committee must be
852 established and operational no later than September 1, 2007.

853 Section 15. Subsections (2) and (3) of section 1003.492,
854 Florida Statutes, are amended to read:

855 1003.492 Industry-certified career education programs.—

856 (2) The State Board of Education shall use the expertise of
857 Workforce Florida, Inc., and Enterprise Florida, Inc., to
858 develop and adopt rules pursuant to ss. 120.536(1) and 120.54
859 for implementing an industry certification process. These rules
860 shall include an approval process for determining the funding
861 weights of industry certifications based on the rigor of the
862 certification and the value of the certification to Florida
863 businesses and industry. Industry certification shall be defined
864 by the Agency for Workforce Innovation, based upon the highest
865 available national standards for specific industry
866 certification, to ensure student skill proficiency and to
867 address emerging labor market and industry trends. A regional
868 workforce board or a career and professional academy may apply



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869 to Workforce Florida, Inc., to request additions to the approved
870 list of industry certifications based on high-demand job
871 requirements in the regional economy. The list of industry
872 certifications approved by Workforce Florida, Inc., and the
873 Department of Education shall be published and updated annually
874 by a date certain, to be included in the adopted rule.

875 (3) The Department of Education shall collect student
876 achievement and performance data in industry-certified career
877 education programs and shall work with Workforce Florida, Inc.,
878 and Enterprise Florida, Inc., in the analysis of collected data.
879 The data collection and analyses shall examine the performance
880 of participating students over time. Performance factors shall
881 include, but not be limited to, graduation rates, retention
882 rates, awards of postsecondary credit and state scholarships
883 under chapter 1009 Florida Bright Futures Scholarship awards,
884 additional educational attainment, employment records, earnings,
885 industry certification, and employer satisfaction. The
886 performance results and analyses of this study shall be
887 submitted to the President of the Senate and the Speaker of the
888 House of Representatives annually by December 31.

889 Section 16. Subsections (2), (4), (5), and (6) of section
890 1003.493, Florida Statutes, are amended to read:

891 1003.493 Career and professional academies.—

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

893 (a) Increase student academic achievement and graduation
894 rates through integrated academic and career curricula.

895 (b) Prepare graduating high school students to make
896 appropriate choices relative to employment and future
897 educational experiences.



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898 (c) Focus on career preparation through rigorous academics
899 and industry certification.

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

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

904 (e)~~(f)~~ Promote acceleration mechanisms, such as dual
905 enrollment, articulated credit, or occupational completion
906 points, so that students may earn postsecondary credit while in
907 high school.

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

910 (4) Each career and professional academy must:

911 (a) Provide a rigorous standards-based academic curriculum
912 integrated with a career curriculum. The curriculum must take
913 into consideration multiple styles of student learning; promote
914 learning by doing through application and adaptation; maximize
915 relevance of the subject matter; enhance each student's capacity
916 to excel; and include an emphasis on work habits and work
917 ethics.

918 (b) Include one or more partnerships with postsecondary
919 institutions, businesses, industry, employers, economic
920 development organizations, or other appropriate partners from
921 the local community. Such partnerships shall be delineated in
922 articulation agreements to provide for career-based courses that
923 earn postsecondary credit. Such agreements may include
924 articulation between the academy and public or private 2-year
925 and 4-year postsecondary institutions and technical centers. The
926 Department of Education, in consultation with the Board of



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927 Governors, shall establish a mechanism to ensure articulation
928 and transfer of credits to postsecondary institutions in this
929 state. Such partnerships must provide opportunities for:

930 1. Instruction from highly skilled professionals who
931 possess industry-certification credentials for courses they are
932 teaching.

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

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

935 4. The highest available level of industry certification.

936 5. Maximum articulation of credits pursuant to s. 1007.23
937 upon program completion.

938 (c) Provide shared, maximum use of private sector
939 facilities and personnel.

940 (d) Provide personalized student advisement, including a
941 parent-participation component, and coordination with middle
942 schools to promote and support career exploration and education
943 planning as required under s. 1003.4156. Coordination with
944 middle schools must provide information to middle school
945 students about secondary and postsecondary career education
946 programs and academies.

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

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

954 (g) Deliver academic content through instruction relevant
955 to the career, including intensive reading and mathematics



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956 intervention required by s. 1003.428, with an emphasis on
957 strengthening reading for information skills.

958 (h) Offer applied courses that combine academic content
959 with technical skills.

960 (i) Provide instruction resulting in competency,
961 certification, or credentials in workplace skills, including,
962 but not limited to, communication skills, interpersonal skills,
963 decisionmaking skills, the importance of attendance and
964 timeliness in the work environment, and work ethics.

965 ~~(j) Provide opportunities for students to obtain the~~
966 ~~Florida Ready to Work Certification pursuant to s. 1004.99.~~

967 ~~(k) Include an evaluation plan developed jointly with the~~
968 ~~Department of Education and the local workforce board. The~~
969 ~~evaluation plan must include an assessment tool based on~~
970 ~~national industry standards, such as the Career Academy National~~
971 ~~Standards of Practice, and outcome measures, including, but not~~
972 ~~limited to, achievement of national industry certifications~~
973 ~~identified in the Industry Certification Funding List, pursuant~~
974 ~~to rules adopted by the State Board of Education, graduation~~
975 ~~rates, enrollment in postsecondary education, business and~~
976 ~~industry satisfaction, employment and earnings, awards of~~
977 ~~postsecondary credit and scholarships, and student achievement~~
978 ~~levels and learning gains on statewide assessments administered~~
979 ~~under s. 1008.22(3)(c). The Department of Education shall use~~
980 ~~Workforce Florida, Inc., and Enterprise Florida, Inc., in~~
981 ~~identifying industry experts to participate in developing and~~
982 ~~implementing such assessments.~~

983 ~~(j)(l)~~ Include a plan to sustain career and professional
984 academies.



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985 ~~(k)-(m)~~ Redirect appropriated career funding to career and
986 professional academies.

987 (5) All career courses offered in a career and professional
988 academy must lead to industry certification or college credit
989 linked directly to the career theme of the course. If the
990 passage rate on the industry certification exam that is
991 associated with the career and professional academy falls below
992 50 percent, the academy must discontinue enrollment of students
993 the following school year. At least 50 percent of students
994 enrolled in a career course must achieve industry certifications
995 or college credits during the second year the course is offered
996 in order for the course to be offered a third year. At least 66
997 percent of students enrolled in such a course must achieve
998 industry certifications or college credits during the third year
999 the course is offered in order for it to be offered a fourth
1000 year and thereafter.

1001 (6) Workforce Florida, Inc., through the secondary career
1002 academies initiatives, The Okaloosa County School District
1003 CHOICE Institutes shall serve in an advisory role and shall
1004 offer technical assistance in the development and deployment of
1005 newly established career and professional academies for a 3-year
1006 period beginning July 1, 2007.

1007 Section 17. Section 1003.4935, Florida Statutes, is created
1008 to read:

1009 1003.4935 Middle school career and professional academy
1010 courses.—

1011 (1) Beginning with the 2011-2012 school year, each district
1012 school board, in collaboration with regional workforce boards,
1013 economic development agencies, and state-approved postsecondary



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1014 institutions, shall include plans to implement a career and
1015 professional academy in at least one middle school in the
1016 district as part of the strategic 5-year plan pursuant to s.
1017 1003.491(2). The middle school career and professional academy
1018 component of the strategic plan must ensure the transition of
1019 middle school career and professional academy students to a high
1020 school career and professional academy currently operating
1021 within the school district. Students who complete a middle
1022 school career and professional academy must have the opportunity
1023 to earn an industry certificate and high school credit and
1024 participate in career planning, job shadowing, and business
1025 leadership development activities.

1026 (2) Each middle school career and professional academy must
1027 be aligned with at least one high school career and professional
1028 academy offered in the district and maintain partnerships with
1029 local business and industry and economic development boards.
1030 Middle school career and professional academies must:

1031 (a) Provide instruction in courses leading to careers in
1032 occupations designated as high growth, high demand, and high pay
1033 in the Industry Certification Funding List approved under rules
1034 adopted by the State Board of Education;

1035 (b) Offer career and professional academy courses that
1036 integrate content from core subject areas;

1037 (c) Offer courses that integrate career and professional
1038 academy content with intensive reading and mathematics pursuant
1039 to s. 1003.428;

1040 (d) Coordinate with high schools to maximize opportunities
1041 for middle school career and professional academy students to
1042 earn high school credit;



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1043 (e) Provide access to virtual instruction courses aligned
1044 to state curriculum standards for middle school career and
1045 professional academy students, with priority given to students
1046 who have required course deficits;

1047 (f) Provide instruction from highly skilled professionals
1048 who hold industry certificates in the career area in which they
1049 teach;

1050 (g) Offer externships; and

1051 (h) Provide personalized student advisement that includes a
1052 parent-participation component.

1053 (3) Beginning with the 2012-2013 school year, the
1054 Department of Education shall collect and report student
1055 achievement data pursuant to performance factors identified
1056 under s. 1003.492(3) for middle school career and professional
1057 academy students.

1058 Section 18. Section 1003.575, Florida Statutes, is amended
1059 to read:

1060 1003.575 Assistive technology devices; findings;
1061 interagency agreements.—Accessibility, utilization, and
1062 coordination of appropriate assistive technology devices and
1063 services are essential as a young person with disabilities moves
1064 from early intervention to preschool, from preschool to school,
1065 from one school to another, and from school to employment or
1066 independent living. Within 60 to 90 days after receiving a
1067 request for an assistive technology assessment, any school that
1068 has an individualized education plan team shall arrange to
1069 complete the assessment. To ensure that an assistive technology
1070 device issued to a young person as part of his or her
1071 individualized family support plan, individual support plan, or



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1072 an individual education plan remains with the individual through
1073 such transitions, the following agencies shall enter into
1074 interagency agreements, as appropriate, to ensure the
1075 transaction of assistive technology devices:

1076 (1) The Florida Infants and Toddlers Early Intervention
1077 Program in the Division of Children's Medical Services of the
1078 Department of Health.

1079 (2) The Division of Blind Services, the Bureau of
1080 Exceptional Education and Student Services, and the Division of
1081 Vocational Rehabilitation of the Department of Education.

1082 (3) The Voluntary Prekindergarten Education Program
1083 administered by the Department of Education and the Agency for
1084 Workforce Innovation.

1085
1086 Interagency agreements entered into pursuant to this section
1087 shall provide a framework for ensuring that young persons with
1088 disabilities and their families, educators, and employers are
1089 informed about the utilization and coordination of assistive
1090 technology devices and services that may assist in meeting
1091 transition needs, and shall establish a mechanism by which a
1092 young person or his or her parent may request that an assistive
1093 technology device remain with the young person as he or she
1094 moves through the continuum from home to school to postschool.

1095 Section 19. Effective upon this act becoming a law,
1096 subsection (2) and paragraph (c) of subsection (3) of section
1097 1008.22, Florida Statutes, are amended to read:

1098 1008.22 Student assessment program for public schools.—

1099 (2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—It is
1100 Florida's intent to participate in the measurement of national



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1101 educational goals. The Commissioner of Education shall direct
1102 Florida school districts to participate in the administration of
1103 the National Assessment of Educational Progress, or a similar
1104 national or international assessment program, both for the
1105 national sample and for any state-by-state comparison programs
1106 which may be initiated. The assessments must be conducted using
1107 the data collection procedures, the student surveys, the
1108 educator surveys, and other instruments included in the National
1109 Assessment of Educational Progress or similar national or
1110 international program being administered in Florida. The results
1111 of these assessments shall be included in the annual report of
1112 the Commissioner of Education specified in this section, as
1113 applicable. The administration of the National Assessment of
1114 Educational Progress or similar national or international
1115 program shall be in addition to and separate from the
1116 administration of the statewide assessment program. The
1117 requirement that school districts participate in international
1118 assessment programs shall expire June 30, 2016.

1119 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
1120 design and implement a statewide program of educational
1121 assessment that provides information for the improvement of the
1122 operation and management of the public schools, including
1123 schools operating for the purpose of providing educational
1124 services to youth in Department of Juvenile Justice programs.
1125 The commissioner may enter into contracts for the continued
1126 administration of the assessment, testing, and evaluation
1127 programs authorized and funded by the Legislature. Contracts may
1128 be initiated in 1 fiscal year and continue into the next and may
1129 be paid from the appropriations of either or both fiscal years.



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1130 The commissioner is authorized to negotiate for the sale or
1131 lease of tests, scoring protocols, test scoring services, and
1132 related materials developed pursuant to law. Pursuant to the
1133 statewide assessment program, the commissioner shall:

1134 (c) Develop and implement a student achievement testing
1135 program as follows:

1136 1. The Florida Comprehensive Assessment Test (FCAT)
1137 measures a student's content knowledge and skills in reading,
1138 writing, science, and mathematics. The content knowledge and
1139 skills assessed by the FCAT must be aligned to the core
1140 curricular content established in the Next Generation Sunshine
1141 State Standards. Other content areas may be included as directed
1142 by the commissioner. Comprehensive assessments of reading and
1143 mathematics shall be administered annually in grades 3 through
1144 10 except, beginning with the 2010-2011 school year, the
1145 administration of grade 9 FCAT Mathematics shall be
1146 discontinued, and beginning with the 2011-2012 school year, the
1147 administration of grade 10 FCAT Mathematics shall be
1148 discontinued, except as required for students who have not
1149 attained minimum performance expectations for graduation as
1150 provided in paragraph (9)(c). FCAT Writing and FCAT Science
1151 shall be administered at least once at the elementary, middle,
1152 and high school levels except, beginning with the 2011-2012
1153 school year, the administration of FCAT Science at the high
1154 school level shall be discontinued.

1155 2.a. End-of-course assessments for a subject shall be
1156 administered in addition to the comprehensive assessments
1157 required under subparagraph 1. End-of-course assessments must be
1158 rigorous, statewide, standardized, and developed or approved by



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1159 the department. The content knowledge and skills assessed by
1160 end-of-course assessments must be aligned to the core curricular
1161 content established in the Next Generation Sunshine State
1162 Standards.

1163 (I) Statewide, standardized end-of-course assessments in
1164 mathematics shall be administered according to this sub-sub-
1165 subparagraph. Beginning with the 2010-2011 school year, all
1166 students enrolled in Algebra I or an equivalent course must take
1167 the Algebra I end-of-course assessment. ~~Students who earned high~~
1168 ~~school credit in Algebra I while in grades 6 through 8 during~~
1169 ~~the 2007-2008 through 2009-2010 school years and who have not~~
1170 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~
1171 ~~course assessment during the 2010-2011 school year.~~ For students
1172 entering grade 9 during the 2010-2011 school year and who are
1173 enrolled in Algebra I or an equivalent, each student's
1174 performance on the end-of-course assessment in Algebra I shall
1175 constitute 30 percent of the student's final course grade.
1176 Beginning with students entering grade 9 in the 2011-2012 school
1177 year, a student who is enrolled in Algebra I or an equivalent
1178 must earn a passing score on the end-of-course assessment in
1179 Algebra I or attain an equivalent score as described in
1180 subsection (11) in order to earn course credit. Beginning with
1181 the 2011-2012 school year, all students enrolled in geometry or
1182 an equivalent course must take the geometry end-of-course
1183 assessment. For students entering grade 9 during the 2011-2012
1184 school year, each student's performance on the end-of-course
1185 assessment in geometry shall constitute 30 percent of the
1186 student's final course grade. Beginning with students entering
1187 grade 9 during the 2012-2013 school year, a student must earn a



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1188 passing score on the end-of-course assessment in geometry or
1189 attain an equivalent score as described in subsection (11) in
1190 order to earn course credit.

1191 (II) Statewide, standardized end-of-course assessments in
1192 science shall be administered according to this sub-sub-
1193 subparagraph. Beginning with the 2011-2012 school year, all
1194 students enrolled in Biology I or an equivalent course must take
1195 the Biology I end-of-course assessment. For the 2011-2012 school
1196 year, each student's performance on the end-of-course assessment
1197 in Biology I shall constitute 30 percent of the student's final
1198 course grade. Beginning with students entering grade 9 during
1199 the 2012-2013 school year, a student must earn a passing score
1200 on the end-of-course assessment in Biology I in order to earn
1201 course credit.

1202 b. During the 2012-2013 school year, an end-of-course
1203 assessment in civics education shall be administered as a field
1204 test at the middle school level. During the 2013-2014 school
1205 year, each student's performance on the statewide, standardized
1206 end-of-course assessment in civics education shall constitute 30
1207 percent of the student's final course grade. Beginning with the
1208 2014-2015 school year, a student must earn a passing score on
1209 the end-of-course assessment in civics education in order to
1210 pass the course and be promoted from the middle grades ~~receive~~
1211 ~~course credit.~~ The school principal of a middle school shall
1212 determine, in accordance with State Board of Education rule,
1213 whether a student who transfers to the middle school and who has
1214 successfully completed a civics education course at the
1215 student's previous school must take an end-of-course assessment
1216 in civics education.



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1217 c. The commissioner may select one or more nationally
1218 developed comprehensive examinations, which may include, but
1219 need not be limited to, examinations for a College Board
1220 Advanced Placement course, International Baccalaureate course,
1221 or Advanced International Certificate of Education course, or
1222 industry-approved examinations to earn national industry
1223 certifications identified in the Industry Certification Funding
1224 List, pursuant to rules adopted by the State Board of Education,
1225 for use as end-of-course assessments under this paragraph, if
1226 the commissioner determines that the content knowledge and
1227 skills assessed by the examinations meet or exceed the grade
1228 level expectations for the core curricular content established
1229 for the course in the Next Generation Sunshine State Standards.
1230 The commissioner may collaborate with the American Diploma
1231 Project in the adoption or development of rigorous end-of-course
1232 assessments that are aligned to the Next Generation Sunshine
1233 State Standards.

1234 d. Contingent upon funding provided in the General
1235 Appropriations Act, including the appropriation of funds
1236 received through federal grants, the Commissioner of Education
1237 shall establish an implementation schedule for the development
1238 and administration of additional statewide, standardized end-of-
1239 course assessments in English/Language Arts II, Algebra II,
1240 chemistry, physics, earth/space science, United States history,
1241 and world history. Priority shall be given to the development of
1242 end-of-course assessments in English/Language Arts II. The
1243 Commissioner of Education shall evaluate the feasibility and
1244 effect of transitioning from the grade 9 and grade 10 FCAT
1245 Reading and high school level FCAT Writing to an end-of-course



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1246 assessment in English/Language Arts II. The commissioner shall
1247 report the results of the evaluation to the President of the
1248 Senate and the Speaker of the House of Representatives no later
1249 than July 1, 2011.

1250 3. The testing program shall measure student content
1251 knowledge and skills adopted by the State Board of Education as
1252 specified in paragraph (a) and measure and report student
1253 performance levels of all students assessed in reading, writing,
1254 mathematics, and science. The commissioner shall provide for the
1255 tests to be developed or obtained, as appropriate, through
1256 contracts and project agreements with private vendors, public
1257 vendors, public agencies, postsecondary educational
1258 institutions, or school districts. The commissioner shall obtain
1259 input with respect to the design and implementation of the
1260 testing program from state educators, assistive technology
1261 experts, and the public.

1262 4. The testing program shall be composed of criterion-
1263 referenced tests that shall, to the extent determined by the
1264 commissioner, include test items that require the student to
1265 produce information or perform tasks in such a way that the core
1266 content knowledge and skills he or she uses can be measured.

1267 5. FCAT Reading, Mathematics, and Science and all
1268 statewide, standardized end-of-course assessments shall measure
1269 the content knowledge and skills a student has attained on the
1270 assessment by the use of scaled scores and achievement levels.
1271 Achievement levels shall range from 1 through 5, with level 1
1272 being the lowest achievement level, level 5 being the highest
1273 achievement level, and level 3 indicating satisfactory
1274 performance on an assessment. For purposes of FCAT Writing,



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1275 student achievement shall be scored using a scale of 1 through 6
1276 and the score earned shall be used in calculating school grades.
1277 A score shall be designated for each subject area tested, below
1278 which score a student's performance is deemed inadequate. The
1279 school districts shall provide appropriate remedial instruction
1280 to students who score below these levels.

1281 6. The State Board of Education shall, by rule, designate a
1282 passing score for each part of the grade 10 assessment test and
1283 end-of-course assessments. Any rule that has the effect of
1284 raising the required passing scores may apply only to students
1285 taking the assessment for the first time after the rule is
1286 adopted by the State Board of Education. Except as otherwise
1287 provided in this subparagraph and as provided in s.
1288 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a
1289 passing score on grade 10 FCAT Reading and grade 10 FCAT
1290 Mathematics or attain concordant scores as described in
1291 subsection (10) in order to qualify for a standard high school
1292 diploma.

1293 7. In addition to designating a passing score under
1294 subparagraph 6., the State Board of Education shall also
1295 designate, by rule, a score for each statewide, standardized
1296 end-of-course assessment which indicates that a student is high
1297 achieving and has the potential to meet college-readiness
1298 standards by the time the student graduates from high school.

1299 8. Participation in the testing program is mandatory for
1300 all students attending public school, including students served
1301 in Department of Juvenile Justice programs, except as otherwise
1302 prescribed by the commissioner. A student who has not earned
1303 passing scores on the grade 10 FCAT as provided in subparagraph



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1304 6. must participate in each retake of the assessment until the
1305 student earns passing scores or achieves scores on a
1306 standardized assessment which are concordant with passing scores
1307 pursuant to subsection (10). If a student does not participate
1308 in the statewide assessment, the district must notify the
1309 student's parent and provide the parent with information
1310 regarding the implications of such nonparticipation. A parent
1311 must provide signed consent for a student to receive classroom
1312 instructional accommodations that would not be available or
1313 permitted on the statewide assessments and must acknowledge in
1314 writing that he or she understands the implications of such
1315 instructional accommodations. The State Board of Education shall
1316 adopt rules, based upon recommendations of the commissioner, for
1317 the provision of test accommodations for students in exceptional
1318 education programs and for students who have limited English
1319 proficiency. Accommodations that negate the validity of a
1320 statewide assessment are not allowable in the administration of
1321 the FCAT or an end-of-course assessment. However, instructional
1322 accommodations are allowable in the classroom if included in a
1323 student's individual education plan. Students using
1324 instructional accommodations in the classroom that are not
1325 allowable as accommodations on the FCAT or an end-of-course
1326 assessment may have the FCAT or an end-of-course assessment
1327 requirement waived pursuant to the requirements of s.
1328 1003.428(8)(b) or s. 1003.43(11)(b).

1329 9. A student seeking an adult high school diploma must meet
1330 the same testing requirements that a regular high school student
1331 must meet.

1332 10. District school boards must provide instruction to



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1333 prepare students in the core curricular content established in
1334 the Next Generation Sunshine State Standards adopted under s.
1335 1003.41, including the core content knowledge and skills
1336 necessary for successful grade-to-grade progression and high
1337 school graduation. If a student is provided with instructional
1338 accommodations in the classroom that are not allowable as
1339 accommodations in the statewide assessment program, as described
1340 in the test manuals, the district must inform the parent in
1341 writing and must provide the parent with information regarding
1342 the impact on the student's ability to meet expected performance
1343 levels in reading, writing, mathematics, and science. The
1344 commissioner shall conduct studies as necessary to verify that
1345 the required core curricular content is part of the district
1346 instructional programs.

1347 11. District school boards must provide opportunities for
1348 students to demonstrate an acceptable performance level on an
1349 alternative standardized assessment approved by the State Board
1350 of Education following enrollment in summer academies.

1351 12. The Department of Education must develop, or select,
1352 and implement a common battery of assessment tools that will be
1353 used in all juvenile justice programs in the state. These tools
1354 must accurately measure the core curricular content established
1355 in the Next Generation Sunshine State Standards.

1356 13. For students seeking a special diploma pursuant to s.
1357 1003.438, the Department of Education must develop or select and
1358 implement an alternate assessment tool that accurately measures
1359 the core curricular content established in the Next Generation
1360 Sunshine State Standards for students with disabilities under s.
1361 1003.438.



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1362 14. The Commissioner of Education shall establish schedules
1363 for the administration of statewide assessments and the
1364 reporting of student test results. When establishing the
1365 schedules for the administration of statewide assessments, the
1366 commissioner shall consider the observance of religious and
1367 school holidays. The commissioner shall, by August 1 of each
1368 year, notify each school district in writing and publish on the
1369 department's Internet website the testing and reporting
1370 schedules for, at a minimum, the school year following the
1371 upcoming school year. The testing and reporting schedules shall
1372 require that:

1373 a. There is the latest possible administration of statewide
1374 assessments and the earliest possible reporting to the school
1375 districts of student test results which is feasible within
1376 available technology and specific appropriations; however, test
1377 results for the FCAT must be made available no later than the
1378 week of June 8. Student results for end-of-course assessments
1379 must be provided no later than 1 week after the school district
1380 completes testing for each course. The commissioner may extend
1381 the reporting schedule as he or she determines necessary.

1382 b. ~~Beginning with the 2010-2011 school year,~~ FCAT Writing
1383 may ~~is~~ not be administered earlier than the week of March 1 and
1384 a comprehensive statewide assessment of any other subject may ~~is~~
1385 not be administered earlier than the week of April 15, unless
1386 the commissioner determines otherwise.

1387 c. A statewide, standardized end-of-course assessment is
1388 administered ~~during a 3-week period~~ at the end of the course.
1389 The commissioner shall select an ~~a 3-week~~ administration period
1390 for assessments that meets the intent of end-of-course



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1391 assessments and provides student results prior to the end of the
1392 course. School districts shall administer tests in accordance
1393 with the schedule determined by the commissioner ~~select 1~~
1394 ~~testing week within the 3-week administration period for each~~
1395 ~~end-of-course assessment~~. For an end-of-course assessment
1396 administered at the end of the first semester, the commissioner
1397 shall determine the most appropriate testing dates based on a
1398 school district's academic calendar.

1399
1400 The commissioner may, based on collaboration and input from
1401 school districts, design and implement student testing programs,
1402 for any grade level and subject area, necessary to effectively
1403 monitor educational achievement in the state, including the
1404 measurement of educational achievement of the Next Generation
1405 Sunshine State Standards for students with disabilities.
1406 Development and refinement of assessments shall include
1407 universal design principles and accessibility standards that
1408 will prevent any unintended obstacles for students with
1409 disabilities while ensuring the validity and reliability of the
1410 test. These principles should be applicable to all technology
1411 platforms and assistive devices available for the assessments.
1412 The field testing process and psychometric analyses for the
1413 statewide assessment program must include an appropriate
1414 percentage of students with disabilities and an evaluation or
1415 determination of the effect of test items on such students.

1416 Section 20. Paragraph (b) of subsection (3) and subsection
1417 (4) of section 1008.33, Florida Statutes, are amended to read:
1418 1008.33 Authority to enforce public school improvement.—
1419 (3)



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1420 (b) For the purpose of determining whether a public school
1421 requires action to achieve a sufficient level of school
1422 improvement, the Department of Education shall annually
1423 categorize a public school in one of six categories based on the
1424 following:

1425 1. The portion of a school's grade based on statewide
1426 assessments administered pursuant to s. 1008.22; ~~school's grade,~~
1427 ~~pursuant to s. 1008.34,~~ and

1428 2. The level and rate of change in student performance in
1429 the areas of reading and mathematics, disaggregated into student
1430 subgroups as described in the federal Elementary and Secondary
1431 Education Act, 20 U.S.C. s. 6311(b)(2)(C)(v)(II).

1432 (4) The Department of Education shall create a matrix that
1433 reflects intervention and support strategies to address the
1434 particular needs of schools in each category. For purposes of
1435 this subsection, a school's grade shall be calculated in
1436 accordance with paragraph (3)(b).

1437 (a) Intervention and support strategies shall be applied to
1438 schools based upon the school categorization. The Department of
1439 Education shall apply the most intense intervention strategies
1440 to the lowest-performing schools. For all but the lowest
1441 category and "F" schools in the second lowest category, the
1442 intervention and support strategies shall be administered solely
1443 by the districts and the schools.

1444 (b) Beginning with the school grades calculated in
1445 accordance with paragraph (3)(b) for the 2010-2011 school year,
1446 the lowest-performing schools are schools that have received:

1447 1. a grade of "F" in the most recent school year and in 2 ~~4~~
1448 of the last 4 ~~6~~ years;~~or~~



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1449 ~~2. A grade of "D" or "F" in the most recent school year and~~
1450 ~~meet at least three of the following criteria:~~

1451 ~~a. The percentage of students who are not proficient in~~
1452 ~~reading has increased when compared to measurements taken 5~~
1453 ~~years previously;~~

1454 ~~b. The percentage of students who are not proficient in~~
1455 ~~mathematics has increased when compared to measurements taken 5~~
1456 ~~years previously;~~

1457 ~~e. At least 65 percent of the school's students are not~~
1458 ~~proficient in reading; or~~

1459 ~~d. At least 65 percent of the school's students are not~~
1460 ~~proficient in mathematics.~~

1461 Section 21. Paragraph (h) is added to subsection (2) of
1462 section 1008.331, Florida Statutes, to read:

1463 1008.331 Supplemental educational services in Title I
1464 schools; school district, provider, and department
1465 responsibilities.-

1466 (2) RESPONSIBILITIES OF SCHOOL DISTRICT AND PROVIDER.-

1467 (h) Notwithstanding a provider's submission to the
1468 department regarding the premethods and postmethods to be used
1469 to determine student learning gains, beginning with the 2011-
1470 2012 school year, a school board may include in its district
1471 contract with a provider a requirement to use a uniform
1472 standardized assessment, if the department is notified of such
1473 intent before services are provided to the student.

1474 Section 22. Subsection (3) of section 1008.34, Florida
1475 Statutes, is amended to read:

1476 1008.34 School grading system; school report cards;
1477 district grade.-



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1478 (3) DESIGNATION OF SCHOOL GRADES.—

1479 (a) Each school that has students who are tested and
1480 included in the school grading system shall receive a school
1481 grade, except as follows:

1482 1. A school shall not receive a school grade if the number
1483 of its students tested and included in the school grading system
1484 is less than the minimum sample size necessary, based on
1485 accepted professional practice, for statistical reliability and
1486 prevention of the unlawful release of personally identifiable
1487 student data under s. 1002.22 or 20 U.S.C. s. 1232g.

1488 2. An alternative school may choose to receive a school
1489 grade under this section or a school improvement rating under s.
1490 1008.341. For charter schools that meet the definition of an
1491 alternative school pursuant to State Board of Education rule,
1492 the decision to receive a school grade is the decision of the
1493 charter school governing board.

1494 3. A school that serves any combination of students in
1495 kindergarten through grade 3 which does not receive a school
1496 grade because its students are not tested and included in the
1497 school grading system shall receive the school grade designation
1498 of a K-3 feeder pattern school identified by the Department of
1499 Education and verified by the school district. A school feeder
1500 pattern exists if at least 60 percent of the students in the
1501 school serving a combination of students in kindergarten through
1502 grade 3 are scheduled to be assigned to the graded school.

1503 (b)1. A school's grade shall be based on a combination of:

1504 a. Student achievement scores, including achievement on all
1505 FCAT assessments administered under s. 1008.22(3)(c)1., end-of-
1506 course assessments administered under s. 1008.22(3)(c)2.a., and



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1507 achievement scores for students seeking a special diploma.

1508 b. Student learning gains in reading and mathematics as
1509 measured by FCAT and end-of-course assessments, as described in
1510 s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking
1511 a special diploma, as measured by an alternate assessment tool,
1512 shall be included not later than the 2009-2010 school year.

1513 c. Improvement of the lowest 25th percentile of students in
1514 the school in reading and mathematics on the FCAT or end-of-
1515 course assessments described in s. 1008.22(3)(c)2.a., unless
1516 these students are exhibiting satisfactory performance.

1517 2. Beginning with the 2011-2012 school year, for schools
1518 comprised of middle school grades 6 through 8 or grades 7 and 8,
1519 the school's grade shall include the performance of its students
1520 in high school level courses with end-of-course assessments
1521 administered under s. 1008.22(3)(c)2.a., and as valid data
1522 becomes available, the students' attainment of national industry
1523 certification identified in the Industry Certification Funding
1524 List pursuant to rules adopted by the State Board of Education.

1525 ~~3.2.~~ Beginning with the 2009-2010 school year for schools
1526 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1527 11, and 12, 50 percent of the school grade shall be based on a
1528 combination of the factors listed in sub-subparagraphs 1.a.-c.
1529 and the remaining 50 percent on the following factors:

1530 a. The high school graduation rate of the school;

1531 b. As valid data becomes available, the performance and
1532 participation of the school's students in College Board Advanced
1533 Placement courses, International Baccalaureate courses, dual
1534 enrollment courses, and Advanced International Certificate of
1535 Education courses; and the students' achievement of national



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1536 industry certification identified in the Industry Certification
1537 Funding List, pursuant to rules adopted by the State Board of
1538 Education;

1539 c. Postsecondary readiness of the school's students as
1540 measured by the SAT, ACT, or the common placement test;

1541 d. The high school graduation rate of at-risk students who
1542 scored at Level 2 or lower on the grade 8 FCAT Reading and
1543 Mathematics examinations;

1544 e. As valid data becomes available, the performance of the
1545 school's students on statewide standardized end-of-course
1546 assessments administered under s. 1008.22(3)(c)2.b. and c.; and

1547 f. The growth or decline in the components listed in sub-
1548 subparagraphs a.-e. from year to year.

1549 (c) Student assessment data used in determining school
1550 grades shall include:

1551 1. The aggregate scores of all eligible students enrolled
1552 in the school who have been assessed on the FCAT and statewide,
1553 standardized end-of-course assessments in courses required for
1554 high school graduation, including, beginning with the 2010-2011
1555 school year, the end-of-course assessment in Algebra I; and
1556 beginning with the 2011-2012 school year, the end-of-course
1557 assessments in geometry and Biology; and beginning with the
1558 2013-2014 school year, on the statewide, standardized end-of-
1559 course assessment in civics education at the middle school
1560 level.

1561 2. The aggregate scores of all eligible students enrolled
1562 in the school who have been assessed on the FCAT and end-of-
1563 course assessments as described in s. 1008.22(3)(c)2.a., and who
1564 have scored at or in the lowest 25th percentile of students in



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1565 the school in reading and mathematics, unless these students are
1566 exhibiting satisfactory performance.

1567 3. The achievement scores and learning gains of eligible
1568 students attending alternative schools that provide dropout
1569 prevention and academic intervention services pursuant to s.
1570 1003.53. The term "eligible students" in this subparagraph does
1571 not include students attending an alternative school who are
1572 subject to district school board policies for expulsion for
1573 repeated or serious offenses, who are in dropout retrieval
1574 programs serving students who have officially been designated as
1575 dropouts, or who are in programs operated or contracted by the
1576 Department of Juvenile Justice. The student performance data for
1577 eligible students identified in this subparagraph shall be
1578 included in the calculation of the home school's grade. As used
1579 in this subparagraph ~~section~~ and s. 1008.341, the term "home
1580 school" means the school to which the student would be assigned
1581 if the student were not assigned to an alternative school. If an
1582 alternative school chooses to be graded under this section,
1583 student performance data for eligible students identified in
1584 this subparagraph shall not be included in the home school's
1585 grade but shall be included only in the calculation of the
1586 alternative school's grade. A school district that fails to
1587 assign the FCAT and end-of-course assessment as described in s.
1588 1008.22 (3) (c) 2.a. scores of each of its students to his or her
1589 home school or to the alternative school that receives a grade
1590 shall forfeit Florida School Recognition Program funds for 1
1591 fiscal year. School districts must require collaboration between
1592 the home school and the alternative school in order to promote
1593 student success. This collaboration must include an annual



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1594 discussion between the principal of the alternative school and
1595 the principal of each student's home school concerning the most
1596 appropriate school assignment of the student.

1597 4. The achievement scores and learning gains of students
1598 designated as hospital or homebound. Student assessment data for
1599 students designated as hospital or homebound shall be assigned
1600 to their home school for the purposes of school grades. As used
1601 in this subparagraph, the term "home school" means the school to
1602 which a student would be assigned if the student were not
1603 assigned to a hospital or homebound program.

1604 ~~5.4.~~ For schools comprised of high school grades 9, 10, 11,
1605 and 12, or grades 10, 11, and 12, the data listed in
1606 subparagraphs 1.-3. and the following data as the Department of
1607 Education determines such data are valid and available:

1608 a. The high school graduation rate of the school as
1609 calculated by the Department of Education;

1610 b. The participation rate of all eligible students enrolled
1611 in the school and enrolled in College Board Advanced Placement
1612 courses; International Baccalaureate courses; dual enrollment
1613 courses; Advanced International Certificate of Education
1614 courses; and courses or sequence of courses leading to national
1615 industry certification identified in the Industry Certification
1616 Funding List, pursuant to rules adopted by the State Board of
1617 Education;

1618 c. The aggregate scores of all eligible students enrolled
1619 in the school in College Board Advanced Placement courses,
1620 International Baccalaureate courses, and Advanced International
1621 Certificate of Education courses;

1622 d. Earning of college credit by all eligible students



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1623 enrolled in the school in dual enrollment programs under s.
1624 1007.271;

1625 e. Earning of a national industry certification identified
1626 in the Industry Certification Funding List, pursuant to rules
1627 adopted by the State Board of Education;

1628 f. The aggregate scores of all eligible students enrolled
1629 in the school in reading, mathematics, and other subjects as
1630 measured by the SAT, the ACT, and the common placement test for
1631 postsecondary readiness;

1632 g. The high school graduation rate of all eligible at-risk
1633 students enrolled in the school who scored at Level 2 or lower
1634 on the grade 8 FCAT Reading and Mathematics examinations;

1635 h. The performance of the school's students on statewide
1636 standardized end-of-course assessments administered under s.
1637 1008.22(3)(c)2.b. and c.; and

1638 i. The growth or decline in the data components listed in
1639 sub-subparagraphs a.-h. from year to year.

1640 (d) Notwithstanding the requirements in paragraphs (b) and
1641 (c), beginning with the 2011-2012 school year, a school that
1642 does not meet the minimum proficiency standards established by
1643 the State Board of Education shall receive a school grade of
1644 "F." A definition of minimum proficiency must include a minimum
1645 percent of students proficient in reading and may include
1646 significant gains from the prior year as a condition for waiving
1647 this paragraph.

1648
1649 The State Board of Education shall adopt appropriate criteria
1650 for each school grade. The criteria must also give added weight
1651 to student achievement in reading. Schools designated with a



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1652 grade of "C," making satisfactory progress, shall be required to
1653 demonstrate that adequate progress has been made by students in
1654 the school who are in the lowest 25th percentile in reading and
1655 mathematics on the FCAT and end-of-course assessments as
1656 described in s. 1008.22(3)(c)2.a., unless these students are
1657 exhibiting satisfactory performance. Beginning with the 2009-
1658 2010 school year for schools comprised of high school grades 9,
1659 10, 11, and 12, or grades 10, 11, and 12, the criteria for
1660 school grades must also give added weight to the graduation rate
1661 of all eligible at-risk students, as defined in this paragraph.
1662 Beginning in the 2009-2010 school year, in order for a high
1663 school to be designated as having a grade of "A," making
1664 excellent progress, the school must demonstrate that at-risk
1665 students, as defined in this paragraph, in the school are making
1666 adequate progress.

1667 Section 23. Paragraph (a) of subsection (3) of section
1668 1011.01, Florida Statutes, is amended to read:

1669 1011.01 Budget system established.—

1670 (3)(a) Each district school board and each community
1671 college board of trustees shall prepare, adopt, and submit to
1672 the Commissioner of Education ~~for review~~ an annual operating
1673 budget. Operating budgets shall be prepared and submitted in
1674 accordance with the provisions of law, rules of the State Board
1675 of Education, the General Appropriations Act, and for district
1676 school boards in accordance with the provisions of ss. 200.065
1677 and 1011.64.

1678 Section 24. Subsection (4) of section 1011.03, Florida
1679 Statutes, is amended to read:

1680 1011.03 Public hearings; budget to be submitted to



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1681 Department of Education.—

1682 (4) The board shall hold public hearings to adopt tentative
1683 and final budgets pursuant to s. 200.065. The hearings shall be
1684 primarily for the purpose of hearing requests and complaints
1685 from the public regarding the budgets and the proposed tax
1686 levies and for explaining the budget and proposed or adopted
1687 amendments thereto, if any. The district school board shall then
1688 require the superintendent to transmit forthwith two copies of
1689 the adopted budget to the Department of Education ~~for approval~~
1690 as prescribed by law and rules of the State Board of Education.

1691 Section 25. Section 1011.035, Florida Statutes, is created
1692 to read:

1693 1011.035 School district budget transparency.—

1694 (1) The Legislature finds that it is important for school
1695 districts to provide budgetary transparency to enable taxpayers,
1696 parents, and education advocates to obtain school district
1697 budgets and related information in a manner that is simply
1698 explained and easily understandable. The Legislature finds that
1699 financial transparency leads to more responsible spending, more
1700 citizen involvement, and improved accountability. The
1701 Legislature further finds that a budget that is not transparent,
1702 accessible, and accurate cannot be properly analyzed, its
1703 implementation thoroughly monitored, or its outcomes evaluated.

1704 (2) Each district school board shall post on its website
1705 its plain language version of each proposed, tentative, and
1706 official budget that describes each budget item in terms that
1707 are easily understandable to the public. This information must
1708 be prominently posted on the school district's website in a
1709 manner that is readily accessible to the public.



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1710 (3) Each district school board is encouraged to post the
1711 following information on its website:

1712 (a) Timely information as to when a budget hearing will be
1713 conducted;

1714 (b) Each approved contract between the district school
1715 board and the teachers' union;

1716 (c) Each approved contract between the district school
1717 board and noninstructional staff;

1718 (d) Recommendations of the citizens' budget advisory
1719 committee; and

1720 (e) Current and archived video recordings of each district
1721 school board meeting and workshop.

1722 (4) Each district school board's website must contain
1723 links:

1724 (a) Helping explain or providing background information on
1725 various budget items that are required by state or federal law;

1726 (b) Allowing users to navigate to related sites to view
1727 supporting detail; and

1728 (c) Enabling taxpayers, parents, and education advocates to
1729 send e-mails asking questions about the budget and to enable
1730 others to see the questions and responses.

1731 Section 26. Subsection (1) of section 1011.61, Florida
1732 Statutes, is amended to read:

1733 1011.61 Definitions.—Notwithstanding the provisions of s.
1734 1000.21, the following terms are defined as follows for the
1735 purposes of the Florida Education Finance Program:

1736 (1) A "full-time equivalent student" in each program of the
1737 district is defined in terms of full-time students and part-time
1738 students as follows:



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1739 (a) A "full-time student" is one student on the membership
1740 roll of one school program or a combination of school programs
1741 listed in s. 1011.62(1)(c) for the school year or the equivalent
1742 for:

1743 1. Instruction in a standard school, comprising not less
1744 than 900 net hours for a student in or at the grade level of 4
1745 through 12, or not less than 720 net hours for a student in or
1746 at the grade level of kindergarten through grade 3 or in an
1747 authorized prekindergarten exceptional program;

1748 2. Instruction in a double-session school or a school
1749 utilizing an experimental school calendar approved by the
1750 Department of Education, comprising not less than the equivalent
1751 of 810 net hours in grades 4 through 12 or not less than 630 net
1752 hours in kindergarten through grade 3; or

1753 3. Instruction comprising the appropriate number of net
1754 hours set forth in subparagraph 1. or subparagraph 2. for
1755 students who, within the past year, have moved with their
1756 parents for the purpose of engaging in the farm labor or fish
1757 industries, if a plan furnishing such an extended school day or
1758 week, or a combination thereof, has been approved by the
1759 commissioner. Such plan may be approved to accommodate the needs
1760 of migrant students only or may serve all students in schools
1761 having a high percentage of migrant students. The plan described
1762 in this subparagraph is optional for any school district and is
1763 not mandated by the state.

1764 (b) A "part-time student" is a student on the active
1765 membership roll of a school program or combination of school
1766 programs listed in s. 1011.62(1)(c) who is less than a full-time
1767 student.



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1768 (c)1. A "full-time equivalent student" is:
1769 a. A full-time student in any one of the programs listed in
1770 s. 1011.62(1)(c); or
1771 b. A combination of full-time or part-time students in any
1772 one of the programs listed in s. 1011.62(1)(c) which is the
1773 equivalent of one full-time student based on the following
1774 calculations:
1775 (I) A full-time student, except a postsecondary or adult
1776 student or a senior high school student enrolled in adult
1777 education when such courses are required for high school
1778 graduation, in a combination of programs listed in s.
1779 1011.62(1)(c) shall be a fraction of a full-time equivalent
1780 membership in each special program equal to the number of net
1781 hours per school year for which he or she is a member, divided
1782 by the appropriate number of hours set forth in subparagraph
1783 (a)1. or subparagraph (a)2. The difference between that fraction
1784 or sum of fractions and the maximum value as set forth in
1785 subsection (4) for each full-time student is presumed to be the
1786 balance of the student's time not spent in such special
1787 education programs and shall be recorded as time in the
1788 appropriate basic program.
1789 (II) A prekindergarten handicapped student shall meet the
1790 requirements specified for kindergarten students.
1791 (III) A full-time equivalent student for students in
1792 kindergarten through grade 5 in a school district virtual
1793 instruction program under s. 1002.45 shall consist of a student
1794 who has successfully completed a basic program listed in s.
1795 1011.62(1)(c)1.a. or b., and who is promoted to a higher grade
1796 level.



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1797 (IV) A full-time equivalent student for students in grades
1798 6 through 8 ~~12~~ in a school district virtual instruction program
1799 under s. 1002.45(1)(b)1. ~~and 2.~~ shall consist of six full
1800 successful course credit completions in programs listed in s.
1801 1011.62(1)(c)1.b. ~~or c. and 3.~~ A full-time equivalent student
1802 for students in grades 9 through 12 in a school district virtual
1803 instruction program under s. 1002.45(1)(b)1. and 2. shall
1804 consist of six full credit completions in programs listed in s.
1805 1011.62(1)(c)1.c. or 3. Successful course Credit completions for
1806 students in grades 6 through 8 can be a combination of either
1807 successful semester or full course completions ~~full credits or~~
1808 ~~half credits.~~ Successful credit completions for students in
1809 grades 9 through 12 can be a combination of either credits or
1810 half credits.

1811 (V) A Florida Virtual School full-time equivalent student
1812 shall consist of six full successful course completions for
1813 students in grades 4 through 8 ~~credit completions~~ in the
1814 programs listed in s. 1011.62(1)(c)1.b. ~~for grades 6 through 8~~
1815 ~~and the programs listed in s. 1011.62(1)(c)1.c. for grades 9~~
1816 ~~through 12.~~ A Florida Virtual School full-time equivalent
1817 student shall consist of six full credit completions for grades
1818 9 through 12 in the programs listed in s. 1011.62(1)(c)1.c. and
1819 3. Credit or course completions can be a combination of either
1820 successful semester or full course completions for grades 6
1821 through 8 and full credits and half-credits for grades 9 through
1822 12 ~~full credits or half credits.~~

1823 (VI) Each successfully completed credit earned under the
1824 alternative high school course credit requirements authorized in
1825 s. 1002.375, which is not reported as a portion of the 900 net



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1826 hours of instruction pursuant to subparagraph (1)(a)1., shall be
1827 calculated as 1/6 FTE.

1828 2. A student in membership in a program scheduled for more
1829 or less than 180 school days or the equivalent on an hourly
1830 basis as specified by rules of the State Board of Education is a
1831 fraction of a full-time equivalent membership equal to the
1832 number of instructional hours in membership divided by the
1833 appropriate number of hours set forth in subparagraph (a)1.;
1834 however, for the purposes of this subparagraph, membership in
1835 programs scheduled for more than 180 days is limited to students
1836 enrolled in juvenile justice education programs and the Florida
1837 Virtual School.

1838
1839 The department shall determine and implement an equitable method
1840 of equivalent funding for experimental schools and for schools
1841 operating under emergency conditions, which schools have been
1842 approved by the department to operate for less than the minimum
1843 school day.

1844 Section 27. Paragraph (p) of subsection (1) of section
1845 1011.62, Florida Statutes, is amended to read:

1846 1011.62 Funds for operation of schools.—If the annual
1847 allocation from the Florida Education Finance Program to each
1848 district for operation of schools is not determined in the
1849 annual appropriations act or the substantive bill implementing
1850 the annual appropriations act, it shall be determined as
1851 follows:

1852 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
1853 OPERATION.—The following procedure shall be followed in
1854 determining the annual allocation to each district for



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1855 operation:
1856 (p) *Calculation of additional full-time equivalent*
1857 *membership based on certification of successful completion of*
1858 *industry-certified career and professional academy programs*
1859 *pursuant to ss. 1003.491, 1003.492, ~~and 1003.493~~, and 1003.4935*
1860 *and identified in the Industry Certified Funding List pursuant*
1861 *to rules adopted by the State Board of Education.—A maximum*
1862 *value of 0.3 full-time equivalent student membership shall be*
1863 *calculated for each student who completes an industry-certified*
1864 *career and professional academy program under ss. 1003.491,*
1865 *1003.492, ~~and 1003.493~~, and 1003.4935 and who is issued the*
1866 *highest level of industry certification identified annually in*
1867 *the Industry Certification Funding List approved under rules*
1868 *adopted by the State Board of Education and a high school*
1869 *diploma. The value of full-time equivalent student membership*
1870 *shall be determined by weights adopted by the State Board of*
1871 *Education pursuant to s. 1003.492. Such value shall be added to*
1872 *the total full-time equivalent student membership in secondary*
1873 *career education programs for grades 9 through 12 in the*
1874 *subsequent year for courses that were not funded through dual*
1875 *enrollment. The additional full-time equivalent membership*
1876 *authorized under this paragraph may not exceed 0.3 per student.*
1877 *Allocated funds shall be proportionately prorated and*
1878 *distributed to middle school career and professional academies*
1879 *for those students who earned industry certifications. Each*
1880 *district must allocate at least 80 percent of the funds*
1881 *generated by student attainment of an ~~provided for~~ industry*
1882 *certification, in accordance with this paragraph, to the program*
1883 *in which the student earned the industry certification ~~that~~*



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1884 ~~generated the funds.~~ Unless a different amount is specified in
1885 the General Appropriations Act, the appropriation for this
1886 calculation is limited to \$15 million annually. If the
1887 appropriation is insufficient to fully fund the total
1888 calculation, the appropriation shall be prorated.

1889 Section 28. Subsection (1) of section 1012.39, Florida
1890 Statutes, is amended to read:

1891 1012.39 Employment of substitute teachers, teachers of
1892 adult education, nondegreed teachers of career education, and
1893 career specialists; students performing clinical field
1894 experience.—

1895 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and
1896 1012.57, or any other provision of law or rule to the contrary,
1897 each district school board shall establish the minimal
1898 qualifications for:

1899 (a) Substitute teachers to be employed pursuant to s.
1900 1012.35. The qualifications shall require the filing of a
1901 complete set of fingerprints in the same manner as required by
1902 s. 1012.32; documentation of a minimum education level of a high
1903 school diploma or equivalent; and completion of an initial
1904 orientation and training program in district policies and
1905 procedures addressing school safety and security procedures,
1906 educational liability laws, professional responsibilities, and
1907 ethics.

1908 (b) Part-time and full-time teachers in adult education
1909 programs. The qualifications shall require the filing of a
1910 complete set of fingerprints in the same manner as required by
1911 s. 1012.32. Faculty employed solely to conduct postsecondary
1912 instruction may be exempted from this requirement.



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1913 (c) Part-time and full-time nondegreed teachers of career
1914 programs. Qualifications shall be established for nondegreed
1915 teachers of career and technical education courses for program
1916 clusters that are recognized in this state agriculture,
1917 business, health occupations, family and consumer sciences,
1918 industrial, marketing, career specialist, and public service
1919 education teachers, based primarily on successful occupational
1920 experience rather than academic training. The qualifications for
1921 such teachers shall require:

1922 1. The filing of a complete set of fingerprints in the same
1923 manner as required by s. 1012.32. Faculty employed solely to
1924 conduct postsecondary instruction may be exempted from this
1925 requirement.

1926 2. Documentation of education and successful occupational
1927 experience including documentation of:

1928 a. A high school diploma or the equivalent.

1929 b. Completion of 6 years of full-time successful
1930 occupational experience or the equivalent of part-time
1931 experience in the teaching specialization area. The district
1932 school board may establish alternative qualifications for
1933 teachers who hold industry certificates in the career areas in
1934 which they teach. Alternate means of determining successful
1935 occupational experience may be established by the district
1936 school board.

1937 c. Industry certification if state or national industry
1938 certifications are available and applicable.

1939 d.e. Completion of career education training conducted
1940 through the local school district inservice master plan.

1941 e.d. For full-time teachers, completion of professional



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1942 education training in teaching methods, course construction,
1943 lesson planning and evaluation, and teaching special needs
1944 students. This training may be completed through coursework from
1945 an accredited or approved institution or an approved district
1946 teacher education program.

1947 ~~f.e.~~ Demonstration of successful teaching performance.

1948 Section 29. School district oversight board.-

1949 (1) FINDINGS.-

1950 (a) The Legislature finds that when a grand jury determines
1951 there are significant management deficiencies by a district
1952 school board leading to waste, fraud, or financial
1953 mismanagement, the school district's mismanagement harms
1954 students and taxpayers.

1955 (b) The Legislature finds that the acts committed by the
1956 Broward County School Board, as detailed in the grand jury
1957 report dated January 21, 2011, (Case No. SC09-1910), are
1958 particularly egregious, harmful to children, and necessitate
1959 additional state oversight through the creation of a school
1960 district oversight board.

1961 (2) DETERMINATION OF A DEFICIENCY IN MANAGEMENT.-If a grand
1962 jury of the state determines that significant deficiencies exist
1963 in a school district's management, including, but not limited
1964 to, mismanagement of funds, illegal or unethical dealings in the
1965 awarding of contracts, or other acts that threaten the health,
1966 safety, or welfare of students, the Commissioner of Education
1967 shall certify to the Governor, the President of the Senate, and
1968 the Speaker of the House of Representatives that a deficiency
1969 exists.

1970 (3) SCHOOL DISTRICT OVERSIGHT BOARD.-



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1971 (a) After receipt of the certification, as provided in
1972 subsection (2), the Governor, the President of the Senate, and
1973 the Speaker of the House of Representatives shall name a school
1974 district oversight board to provide expert advice and assist the
1975 school district in correcting its management deficiencies. Each
1976 school district oversight board shall consist of seven members
1977 who possess specific expertise needed to assist the school
1978 district in correcting the management deficiencies. The Governor
1979 shall appoint three members to the board and the President of
1980 the Senate and the Speaker of the House of Representatives shall
1981 each appoint two members. Members shall serve without
1982 compensation, but are entitled to reimbursement by the district
1983 for travel and per diem expenses in accordance with s. 112.061,
1984 Florida Statutes. The district school board shall pay all
1985 expenditures of the board incurred in relation to this section.

1986 (b) Within 30 days after its formation, the school district
1987 oversight board shall convene in the school district and make
1988 all reasonable efforts to help the school district correct
1989 deficiencies noted in the grand jury report, subsequently
1990 discovered, or otherwise known to exist. The school district
1991 must cooperate with the oversight board and provide information
1992 as requested.

1993 (c) Within 60 days after convening, the oversight board
1994 shall assess the school district's progress and corrective
1995 actions and report to the Commissioner of Education. The
1996 oversight board's report must include a finding regarding
1997 whether policies established, procedures followed, and
1998 expenditures made are consistent with the recommendations of the
1999 oversight board or the grand jury and accomplish corrective



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2000 action or whether deficiencies continue. If the oversight board
2001 finds complete compliance, the oversight board shall be
2002 disbanded. If the report of the oversight board contains
2003 findings of continued deficiencies or failure by the district to
2004 cooperate with the oversight board, the State Board of Education
2005 shall determine the appropriate sanctions pursuant to s.
2006 1008.32(4), Florida Statutes, and the oversight board shall
2007 continue to operate until such time as deficiencies are
2008 corrected.

2009 Section 30. Except as otherwise expressly provided in this
2010 act and except for this section, which shall take effect upon
2011 this act becoming a law, this act shall take effect July 1,
2012 2011.