

By the Committee on Education Pre-K - 12; and Senator Wise

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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  
28          approval; amending s. 1002.67, F.S.; requiring that  
29          the State Board of Education periodically review and

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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  
57       procedures for annually reporting the percentage of  
58       students who meet all state readiness measures;

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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  
86 through virtual education providers and a review of  
87 career and professional academy courses; requiring

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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  
115 achievement data for middle school career academy  
116 students; amending s. 1003.575, F.S.; revising

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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  
144 Department of Education is notified of such intent  
145 before services are provided to the student; amending

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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.;  
173 requiring that each district school board establish  
174 qualifications for nondegreed teachers of career and

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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 effective dates.

179

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

181

182 Section 1. Paragraph (a) of subsection (4) of section  
183 1001.20, Florida Statutes, is amended to read:

184 1001.20 Department under direction of state board.—

185 (4) The Department of Education shall establish the  
186 following offices within the Office of the Commissioner of  
187 Education which shall coordinate their activities with all other  
188 divisions and offices:

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

190 Responsible for developing a systemwide technology plan, making  
191 budget recommendations to the commissioner, providing data  
192 collection and management for the system, assisting school  
193 districts in securing Internet access and telecommunications  
194 services, including those eligible for funding under the Schools  
195 and Libraries Program of the federal Universal Service Fund, and  
196 coordinating services with other state, local, and private  
197 agencies. The office shall develop a method to address the need  
198 for a statewide approach to planning and operations of library  
199 and information services to achieve a single K-20 education  
200 system library information portal and a unified higher education  
201 library management system. ~~The Florida Virtual School shall be  
202 administratively housed within the office.~~

203 Section 2. Subsection (23) of section 1001.42, Florida

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204 Statutes, is amended to read:

205 1001.42 Powers and duties of district school board.—The  
206 district school board, acting as a board, shall exercise all  
207 powers and perform all duties listed below:

208 (23) FLORIDA VIRTUAL SCHOOL.—Provide students with access  
209 to ~~enroll in~~ courses available through the Florida Virtual  
210 School and award credit for successful completion of such  
211 courses. Access shall be available to students during and ~~or~~  
212 after the normal school day and through summer school  
213 enrollment.

214 Section 3. Section 1001.421, Florida Statutes, is created  
215 to read:

216 1001.421 Gifts.—Notwithstanding ss. 112.3148 and 112.3149,  
217 or any other provision of law to the contrary, school board  
218 members and their relatives as defined in s. 112.312(21), may  
219 not solicit or accept, directly or indirectly, any gift as  
220 defined in s. 112.312(12), from any person, vendor, potential  
221 vendor, or other entity doing business with the school district.

222 Section 4. Paragraph (a) of subsection (1) of section  
223 1002.37, Florida Statutes, is amended to read:

224 1002.37 The Florida Virtual School.—

225 (1) (a) The Florida Virtual School is established for the  
226 development and delivery of online and distance learning  
227 education ~~and shall be administratively housed within the~~  
228 ~~Commissioner of Education's Office of Technology and Information~~  
229 ~~Services~~. The Commissioner of Education shall monitor the  
230 school's performance and report its performance to the State  
231 Board of Education and the Legislature.

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233 The board of trustees of the Florida Virtual School shall  
234 identify appropriate performance measures and standards based on  
235 student achievement that reflect the school's statutory mission  
236 and priorities, and shall implement an accountability system for  
237 the school that includes assessment of its effectiveness and  
238 efficiency in providing quality services that encourage high  
239 student achievement, seamless articulation, and maximum access.

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

242 1002.38 Opportunity Scholarship Program.—

243 (3) SCHOOL DISTRICT OBLIGATIONS.—

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

247 Section 6. Paragraph (a) of subsection (4) of section  
248 1002.39, Florida Statutes, is amended to read:

249 1002.39 The John M. McKay Scholarships for Students with  
250 Disabilities Program.—There is established a program that is  
251 separate and distinct from the Opportunity Scholarship Program  
252 and is named the John M. McKay Scholarships for Students with  
253 Disabilities Program.

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

255 (a) For purposes of continuity of educational choice, a  
256 John M. McKay Scholarship shall remain in force until the  
257 student returns to a public school, graduates from high school,  
258 or reaches the age of 22, whichever occurs first. A scholarship  
259 student who enrolls in a public school or public school program  
260 has returned to a public school for purposes of determining the  
261 end of the scholarship's term. However, if a student enters a

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262 Department of Juvenile Justice detention center for a period of  
263 no more than 21 days, the student is not considered to have  
264 returned to a public school for that purpose.

265 Section 7. Paragraph (b) of subsection (2) of section  
266 1002.45, Florida Statutes, is amended to read:

267 1002.45 School district virtual instruction programs.—

268 (2) PROVIDER QUALIFICATIONS.—

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

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

276 1002.67 Performance standards; curricula and  
277 accountability.—

278 (1) (a) By April 1, 2005, the department shall develop and  
279 adopt performance standards for students in the Voluntary  
280 Prekindergarten Education Program. The performance standards  
281 must address the age-appropriate progress of students in the  
282 development of:

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

285 2. ~~(b)~~ Emergent literacy skills, including oral  
286 communication, knowledge of print and letters, phonemic and  
287 phonological awareness, and vocabulary and comprehension  
288 development.

289 (b) The State Board of Education shall periodically review  
290 and revise the performance standards for the statewide

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291 kindergarten screening administered under s. 1002.69 and align  
292 the standards to those established by the board for the  
293 expectations of student performance on the statewide assessments  
294 administered pursuant to s. 1008.22.

295 (3)

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

304 2. If a private prekindergarten provider or public school  
305 fails to meet the minimum rate adopted by the State Board of  
306 Education as satisfactory under s. 1002.69(6) ~~for 2 consecutive~~  
307 ~~years~~, the early learning coalition or school district, as  
308 applicable, shall place the provider or school on probation and  
309 must require the provider or school to take certain corrective  
310 actions, including the use of a curriculum approved by the  
311 department under paragraph (2)(c) and requiring newly admitted  
312 voluntary prekindergarten program students to complete the  
313 statewide voluntary prekindergarten enrollment screening for  
314 which the provider must pay.

315 3. A private prekindergarten provider or public school that  
316 is placed on probation must continue the corrective actions  
317 required under subparagraph 2., including the use of a  
318 curriculum approved by the department, until the provider or  
319 school meets the minimum rate adopted by the State Board of

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320 Education as satisfactory under s. 1002.69(6).

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

331 Section 9. Section 1002.69, Florida Statutes, is amended to  
332 read:

333 1002.69 Statewide kindergarten screening; kindergarten  
334 readiness rates; prekindergarten enrollment screening.—

335 (1) (a) The department shall adopt a statewide kindergarten  
336 screening that assesses the readiness of each student for  
337 kindergarten based upon the performance standards adopted by the  
338 department under s. 1002.67(1) for the Voluntary Prekindergarten  
339 Education Program. The department shall require that each school  
340 district administer the statewide kindergarten screening to each  
341 kindergarten student in the school district within the first 30  
342 school days of each school year. Nonpublic schools may  
343 administer the statewide kindergarten screening to each  
344 kindergarten student in a nonpublic school who was enrolled in  
345 the Voluntary Prekindergarten Education Program.

346 (b) The department shall also adopt a statewide voluntary  
347 prekindergarten enrollment screening that assesses the readiness  
348 of each student for kindergarten upon entry into a voluntary

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349 prekindergarten program placed on probation under s.  
350 1002.67(3)(c)2., for which the voluntary prekindergarten  
351 provider must pay. The department shall require each early  
352 learning coalition to administer the statewide voluntary  
353 prekindergarten enrollment screening in accordance with this  
354 section.

355 (2) The statewide voluntary prekindergarten enrollment  
356 screening and the kindergarten screening shall provide objective  
357 data concerning each student's readiness for kindergarten and  
358 progress in attaining the performance standards adopted by the  
359 department under s. 1002.67(1).

360 (3) The statewide voluntary prekindergarten enrollment  
361 screening and the kindergarten screening shall incorporate  
362 mechanisms for recognizing potential variations in kindergarten  
363 readiness rates for students with disabilities.

364 (4) Each parent who enrolls his or her child in the  
365 Voluntary Prekindergarten Education Program must submit the  
366 child for the statewide kindergarten screening, regardless of  
367 whether the child is admitted to kindergarten in a public school  
368 or nonpublic school. Each parent who enrolls his or her child in  
369 a voluntary prekindergarten education program must submit the  
370 child for statewide voluntary prekindergarten enrollment  
371 screening if required by the provider. Each school district  
372 shall designate sites to administer the statewide kindergarten  
373 screening for children admitted to kindergarten in a nonpublic  
374 school.

375 (5) The State Board of Education shall adopt procedures for  
376 the department to annually calculate each private  
377 prekindergarten provider's and public school's kindergarten

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378 readiness rate, which must be expressed as the percentage of the  
379 provider's or school's students who are assessed as ready for  
380 kindergarten. The kindergarten readiness rates must be based  
381 exclusively upon the results of the statewide kindergarten  
382 screening for students completing the Voluntary Prekindergarten  
383 Education Program, beginning with students completing the  
384 program during the 2005-2006 school year who are administered  
385 the statewide kindergarten screening during the 2006-2007 school  
386 year. The methodology for calculating each provider's readiness  
387 rate must include the percentage of students who meet all state  
388 readiness measures. The rates must not include students who are  
389 not administered the statewide kindergarten screening.

390 (6) ~~(a)~~ The State Board of Education shall periodically  
391 adopt a minimum kindergarten readiness rate that, if achieved by  
392 a private prekindergarten provider or public school, would  
393 demonstrate the provider's or school's satisfactory delivery of  
394 the Voluntary Prekindergarten Education Program.

395 ~~(b) The minimum rate must not exceed the rate at which more~~  
396 ~~than 15 percent of the kindergarten readiness rates of all~~  
397 ~~private prekindergarten providers and public schools delivering~~  
398 ~~the Voluntary Prekindergarten Education Program in the state~~  
399 ~~would fall below the minimum rate.~~

400 (7) (a) Notwithstanding s. 1002.67(3)(c)4., the State Board  
401 of Education, upon the request of a private prekindergarten  
402 provider or public school that remains on probation for 2  
403 consecutive years or more and subsequently fails to meet the  
404 minimum rate adopted under subsection (6) and for good cause  
405 shown, may grant to the provider or school an exemption from  
406 being determined ineligible to deliver the Voluntary

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407 Prekindergarten Education Program and receive state funds for  
408 the program. Such exemption is valid for 1 year and, upon the  
409 request of the private prekindergarten provider or public school  
410 and for good cause shown, may be renewed.

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

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

419 2. Submission and review of data available from the  
420 respective early learning coalition or district school board,  
421 the Department of Children and Family Services, local licensing  
422 authority, or an accrediting association, as applicable,  
423 relating to the private prekindergarten provider's or public  
424 school's compliance with state and local health and safety  
425 standards.

426 3. Submission and review of data available to the  
427 department on the performance of the children served and the  
428 calculation of the private prekindergarten provider's or public  
429 school's kindergarten readiness rate.

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

433 1. Learning gains of children served in the Voluntary  
434 Prekindergarten Education Program by the private prekindergarten  
435 provider or public school.

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436 ~~2. Verification that the private prekindergarten provider~~  
437 ~~or public school serves at least twice the statewide percentage~~  
438 ~~of children with disabilities as defined in s. 1003.01(3)(a) or~~  
439 ~~children identified as limited English proficient as defined in~~  
440 ~~s. 1003.56.~~

441 2.3. Verification that local and state health and safety  
442 requirements are met.

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

449 (e) A private prekindergarten provider or public school  
450 granted a good cause exemption shall continue to implement its  
451 improvement plan and continue the corrective actions required  
452 under s. 1002.67(3)(c)2., including the use of a curriculum  
453 approved by the department, until the provider or school meets  
454 the minimum rate adopted under subsection (6).

455 (f) The State Board of Education shall notify the Agency  
456 for Workforce Innovation of any good cause exemption granted to  
457 a private prekindergarten provider under this subsection. If a  
458 good cause exemption is granted to a private prekindergarten  
459 provider who remains on probation for 2 consecutive years, the  
460 Agency for Workforce Innovation shall notify the early learning  
461 coalition of the good cause exemption and direct that the  
462 coalition, notwithstanding s. 1002.67(3)(c)4., not remove the  
463 provider from eligibility to deliver the Voluntary  
464 Prekindergarten Education Program or to receive state funds for



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465 the program, if the provider meets all other applicable  
466 requirements of this part.

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

469 1002.71 Funding; financial and attendance reporting.—

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

471 (a) A child who, for any of the prekindergarten programs  
472 listed in s. 1002.53(3), has not completed more than 70 percent  
473 of the hours authorized to be reported for funding under  
474 subsection (2), or has not expended more than 70 percent of the  
475 funds authorized for the child under s. 1002.66, may withdraw  
476 from the program for good cause and reenroll in one of the  
477 programs. The total funding for a child who reenrolls in one of  
478 the programs for good cause may not exceed one full-time  
479 equivalent student. Funding for a child who withdraws and  
480 reenrolls in one of the programs for good cause shall be issued  
481 in accordance with the agency's uniform attendance policy  
482 adopted pursuant to paragraph (6)(d).

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

490  
491 A child may reenroll only once in a prekindergarten program  
492 under this section, unless the child is granted a good cause  
493 exemption under this subsection. A child who reenrolls in a

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494 prekindergarten program under this subsection may not  
495 subsequently withdraw from the program and reenroll. The Agency  
496 for Workforce Innovation shall establish criteria specifying  
497 whether a good cause exists for a child to withdraw from a  
498 program under paragraph (a), whether a child has substantially  
499 completed a program under paragraph (b), and whether an extreme  
500 hardship exists which is beyond the child's or parent's control  
501 under paragraph (b).

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

504 1002.73 Department of Education; powers and duties;  
505 accountability requirements.-

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

507 (a) Approval of prekindergarten director credentials under  
508 ss. 1002.55 and 1002.57.

509 (b) Approval of emergent literacy training courses under  
510 ss. 1002.55 and 1002.59.

511 (c) Administration of the statewide kindergarten screening  
512 and calculation of kindergarten readiness rates under s.  
513 1002.69.

514 (d) Adoption of the statewide voluntary prekindergarten  
515 enrollment screening, the associated fee schedule, and the  
516 process for determining learning gains of students who complete  
517 the statewide voluntary prekindergarten enrollment screening and  
518 the statewide kindergarten screening.

519 (e) ~~(d)~~ Approval of specialized instructional services  
520 providers under s. 1002.66.

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

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523        (g)~~(e)~~ Granting of a private prekindergarten provider's or  
524 public school's request for a good cause exemption under s.  
525 1002.69(7).

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

528        1003.4156 General requirements for middle grades  
529 promotion.—

530        (1) Beginning with students entering grade 6 in the 2006-  
531 2007 school year, promotion from a school composed of middle  
532 grades 6, 7, and 8 requires that:

533        (a) The student must successfully complete academic courses  
534 as follows:

535        1. Three middle school or higher courses in English. These  
536 courses shall emphasize literature, composition, and technical  
537 text.

538        2. Three middle school or higher courses in mathematics.  
539 Each middle school must offer at least one high school level  
540 mathematics course for which students may earn high school  
541 credit. Successful completion of a high school level Algebra I  
542 or geometry course is not contingent upon the student's  
543 performance on the end-of-course assessment required under s.  
544 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012  
545 school year, to earn high school credit for an Algebra I course,  
546 a middle school student must pass the Algebra I end-of-course  
547 assessment, and beginning with the 2012-2013 school year, to  
548 earn high school credit for a geometry course, a middle school  
549 student must pass the geometry end-of-course assessment.

550        3. Three middle school or higher courses in social studies,  
551 one semester of which must include the study of state and

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552 federal government and civics education. Beginning with students  
553 entering grade 6 in the 2012-2013 school year, one of these  
554 courses must be at least a one-semester civics education course  
555 that a student successfully completes in accordance with s.  
556 1008.22(3)(c) and that includes the roles and responsibilities  
557 of federal, state, and local governments; the structures and  
558 functions of the legislative, executive, and judicial branches  
559 of government; and the meaning and significance of historic  
560 documents, such as the Articles of Confederation, the  
561 Declaration of Independence, and the Constitution of the United  
562 States.

563 4. Three middle school or higher courses in science.  
564 Successful completion of a high school level Biology I course is  
565 not contingent upon the student's performance on the end-of-  
566 course assessment required under s. 1008.22(3)(c)2.a.(II).  
567 However, beginning with the 2012-2013 school year, to earn high  
568 school credit for a Biology I course, a middle school student  
569 must pass the Biology I end-of-course assessment.

570 5. One course in career and education planning to be  
571 completed in 7th or 8th grade. The course may be taught by any  
572 member of the instructional staff; must include career  
573 exploration using Florida CHOICES or a comparable cost-effective  
574 program; must include educational planning using the online  
575 student advising system known as Florida Academic Counseling and  
576 Tracking for Students at the Internet website FACTS.org; and  
577 shall result in the completion of a personalized academic and  
578 career plan. The required personalized academic and career plan  
579 must inform students of high school graduation requirements,  
580 high school assessment and college entrance test requirements,

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581 Florida Bright Futures Scholarship Program requirements, state  
582 university and Florida college admission requirements, and  
583 programs through which a high school student can earn college  
584 credit, including Advanced Placement, International  
585 Baccalaureate, Advanced International Certificate of Education,  
586 dual enrollment, career academy opportunities, and courses that  
587 lead to national industry certification.

588

589 A student with a disability, as defined in s. 1007.02(2), for  
590 whom the individual education plan committee determines that the  
591 end-of-course assessment cannot accurately measure the student's  
592 abilities, taking into consideration all allowable  
593 accommodations, shall have the end-of-course assessment results  
594 waived for purposes of determining the student's course grade  
595 and completing the requirements for middle grades promotion.

596 Each school must hold a parent meeting either in the evening or  
597 on a weekend to inform parents about the course curriculum and  
598 activities. Each student shall complete an electronic personal  
599 education plan that must be signed by the student; the student's  
600 instructor, guidance counselor, or academic advisor; and the  
601 student's parent. The Department of Education shall develop  
602 course frameworks and professional development materials for the  
603 career exploration and education planning course. The course may  
604 be implemented as a stand-alone course or integrated into  
605 another course or courses. The Commissioner of Education shall  
606 collect longitudinal high school course enrollment data by  
607 student ethnicity in order to analyze course-taking patterns.

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

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610 intensive reading course the following year. Placement of Level  
611 2 readers in either an intensive reading course or a content  
612 area course in which reading strategies are delivered shall be  
613 determined by diagnosis of reading needs. The department shall  
614 provide guidance on appropriate strategies for diagnosing and  
615 meeting the varying instructional needs of students reading  
616 below grade level. Reading courses shall be designed and offered  
617 pursuant to the comprehensive reading plan required by s.  
618 1011.62(9). A middle grades student who scores at Level 1 or  
619 Level 2 on FCAT Reading, but who did not score below Level 3 the  
620 year before, may be granted an exemption from the reading  
621 remediation requirements. A student may be granted a 1-year  
622 exemption from intensive reading; however, the student must have  
623 an approved academic improvement plan already in place and  
624 signed by the school and a parent or guardian for the year that  
625 the exemption is granted.

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

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

632 1003.428 General requirements for high school graduation;  
633 revised.—

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

637 (a) Sixteen core curriculum credits:

638 1. Four credits in English, with major concentration in

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639 composition, reading for information, and literature.

640 2. Four credits in mathematics, one of which must be  
641 Algebra I, a series of courses equivalent to Algebra I, or a  
642 higher-level mathematics course. Beginning with students  
643 entering grade 9 in the 2010-2011 school year, in addition to  
644 the Algebra I credit requirement, one of the four credits in  
645 mathematics must be geometry or a series of courses equivalent  
646 to geometry as approved by the State Board of Education.  
647 Beginning with students entering grade 9 in the 2010-2011 school  
648 year, the end-of-course assessment requirements under s.  
649 1008.22(3)(c)2.a.(I) must be met in order for a student to earn  
650 the required credit in Algebra I. Beginning with students  
651 entering grade 9 in the 2011-2012 school year, the end-of-course  
652 assessment requirements under s. 1008.22(3)(c)2.a.(I) must be  
653 met in order for a student to earn the required credit in  
654 geometry. Beginning with students entering grade 9 in the 2012-  
655 2013 school year, in addition to the Algebra I and geometry  
656 credit requirements, one of the four credits in mathematics must  
657 be Algebra II or a series of courses equivalent to Algebra II as  
658 approved by the State Board of Education.

659 3. Three credits in science, two of which must have a  
660 laboratory component. Beginning with students entering grade 9  
661 in the 2011-2012 school year, one of the three credits in  
662 science must be Biology I or a series of courses equivalent to  
663 Biology I as approved by the State Board of Education. Beginning  
664 with students entering grade 9 in the 2011-2012 school year, the  
665 end-of-course assessment requirements under s.  
666 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
667 the required credit in Biology I. Beginning with students

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668 entering grade 9 in the 2013-2014 school year, one of the three  
669 credits must be Biology I or a series of courses equivalent to  
670 Biology I as approved by the State Board of Education, one  
671 credit must be chemistry or physics or a series of courses  
672 equivalent to chemistry or physics as approved by the State  
673 Board of Education, and one credit must be an equally rigorous  
674 course, as determined by the State Board of Education.

675 4. Three credits in social studies as follows: one credit  
676 in United States history; one credit in world history; one-half  
677 credit in economics; and one-half credit in United States  
678 government.

679 5. One credit in fine or performing arts, speech and  
680 debate, or a practical arts course that incorporates artistic  
681 content and techniques of creativity, interpretation, and  
682 imagination. Eligible practical arts courses shall be identified  
683 through the Course Code Directory.

684 6. One credit in physical education to include integration  
685 of health. Participation in an interscholastic sport at the  
686 junior varsity or varsity level for two full seasons shall  
687 satisfy the one-credit requirement in physical education if the  
688 student passes a competency test on personal fitness with a  
689 score of "C" or better. The competency test on personal fitness  
690 must be developed by the Department of Education. A district  
691 school board may not require that the one credit in physical  
692 education be taken during the 9th grade year. Completion of one  
693 semester with a grade of "C" or better in a marching band class,  
694 in a physical activity class that requires participation in  
695 marching band activities as an extracurricular activity, or in a  
696 dance class shall satisfy one-half credit in physical education



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697 or one-half credit in performing arts. This credit may not be  
698 used to satisfy the personal fitness requirement or the  
699 requirement for adaptive physical education under an individual  
700 education plan (IEP) or 504 plan. Completion of 2 years in a  
701 Reserve Officer Training Corps (R.O.T.C.) class, a significant  
702 component of which is drills, shall satisfy the one-credit  
703 requirement in physical education and the one-credit requirement  
704 in performing arts. This credit may not be used to satisfy the  
705 personal fitness requirement or the requirement for adaptive  
706 physical education under an individual education plan (IEP) or  
707 504 plan.

708 (b) Eight credits in electives.

709 1. For each year in which a student scores at Level 1 on  
710 FCAT Reading, the student must be enrolled in and complete an  
711 intensive reading course the following year. Placement of Level  
712 2 readers in either an intensive reading course or a content  
713 area course in which reading strategies are delivered shall be  
714 determined by diagnosis of reading needs. The department shall  
715 provide guidance on appropriate strategies for diagnosing and  
716 meeting the varying instructional needs of students reading  
717 below grade level. Reading courses shall be designed and offered  
718 pursuant to the comprehensive reading plan required by s.  
719 1011.62(9).

720 2. For each year in which a student scores at Level 1 or  
721 Level 2 on FCAT Mathematics, the student must receive  
722 remediation the following year. These courses may be taught  
723 through applied, integrated, or combined courses and are subject  
724 to approval by the department for inclusion in the Course Code  
725 Directory.

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726

727 A high school student who scores at Level 1 or Level 2 on FCAT  
728 Reading, but who did not score below Level 3 the year before,  
729 may be granted an exemption from intensive reading. A student  
730 may be granted a 1-year exemption from intensive reading;  
731 however, the student must have an approved academic improvement  
732 plan already in place and signed by the school and a parent or  
733 guardian for the year the exemption is granted.

734 Section 14. Subsections (2), (3), and (5) of section  
735 1003.491, Florida Statutes, are amended to read:

736 1003.491 Florida Career and Professional Education Act.—The  
737 Florida Career and Professional Education Act is created to  
738 provide a statewide planning partnership between the business  
739 and education communities in order to attract, expand, and  
740 retain targeted, high-value industry and to sustain a strong,  
741 knowledge-based economy.

742 (2) ~~Beginning with the 2007-2008 school year,~~ Each district  
743 school board shall develop, in collaboration with regional local  
744 workforce boards, economic development agencies, and  
745 postsecondary institutions approved to operate in the state, a  
746 strategic 5-year plan to address and meet local and regional  
747 workforce demands. If involvement of a regional the local  
748 workforce board or an economic development agency in the  
749 strategic plan development is not feasible, the local school  
750 board, with the approval of the Agency for Workforce Innovation,  
751 shall collaborate with the most appropriate regional local  
752 business leadership board. Two or more school districts may  
753 collaborate in the development of the strategic plan and offer a  
754 career and professional academy as a joint venture. The

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755 strategic plan ~~Such plans~~ must describe in detail provisions for  
756 the efficient transportation of students, the maximum use of  
757 shared resources, and access to courses aligned to state  
758 curriculum standards through virtual education providers, and an  
759 objective review of career and professional academy courses to  
760 determine if the courses will lead to the attainment of industry  
761 certifications included on the Industry Certified Funding List  
762 pursuant to rules adopted by the State Board of Education ~~the~~  
763 ~~Florida Virtual School when appropriate.~~ Each strategic plan  
764 shall be reviewed, updated, and jointly approved every 5 years  
765 by the local school district, regional workforce boards,  
766 economic development agencies, and state-approved postsecondary  
767 institutions ~~completed no later than June 30, 2008, and shall~~  
768 ~~include provisions to have in place at least one operational~~  
769 ~~career and professional academy, pursuant to s. 1003.492, no~~  
770 ~~later than the beginning of the 2008-2009 school year.~~

771 (3) The strategic 5-year plan developed jointly between the  
772 local school district, regional ~~local~~ workforce boards, economic  
773 development agencies, and state-approved postsecondary  
774 institutions shall be constructed and based on:

775 (a) Research conducted to objectively determine local and  
776 regional workforce needs for the ensuing 5 years, using labor  
777 projections of the United States Department of Labor and the  
778 Agency for Workforce Innovation;

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

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

782 (d) Strategies that ensure instruction by industry-  
783 certified faculty and standards and strategies to maintain

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784 current industry credentials and for recruiting and retaining  
785 faculty to meet those standards;

786 (e) Alignment of ~~to~~ requirements for middle school career  
787 exploration, middle and high school career and professional  
788 academies leading to industry certification, and high school  
789 graduation requirements redesign;

790 (f) Provisions to ensure that courses offered through  
791 career and professional academies are academically rigorous,  
792 meet or exceed appropriate state-adopted subject area standards,  
793 result in attainment of industry certification, and, when  
794 appropriate, result in postsecondary credit;

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

797 (h) ~~(g)~~ Establishment of student eligibility criteria in  
798 career and professional academies which include opportunities  
799 for students who have been unsuccessful in traditional  
800 classrooms but who show aptitude to participate in academies.  
801 School boards shall address the analysis of eighth grade student  
802 achievement data to provide opportunities for students who may  
803 be deemed as potential dropouts to participate in career and  
804 professional academies;

805 (i) ~~(h)~~ Strategies to provide sufficient space within  
806 academies to meet workforce needs and to provide access to all  
807 interested and qualified students;

808 (j) ~~(i)~~ Strategies to implement engage Department of  
809 Juvenile Justice students in career and professional academy  
810 training that leads to industry certification at Department of  
811 Juvenile Justice facilities;

812 (k) ~~(j)~~ Opportunities for high school students to earn

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813 weighted or dual enrollment credit for higher-level career and  
814 technical courses;

815 (1) ~~(k)~~ Promotion of the benefits of the Gold Seal Bright  
816 Futures Scholarship;

817 (m) ~~(l)~~ Strategies to ensure the review of district pupil-  
818 progression plans and to amend such plans to include career and  
819 professional courses and to include courses that may qualify as  
820 substitute courses for core graduation requirements and those  
821 that may be counted as elective courses; and

822 (n) ~~(m)~~ Strategies to provide professional development for  
823 secondary guidance counselors on the benefits of career and  
824 professional academies.

825 (5) The submission and review of newly proposed core  
826 courses shall be conducted electronically, and each proposed  
827 core course shall be approved or denied within 60 days. All  
828 courses approved as core courses for purposes of middle school  
829 promotion and high school graduation ~~purposes~~ shall be  
830 immediately added to the Course Code Directory. Approved core  
831 courses shall also be reviewed and considered for approval for  
832 dual enrollment credit. The Board of Governors and the  
833 Commissioner of Education shall jointly recommend an annual  
834 deadline for approval of new core courses to be included for  
835 purposes of postsecondary admissions and dual enrollment credit  
836 the following academic year. The State Board of Education shall  
837 establish an appeals process in the event that a proposed course  
838 is denied which shall require a consensus ruling by the Agency  
839 for Workforce Innovation and the Commissioner of Education  
840 within 15 days. The curriculum review committee must be  
841 established and operational no later than September 1, 2007.

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

844 1003.492 Industry-certified career education programs.—

845 (2) The State Board of Education shall use the expertise of  
846 Workforce Florida, Inc., and Enterprise Florida, Inc., to  
847 develop and adopt rules pursuant to ss. 120.536(1) and 120.54  
848 for implementing an industry certification process. These rules  
849 shall include an approval process for determining the funding  
850 weights of industry certifications based on the rigor of the  
851 certification and the value of the certification to Florida  
852 businesses and industry. Industry certification shall be defined  
853 by the Agency for Workforce Innovation, based upon the highest  
854 available national standards for specific industry  
855 certification, to ensure student skill proficiency and to  
856 address emerging labor market and industry trends. A regional  
857 workforce board or a career and professional academy may apply  
858 to Workforce Florida, Inc., to request additions to the approved  
859 list of industry certifications based on high-demand job  
860 requirements in the regional economy. The list of industry  
861 certifications approved by Workforce Florida, Inc., and the  
862 Department of Education shall be published and updated annually  
863 by a date certain, to be included in the adopted rule.

864 (3) The Department of Education shall collect student  
865 achievement and performance data in industry-certified career  
866 education programs and shall work with Workforce Florida, Inc.,  
867 and Enterprise Florida, Inc., in the analysis of collected data.  
868 The data collection and analyses shall examine the performance  
869 of participating students over time. Performance factors shall  
870 include, but not be limited to, graduation rates, retention

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871 rates, awards of postsecondary credit and state scholarships  
872 under chapter 1009 Florida Bright Futures Scholarship awards,  
873 additional educational attainment, employment records, earnings,  
874 industry certification, and employer satisfaction. The  
875 performance results and analyses of this study shall be  
876 submitted to the President of the Senate and the Speaker of the  
877 House of Representatives annually by December 31.

878 Section 16. Subsections (2), (4), (5), and (6) of section  
879 1003.493, Florida Statutes, are amended to read:

880 1003.493 Career and professional academies.—

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

882 (a) Increase student academic achievement and graduation  
883 rates through integrated academic and career curricula.

884 (b) Prepare graduating high school students to make  
885 appropriate choices relative to employment and future  
886 educational experiences.

887 (c) Focus on career preparation through rigorous academics  
888 and industry certification.

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

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

893 (e) ~~(f)~~ Promote acceleration mechanisms, such as dual  
894 enrollment, articulated credit, or occupational completion  
895 points, so that students may earn postsecondary credit while in  
896 high school.

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

899 (4) Each career and professional academy must:

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900 (a) Provide a rigorous standards-based academic curriculum  
901 integrated with a career curriculum. The curriculum must take  
902 into consideration multiple styles of student learning; promote  
903 learning by doing through application and adaptation; maximize  
904 relevance of the subject matter; enhance each student's capacity  
905 to excel; and include an emphasis on work habits and work  
906 ethics.

907 (b) Include one or more partnerships with postsecondary  
908 institutions, businesses, industry, employers, economic  
909 development organizations, or other appropriate partners from  
910 the local community. Such partnerships shall be delineated in  
911 articulation agreements to provide for career-based courses that  
912 earn postsecondary credit. Such agreements may include  
913 articulation between the academy and public or private 2-year  
914 and 4-year postsecondary institutions and technical centers. The  
915 Department of Education, in consultation with the Board of  
916 Governors, shall establish a mechanism to ensure articulation  
917 and transfer of credits to postsecondary institutions in this  
918 state. Such partnerships must provide opportunities for:

- 919 1. Instruction from highly skilled professionals who  
920 possess industry-certification credentials for courses they are  
921 teaching.
- 922 2. Internships, externships, and on-the-job training.
- 923 3. A postsecondary degree, diploma, or certificate.
- 924 4. The highest available level of industry certification.
- 925 5. Maximum articulation of credits pursuant to s. 1007.23  
926 upon program completion.

927 (c) Provide shared, maximum use of private sector  
928 facilities and personnel.



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929 (d) Provide personalized student advisement, including a  
930 parent-participation component, and coordination with middle  
931 schools to promote and support career exploration and education  
932 planning as required under s. 1003.4156. Coordination with  
933 middle schools must provide information to middle school  
934 students about secondary and postsecondary career education  
935 programs and academies.

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

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

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

947 (h) Offer applied courses that combine academic content  
948 with technical skills.

949 (i) Provide instruction resulting in competency,  
950 certification, or credentials in workplace skills, including,  
951 but not limited to, communication skills, interpersonal skills,  
952 decisionmaking skills, the importance of attendance and  
953 timeliness in the work environment, and work ethics.

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

956 ~~(k) Include an evaluation plan developed jointly with the~~  
957 ~~Department of Education and the local workforce board. The~~

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958 ~~evaluation plan must include an assessment tool based on~~  
959 ~~national industry standards, such as the Career Academy National~~  
960 ~~Standards of Practice, and outcome measures, including, but not~~  
961 ~~limited to, achievement of national industry certifications~~  
962 ~~identified in the Industry Certification Funding List, pursuant~~  
963 ~~to rules adopted by the State Board of Education, graduation~~  
964 ~~rates, enrollment in postsecondary education, business and~~  
965 ~~industry satisfaction, employment and earnings, awards of~~  
966 ~~postsecondary credit and scholarships, and student achievement~~  
967 ~~levels and learning gains on statewide assessments administered~~  
968 ~~under s. 1008.22(3)(c). The Department of Education shall use~~  
969 ~~Workforce Florida, Inc., and Enterprise Florida, Inc., in~~  
970 ~~identifying industry experts to participate in developing and~~  
971 ~~implementing such assessments.~~

972 (j) ~~(l)~~ Include a plan to sustain career and professional  
973 academies.

974 (k) ~~(m)~~ Redirect appropriated career funding to career and  
975 professional academies.

976 (5) All career courses offered in a career and professional  
977 academy must lead to industry certification or college credit  
978 linked directly to the career theme of the course. If the  
979 passage rate on the industry certification exam that is  
980 associated with the career and professional academy falls below  
981 50 percent, the academy must discontinue enrollment of students  
982 the following school year. At least 50 percent of students  
983 enrolled in a career course must achieve industry certifications  
984 or college credits during the second year the course is offered  
985 in order for the course to be offered a third year. At least 66  
986 percent of students enrolled in such a course must achieve

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987 ~~industry certifications or college credits during the third year~~  
988 ~~the course is offered in order for it to be offered a fourth~~  
989 ~~year and thereafter.~~

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

996 Section 17. Section 1003.4935, Florida Statutes, is created  
997 to read:

998 1003.4935 Middle school career and professional academy  
999 courses.-

1000 (1) Beginning with the 2011-2012 school year, each district  
1001 school board, in collaboration with regional workforce boards,  
1002 economic development agencies, and state-approved postsecondary  
1003 institutions, shall include plans to implement a career and  
1004 professional academy in at least one middle school in the  
1005 district as part of the strategic 5-year plan pursuant to s.  
1006 1003.491(2). The middle school career and professional academy  
1007 component of the strategic plan must ensure the transition of  
1008 middle school career and professional academy students to a high  
1009 school career and professional academy currently operating  
1010 within the school district. Students who complete a middle  
1011 school career and professional academy must have the opportunity  
1012 to earn an industry certificate and high school credit and  
1013 participate in career planning, job shadowing, and business  
1014 leadership development activities.

1015 (2) Each middle school career and professional academy must

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1016 be aligned with at least one high school career and professional  
1017 academy offered in the district and maintain partnerships with  
1018 local business and industry and economic development boards.

1019 Middle school career and professional academies must:

1020 (a) Provide instruction in courses leading to careers in  
1021 occupations designated as high growth, high demand, and high pay  
1022 in the Industry Certification Funding List approved under rules  
1023 adopted by the State Board of Education;

1024 (b) Offer career and professional academy courses that  
1025 integrate content from core subject areas;

1026 (c) Offer courses that integrate career and professional  
1027 academy content with intensive reading and mathematics pursuant  
1028 to s. 1003.428;

1029 (d) Coordinate with high schools to maximize opportunities  
1030 for middle school career and professional academy students to  
1031 earn high school credit;

1032 (e) Provide access to virtual instruction courses aligned  
1033 to state curriculum standards for middle school career and  
1034 professional academy students, with priority given to students  
1035 who have required course deficits;

1036 (f) Provide instruction from highly skilled professionals  
1037 who hold industry certificates in the career area in which they  
1038 teach;

1039 (g) Offer externships; and

1040 (h) Provide personalized student advisement that includes a  
1041 parent-participation component.

1042 (3) Beginning with the 2012-2013 school year, the  
1043 Department of Education shall collect and report student  
1044 achievement data pursuant to performance factors identified

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1045 under s. 1003.492(3) for middle school career and professional  
1046 academy students.

1047 Section 18. Section 1003.575, Florida Statutes, is amended  
1048 to read:

1049 1003.575 Assistive technology devices; findings;  
1050 interagency agreements.—Accessibility, utilization, and  
1051 coordination of appropriate assistive technology devices and  
1052 services are essential as a young person with disabilities moves  
1053 from early intervention to preschool, from preschool to school,  
1054 from one school to another, and from school to employment or  
1055 independent living. Within 60 to 90 days after receiving a  
1056 request for an assistive technology assessment, any school that  
1057 has an individualized education plan team shall arrange to  
1058 complete the assessment. To ensure that an assistive technology  
1059 device issued to a young person as part of his or her  
1060 individualized family support plan, individual support plan, or  
1061 an individual education plan remains with the individual through  
1062 such transitions, the following agencies shall enter into  
1063 interagency agreements, as appropriate, to ensure the  
1064 transaction of assistive technology devices:

1065 (1) The Florida Infants and Toddlers Early Intervention  
1066 Program in the Division of Children's Medical Services of the  
1067 Department of Health.

1068 (2) The Division of Blind Services, the Bureau of  
1069 Exceptional Education and Student Services, and the Division of  
1070 Vocational Rehabilitation of the Department of Education.

1071 (3) The Voluntary Prekindergarten Education Program  
1072 administered by the Department of Education and the Agency for  
1073 Workforce Innovation.

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1074  
1075 Interagency agreements entered into pursuant to this section  
1076 shall provide a framework for ensuring that young persons with  
1077 disabilities and their families, educators, and employers are  
1078 informed about the utilization and coordination of assistive  
1079 technology devices and services that may assist in meeting  
1080 transition needs, and shall establish a mechanism by which a  
1081 young person or his or her parent may request that an assistive  
1082 technology device remain with the young person as he or she  
1083 moves through the continuum from home to school to postschool.

1084 Section 19. Effective upon this act becoming a law,  
1085 subsection (2) and paragraph (c) of subsection (3) of section  
1086 1008.22, Florida Statutes, are amended to read:

1087 1008.22 Student assessment program for public schools.—

1088 (2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—It is  
1089 Florida's intent to participate in the measurement of national  
1090 educational goals. The Commissioner of Education shall direct  
1091 Florida school districts to participate in the administration of  
1092 the National Assessment of Educational Progress, or ~~a~~ similar  
1093 national or international assessment program, both for the  
1094 national sample and for any state-by-state comparison programs  
1095 which may be initiated. The assessments must be conducted using  
1096 the data collection procedures, the student surveys, the  
1097 educator surveys, and other instruments included in the National  
1098 Assessment of Educational Progress or similar national or  
1099 international program being administered in Florida. The results  
1100 of these assessments shall be included in the annual report of  
1101 the Commissioner of Education specified in this section, as  
1102 applicable. The administration of the National Assessment of

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1103 Educational Progress or similar national or international  
1104 program shall be in addition to and separate from the  
1105 administration of the statewide assessment program. The  
1106 requirement that school districts participate in international  
1107 assessment programs shall expire June 30, 2016.

1108 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
1109 design and implement a statewide program of educational  
1110 assessment that provides information for the improvement of the  
1111 operation and management of the public schools, including  
1112 schools operating for the purpose of providing educational  
1113 services to youth in Department of Juvenile Justice programs.  
1114 The commissioner may enter into contracts for the continued  
1115 administration of the assessment, testing, and evaluation  
1116 programs authorized and funded by the Legislature. Contracts may  
1117 be initiated in 1 fiscal year and continue into the next and may  
1118 be paid from the appropriations of either or both fiscal years.  
1119 The commissioner is authorized to negotiate for the sale or  
1120 lease of tests, scoring protocols, test scoring services, and  
1121 related materials developed pursuant to law. Pursuant to the  
1122 statewide assessment program, the commissioner shall:

1123 (c) Develop and implement a student achievement testing  
1124 program as follows:

1125 1. The Florida Comprehensive Assessment Test (FCAT)  
1126 measures a student's content knowledge and skills in reading,  
1127 writing, science, and mathematics. The content knowledge and  
1128 skills assessed by the FCAT must be aligned to the core  
1129 curricular content established in the Next Generation Sunshine  
1130 State Standards. Other content areas may be included as directed  
1131 by the commissioner. Comprehensive assessments of reading and

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1132 mathematics shall be administered annually in grades 3 through  
1133 10 except, beginning with the 2010-2011 school year, the  
1134 administration of grade 9 FCAT Mathematics shall be  
1135 discontinued, and beginning with the 2011-2012 school year, the  
1136 administration of grade 10 FCAT Mathematics shall be  
1137 discontinued, except as required for students who have not  
1138 attained minimum performance expectations for graduation as  
1139 provided in paragraph (9) (c). FCAT Writing and FCAT Science  
1140 shall be administered at least once at the elementary, middle,  
1141 and high school levels except, beginning with the 2011-2012  
1142 school year, the administration of FCAT Science at the high  
1143 school level shall be discontinued.

1144 2.a. End-of-course assessments for a subject shall be  
1145 administered in addition to the comprehensive assessments  
1146 required under subparagraph 1. End-of-course assessments must be  
1147 rigorous, statewide, standardized, and developed or approved by  
1148 the department. The content knowledge and skills assessed by  
1149 end-of-course assessments must be aligned to the core curricular  
1150 content established in the Next Generation Sunshine State  
1151 Standards.

1152 (I) Statewide, standardized end-of-course assessments in  
1153 mathematics shall be administered according to this sub-sub-  
1154 subparagraph. Beginning with the 2010-2011 school year, all  
1155 students enrolled in Algebra I or an equivalent course must take  
1156 the Algebra I end-of-course assessment. ~~Students who earned high~~  
1157 ~~school credit in Algebra I while in grades 6 through 8 during~~  
1158 ~~the 2007-2008 through 2009-2010 school years and who have not~~  
1159 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~  
1160 ~~course assessment during the 2010-2011 school year.~~ For students



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1161 entering grade 9 during the 2010-2011 school year and who are  
1162 enrolled in Algebra I or an equivalent, each student's  
1163 performance on the end-of-course assessment in Algebra I shall  
1164 constitute 30 percent of the student's final course grade.  
1165 Beginning with students entering grade 9 in the 2011-2012 school  
1166 year, a student who is enrolled in Algebra I or an equivalent  
1167 must earn a passing score on the end-of-course assessment in  
1168 Algebra I or attain an equivalent score as described in  
1169 subsection (11) in order to earn course credit. Beginning with  
1170 the 2011-2012 school year, all students enrolled in geometry or  
1171 an equivalent course must take the geometry end-of-course  
1172 assessment. For students entering grade 9 during the 2011-2012  
1173 school year, each student's performance on the end-of-course  
1174 assessment in geometry shall constitute 30 percent of the  
1175 student's final course grade. Beginning with students entering  
1176 grade 9 during the 2012-2013 school year, a student must earn a  
1177 passing score on the end-of-course assessment in geometry or  
1178 attain an equivalent score as described in subsection (11) in  
1179 order to earn course credit.

1180 (II) Statewide, standardized end-of-course assessments in  
1181 science shall be administered according to this sub-sub-  
1182 subparagraph. Beginning with the 2011-2012 school year, all  
1183 students enrolled in Biology I or an equivalent course must take  
1184 the Biology I end-of-course assessment. For the 2011-2012 school  
1185 year, each student's performance on the end-of-course assessment  
1186 in Biology I shall constitute 30 percent of the student's final  
1187 course grade. Beginning with students entering grade 9 during  
1188 the 2012-2013 school year, a student must earn a passing score  
1189 on the end-of-course assessment in Biology I in order to earn

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1190 course credit.

1191 b. During the 2012-2013 school year, an end-of-course  
1192 assessment in civics education shall be administered as a field  
1193 test at the middle school level. During the 2013-2014 school  
1194 year, each student's performance on the statewide, standardized  
1195 end-of-course assessment in civics education shall constitute 30  
1196 percent of the student's final course grade. Beginning with the  
1197 2014-2015 school year, a student must earn a passing score on  
1198 the end-of-course assessment in civics education in order to  
1199 pass the course and be promoted from the middle grades ~~receive~~  
1200 ~~course credit~~. The school principal of a middle school shall  
1201 determine, in accordance with State Board of Education rule,  
1202 whether a student who transfers to the middle school and who has  
1203 successfully completed a civics education course at the  
1204 student's previous school must take an end-of-course assessment  
1205 in civics education.

1206 c. The commissioner may select one or more nationally  
1207 developed comprehensive examinations, which may include, but  
1208 need not be limited to, examinations for a College Board  
1209 Advanced Placement course, International Baccalaureate course,  
1210 or Advanced International Certificate of Education course, or  
1211 industry-approved examinations to earn national industry  
1212 certifications identified in the Industry Certification Funding  
1213 List, pursuant to rules adopted by the State Board of Education,  
1214 for use as end-of-course assessments under this paragraph, if  
1215 the commissioner determines that the content knowledge and  
1216 skills assessed by the examinations meet or exceed the grade  
1217 level expectations for the core curricular content established  
1218 for the course in the Next Generation Sunshine State Standards.

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1219 The commissioner may collaborate with the American Diploma  
1220 Project in the adoption or development of rigorous end-of-course  
1221 assessments that are aligned to the Next Generation Sunshine  
1222 State Standards.

1223 d. Contingent upon funding provided in the General  
1224 Appropriations Act, including the appropriation of funds  
1225 received through federal grants, the Commissioner of Education  
1226 shall establish an implementation schedule for the development  
1227 and administration of additional statewide, standardized end-of-  
1228 course assessments in English/Language Arts II, Algebra II,  
1229 chemistry, physics, earth/space science, United States history,  
1230 and world history. Priority shall be given to the development of  
1231 end-of-course assessments in English/Language Arts II. The  
1232 Commissioner of Education shall evaluate the feasibility and  
1233 effect of transitioning from the grade 9 and grade 10 FCAT  
1234 Reading and high school level FCAT Writing to an end-of-course  
1235 assessment in English/Language Arts II. The commissioner shall  
1236 report the results of the evaluation to the President of the  
1237 Senate and the Speaker of the House of Representatives no later  
1238 than July 1, 2011.

1239 3. The testing program shall measure student content  
1240 knowledge and skills adopted by the State Board of Education as  
1241 specified in paragraph (a) and measure and report student  
1242 performance levels of all students assessed in reading, writing,  
1243 mathematics, and science. The commissioner shall provide for the  
1244 tests to be developed or obtained, as appropriate, through  
1245 contracts and project agreements with private vendors, public  
1246 vendors, public agencies, postsecondary educational  
1247 institutions, or school districts. The commissioner shall obtain

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1248 input with respect to the design and implementation of the  
1249 testing program from state educators, assistive technology  
1250 experts, and the public.

1251 4. The testing program shall be composed of criterion-  
1252 referenced tests that shall, to the extent determined by the  
1253 commissioner, include test items that require the student to  
1254 produce information or perform tasks in such a way that the core  
1255 content knowledge and skills he or she uses can be measured.

1256 5. FCAT Reading, Mathematics, and Science and all  
1257 statewide, standardized end-of-course assessments shall measure  
1258 the content knowledge and skills a student has attained on the  
1259 assessment by the use of scaled scores and achievement levels.  
1260 Achievement levels shall range from 1 through 5, with level 1  
1261 being the lowest achievement level, level 5 being the highest  
1262 achievement level, and level 3 indicating satisfactory  
1263 performance on an assessment. For purposes of FCAT Writing,  
1264 student achievement shall be scored using a scale of 1 through 6  
1265 and the score earned shall be used in calculating school grades.  
1266 A score shall be designated for each subject area tested, below  
1267 which score a student's performance is deemed inadequate. The  
1268 school districts shall provide appropriate remedial instruction  
1269 to students who score below these levels.

1270 6. The State Board of Education shall, by rule, designate a  
1271 passing score for each part of the grade 10 assessment test and  
1272 end-of-course assessments. Any rule that has the effect of  
1273 raising the required passing scores may apply only to students  
1274 taking the assessment for the first time after the rule is  
1275 adopted by the State Board of Education. Except as otherwise  
1276 provided in this subparagraph and as provided in s.

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1277 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a  
1278 passing score on grade 10 FCAT Reading and grade 10 FCAT  
1279 Mathematics or attain concordant scores as described in  
1280 subsection (10) in order to qualify for a standard high school  
1281 diploma.

1282 7. In addition to designating a passing score under  
1283 subparagraph 6., the State Board of Education shall also  
1284 designate, by rule, a score for each statewide, standardized  
1285 end-of-course assessment which indicates that a student is high  
1286 achieving and has the potential to meet college-readiness  
1287 standards by the time the student graduates from high school.

1288 8. Participation in the testing program is mandatory for  
1289 all students attending public school, including students served  
1290 in Department of Juvenile Justice programs, except as otherwise  
1291 prescribed by the commissioner. A student who has not earned  
1292 passing scores on the grade 10 FCAT as provided in subparagraph  
1293 6. must participate in each retake of the assessment until the  
1294 student earns passing scores or achieves scores on a  
1295 standardized assessment which are concordant with passing scores  
1296 pursuant to subsection (10). If a student does not participate  
1297 in the statewide assessment, the district must notify the  
1298 student's parent and provide the parent with information  
1299 regarding the implications of such nonparticipation. A parent  
1300 must provide signed consent for a student to receive classroom  
1301 instructional accommodations that would not be available or  
1302 permitted on the statewide assessments and must acknowledge in  
1303 writing that he or she understands the implications of such  
1304 instructional accommodations. The State Board of Education shall  
1305 adopt rules, based upon recommendations of the commissioner, for

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1306 the provision of test accommodations for students in exceptional  
1307 education programs and for students who have limited English  
1308 proficiency. Accommodations that negate the validity of a  
1309 statewide assessment are not allowable in the administration of  
1310 the FCAT or an end-of-course assessment. However, instructional  
1311 accommodations are allowable in the classroom if included in a  
1312 student's individual education plan. Students using  
1313 instructional accommodations in the classroom that are not  
1314 allowable as accommodations on the FCAT or an end-of-course  
1315 assessment may have the FCAT or an end-of-course assessment  
1316 requirement waived pursuant to the requirements of s.  
1317 1003.428(8)(b) or s. 1003.43(11)(b).

1318 9. A student seeking an adult high school diploma must meet  
1319 the same testing requirements that a regular high school student  
1320 must meet.

1321 10. District school boards must provide instruction to  
1322 prepare students in the core curricular content established in  
1323 the Next Generation Sunshine State Standards adopted under s.  
1324 1003.41, including the core content knowledge and skills  
1325 necessary for successful grade-to-grade progression and high  
1326 school graduation. If a student is provided with instructional  
1327 accommodations in the classroom that are not allowable as  
1328 accommodations in the statewide assessment program, as described  
1329 in the test manuals, the district must inform the parent in  
1330 writing and must provide the parent with information regarding  
1331 the impact on the student's ability to meet expected performance  
1332 levels in reading, writing, mathematics, and science. The  
1333 commissioner shall conduct studies as necessary to verify that  
1334 the required core curricular content is part of the district

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1335 instructional programs.

1336 11. District school boards must provide opportunities for  
1337 students to demonstrate an acceptable performance level on an  
1338 alternative standardized assessment approved by the State Board  
1339 of Education following enrollment in summer academies.

1340 12. The Department of Education must develop, or select,  
1341 and implement a common battery of assessment tools that will be  
1342 used in all juvenile justice programs in the state. These tools  
1343 must accurately measure the core curricular content established  
1344 in the Next Generation Sunshine State Standards.

1345 13. For students seeking a special diploma pursuant to s.  
1346 1003.438, the Department of Education must develop or select and  
1347 implement an alternate assessment tool that accurately measures  
1348 the core curricular content established in the Next Generation  
1349 Sunshine State Standards for students with disabilities under s.  
1350 1003.438.

1351 14. The Commissioner of Education shall establish schedules  
1352 for the administration of statewide assessments and the  
1353 reporting of student test results. When establishing the  
1354 schedules for the administration of statewide assessments, the  
1355 commissioner shall consider the observance of religious and  
1356 school holidays. The commissioner shall, by August 1 of each  
1357 year, notify each school district in writing and publish on the  
1358 department's Internet website the testing and reporting  
1359 schedules for, at a minimum, the school year following the  
1360 upcoming school year. The testing and reporting schedules shall  
1361 require that:

1362 a. There is the latest possible administration of statewide  
1363 assessments and the earliest possible reporting to the school

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1364 districts of student test results which is feasible within  
1365 available technology and specific appropriations; however, test  
1366 results for the FCAT must be made available no later than the  
1367 week of June 8. Student results for end-of-course assessments  
1368 must be provided no later than 1 week after the school district  
1369 completes testing for each course. The commissioner may extend  
1370 the reporting schedule as he or she determines necessary.

1371 ~~b. Beginning with the 2010-2011 school year,~~ FCAT Writing  
1372 may ~~is~~ not be administered earlier than the week of March 1 and  
1373 a comprehensive statewide assessment of any other subject may ~~is~~  
1374 not be administered earlier than the week of April 15, unless  
1375 the commissioner determines otherwise.

1376 c. A statewide, standardized end-of-course assessment is  
1377 administered ~~during a 3-week period~~ at the end of the course.  
1378 The commissioner shall select an a 3-week administration period  
1379 for assessments that meets the intent of end-of-course  
1380 assessments and provides student results prior to the end of the  
1381 course. School districts shall administer tests in accordance  
1382 with the schedule determined by the commissioner ~~select 1~~  
1383 ~~testing week within the 3-week administration period for each~~  
1384 ~~end-of-course assessment.~~ For an end-of-course assessment  
1385 administered at the end of the first semester, the commissioner  
1386 shall determine the most appropriate testing dates based on a  
1387 school district's academic calendar.

1388  
1389 The commissioner may, based on collaboration and input from  
1390 school districts, design and implement student testing programs,  
1391 for any grade level and subject area, necessary to effectively  
1392 monitor educational achievement in the state, including the



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1393 measurement of educational achievement of the Next Generation  
1394 Sunshine State Standards for students with disabilities.  
1395 Development and refinement of assessments shall include  
1396 universal design principles and accessibility standards that  
1397 will prevent any unintended obstacles for students with  
1398 disabilities while ensuring the validity and reliability of the  
1399 test. These principles should be applicable to all technology  
1400 platforms and assistive devices available for the assessments.  
1401 The field testing process and psychometric analyses for the  
1402 statewide assessment program must include an appropriate  
1403 percentage of students with disabilities and an evaluation or  
1404 determination of the effect of test items on such students.

1405 Section 20. Paragraph (b) of subsection (3) and subsection  
1406 (4) of section 1008.33, Florida Statutes, are amended to read:

1407 1008.33 Authority to enforce public school improvement.—

1408 (3)

1409 (b) For the purpose of determining whether a public school  
1410 requires action to achieve a sufficient level of school  
1411 improvement, the Department of Education shall annually  
1412 categorize a public school in one of six categories based on the  
1413 following:

1414 1. The portion of a school's grade based on statewide  
1415 assessments administered pursuant to s. 1008.22; ~~school's grade,~~  
1416 ~~pursuant to s. 1008.34,~~ and

1417 2. The level and rate of change in student performance in  
1418 the areas of reading and mathematics, disaggregated into student  
1419 subgroups as described in the federal Elementary and Secondary  
1420 Education Act, 20 U.S.C. s. 6311(b) (2) (C) (v) (II).

1421 (4) The Department of Education shall create a matrix that

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1422 reflects intervention and support strategies to address the  
1423 particular needs of schools in each category. For purposes of  
1424 this subsection, a school's grade shall be calculated in  
1425 accordance with paragraph (3) (b).

1426 (a) Intervention and support strategies shall be applied to  
1427 schools based upon the school categorization. The Department of  
1428 Education shall apply the most intense intervention strategies  
1429 to the lowest-performing schools. For all but the lowest  
1430 category and "F" schools in the second lowest category, the  
1431 intervention and support strategies shall be administered solely  
1432 by the districts and the schools.

1433 (b) Beginning with the school grades calculated in  
1434 accordance with paragraph (3) (b) for the 2010-2011 school year,  
1435 the lowest-performing schools are schools that have received:

1436 ~~1. a grade of "F" in the most recent school year and in 2 4~~  
1437 ~~of the last 4 6 years; or~~

1438 ~~2. A grade of "D" or "F" in the most recent school year and~~  
1439 ~~meet at least three of the following criteria:~~

1440 ~~a. The percentage of students who are not proficient in~~  
1441 ~~reading has increased when compared to measurements taken 5~~  
1442 ~~years previously;~~

1443 ~~b. The percentage of students who are not proficient in~~  
1444 ~~mathematics has increased when compared to measurements taken 5~~  
1445 ~~years previously;~~

1446 ~~c. At least 65 percent of the school's students are not~~  
1447 ~~proficient in reading; or~~

1448 ~~d. At least 65 percent of the school's students are not~~  
1449 ~~proficient in mathematics.~~

1450 Section 21. Paragraph (h) is added to subsection (2) of

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1451 section 1008.331, Florida Statutes, to read:

1452 1008.331 Supplemental educational services in Title I  
1453 schools; school district, provider, and department  
1454 responsibilities.—

1455 (2) RESPONSIBILITIES OF SCHOOL DISTRICT AND PROVIDER.—

1456 (h) Notwithstanding a provider's submission to the  
1457 department regarding the premethods and postmethods to be used  
1458 to determine student learning gains, beginning with the 2011-  
1459 2012 school year, a school board may include in its district  
1460 contract with a provider a requirement to use a uniform  
1461 standardized assessment, if the department is notified of such  
1462 intent before services are provided to the student.

1463 Section 22. Subsection (3) of section 1008.34, Florida  
1464 Statutes, is amended to read:

1465 1008.34 School grading system; school report cards;  
1466 district grade.—

1467 (3) DESIGNATION OF SCHOOL GRADES.—

1468 (a) Each school that has students who are tested and  
1469 included in the school grading system shall receive a school  
1470 grade, except as follows:

1471 1. A school shall not receive a school grade if the number  
1472 of its students tested and included in the school grading system  
1473 is less than the minimum sample size necessary, based on  
1474 accepted professional practice, for statistical reliability and  
1475 prevention of the unlawful release of personally identifiable  
1476 student data under s. 1002.22 or 20 U.S.C. s. 1232g.

1477 2. An alternative school may choose to receive a school  
1478 grade under this section or a school improvement rating under s.  
1479 1008.341. For charter schools that meet the definition of an

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1480 alternative school pursuant to State Board of Education rule,  
1481 the decision to receive a school grade is the decision of the  
1482 charter school governing board.

1483 3. A school that serves any combination of students in  
1484 kindergarten through grade 3 which does not receive a school  
1485 grade because its students are not tested and included in the  
1486 school grading system shall receive the school grade designation  
1487 of a K-3 feeder pattern school identified by the Department of  
1488 Education and verified by the school district. A school feeder  
1489 pattern exists if at least 60 percent of the students in the  
1490 school serving a combination of students in kindergarten through  
1491 grade 3 are scheduled to be assigned to the graded school.

1492 (b)1. A school's grade shall be based on a combination of:

1493 a. Student achievement scores, including achievement on all  
1494 FCAT assessments administered under s. 1008.22(3)(c)1., end-of-  
1495 course assessments administered under s. 1008.22(3)(c)2.a., and  
1496 achievement scores for students seeking a special diploma.

1497 b. Student learning gains in reading and mathematics as  
1498 measured by FCAT and end-of-course assessments, as described in  
1499 s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking  
1500 a special diploma, as measured by an alternate assessment tool,  
1501 shall be included not later than the 2009-2010 school year.

1502 c. Improvement of the lowest 25th percentile of students in  
1503 the school in reading and mathematics on the FCAT or end-of-  
1504 course assessments described in s. 1008.22(3)(c)2.a., unless  
1505 these students are exhibiting satisfactory performance.

1506 2. Beginning with the 2011-2012 school year, for schools  
1507 comprised of middle school grades 6 through 8 or grades 7 and 8,  
1508 the school's grade shall include the performance of its students

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1509 in high school level courses with end-of-course assessments  
1510 administered under s. 1008.22(3)(c)2.a., and as valid data  
1511 becomes available, the students' attainment of national industry  
1512 certification identified in the Industry Certification Funding  
1513 List pursuant to rules adopted by the State Board of Education.

1514 ~~3.2.~~ Beginning with the 2009-2010 school year for schools  
1515 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
1516 11, and 12, 50 percent of the school grade shall be based on a  
1517 combination of the factors listed in sub-subparagraphs 1.a.-c.  
1518 and the remaining 50 percent on the following factors:

1519 a. The high school graduation rate of the school;

1520 b. As valid data becomes available, the performance and  
1521 participation of the school's students in College Board Advanced  
1522 Placement courses, International Baccalaureate courses, dual  
1523 enrollment courses, and Advanced International Certificate of  
1524 Education courses; and the students' achievement of national  
1525 industry certification identified in the Industry Certification  
1526 Funding List, pursuant to rules adopted by the State Board of  
1527 Education;

1528 c. Postsecondary readiness of the school's students as  
1529 measured by the SAT, ACT, or the common placement test;

1530 d. The high school graduation rate of at-risk students who  
1531 scored at Level 2 or lower on the grade 8 FCAT Reading and  
1532 Mathematics examinations;

1533 e. As valid data becomes available, the performance of the  
1534 school's students on statewide standardized end-of-course  
1535 assessments administered under s. 1008.22(3)(c)2.b. and c.; and

1536 f. The growth or decline in the components listed in sub-  
1537 subparagraphs a.-e. from year to year.

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1538 (c) Student assessment data used in determining school  
1539 grades shall include:

1540 1. The aggregate scores of all eligible students enrolled  
1541 in the school who have been assessed on the FCAT and statewide,  
1542 standardized end-of-course assessments in courses required for  
1543 high school graduation, including, beginning with the 2010-2011  
1544 school year, the end-of-course assessment in Algebra I; and  
1545 beginning with the 2011-2012 school year, the end-of-course  
1546 assessments in geometry and Biology; and beginning with the  
1547 2013-2014 school year, on the statewide, standardized end-of-  
1548 course assessment in civics education at the middle school  
1549 level.

1550 2. The aggregate scores of all eligible students enrolled  
1551 in the school who have been assessed on the FCAT and end-of-  
1552 course assessments as described in s. 1008.22(3)(c)2.a., and who  
1553 have scored at or in the lowest 25th percentile of students in  
1554 the school in reading and mathematics, unless these students are  
1555 exhibiting satisfactory performance.

1556 3. The achievement scores and learning gains of eligible  
1557 students attending alternative schools that provide dropout  
1558 prevention and academic intervention services pursuant to s.  
1559 1003.53. The term "eligible students" in this subparagraph does  
1560 not include students attending an alternative school who are  
1561 subject to district school board policies for expulsion for  
1562 repeated or serious offenses, who are in dropout retrieval  
1563 programs serving students who have officially been designated as  
1564 dropouts, or who are in programs operated or contracted by the  
1565 Department of Juvenile Justice. The student performance data for  
1566 eligible students identified in this subparagraph shall be

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1567 included in the calculation of the home school's grade. As used  
1568 in this subparagraph ~~section~~ and s. 1008.341, the term "home  
1569 school" means the school to which the student would be assigned  
1570 if the student were not assigned to an alternative school. If an  
1571 alternative school chooses to be graded under this section,  
1572 student performance data for eligible students identified in  
1573 this subparagraph shall not be included in the home school's  
1574 grade but shall be included only in the calculation of the  
1575 alternative school's grade. A school district that fails to  
1576 assign the FCAT and end-of-course assessment as described in s.  
1577 1008.22(3)(c)2.a. scores of each of its students to his or her  
1578 home school or to the alternative school that receives a grade  
1579 shall forfeit Florida School Recognition Program funds for 1  
1580 fiscal year. School districts must require collaboration between  
1581 the home school and the alternative school in order to promote  
1582 student success. This collaboration must include an annual  
1583 discussion between the principal of the alternative school and  
1584 the principal of each student's home school concerning the most  
1585 appropriate school assignment of the student.

1586 4. The achievement scores and learning gains of students  
1587 designated as hospital or homebound. Student assessment data for  
1588 students designated as hospital or homebound shall be assigned  
1589 to their home school for the purposes of school grades. As used  
1590 in this subparagraph, the term "home school" means the school to  
1591 which a student would be assigned if the student were not  
1592 assigned to a hospital or homebound program.

1593 5.4. For schools comprised of high school grades 9, 10, 11,  
1594 and 12, or grades 10, 11, and 12, the data listed in  
1595 subparagraphs 1.-3. and the following data as the Department of

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- 1596 Education determines such data are valid and available:
- 1597       a. The high school graduation rate of the school as
- 1598 calculated by the Department of Education;
- 1599       b. The participation rate of all eligible students enrolled
- 1600 in the school and enrolled in College Board Advanced Placement
- 1601 courses; International Baccalaureate courses; dual enrollment
- 1602 courses; Advanced International Certificate of Education
- 1603 courses; and courses or sequence of courses leading to national
- 1604 industry certification identified in the Industry Certification
- 1605 Funding List, pursuant to rules adopted by the State Board of
- 1606 Education;
- 1607       c. The aggregate scores of all eligible students enrolled
- 1608 in the school in College Board Advanced Placement courses,
- 1609 International Baccalaureate courses, and Advanced International
- 1610 Certificate of Education courses;
- 1611       d. Earning of college credit by all eligible students
- 1612 enrolled in the school in dual enrollment programs under s.
- 1613 1007.271;
- 1614       e. Earning of a national industry certification identified
- 1615 in the Industry Certification Funding List, pursuant to rules
- 1616 adopted by the State Board of Education;
- 1617       f. The aggregate scores of all eligible students enrolled
- 1618 in the school in reading, mathematics, and other subjects as
- 1619 measured by the SAT, the ACT, and the common placement test for
- 1620 postsecondary readiness;
- 1621       g. The high school graduation rate of all eligible at-risk
- 1622 students enrolled in the school who scored at Level 2 or lower
- 1623 on the grade 8 FCAT Reading and Mathematics examinations;
- 1624       h. The performance of the school's students on statewide



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1625 standardized end-of-course assessments administered under s.  
1626 1008.22(3)(c)2.b. and c.; and

1627 i. The growth or decline in the data components listed in  
1628 sub-subparagraphs a.-h. from year to year.

1629 (d) Notwithstanding the requirements in paragraphs (b) and  
1630 (c), beginning with the 2011-2012 school year, a school that  
1631 does not meet the minimum proficiency standards established by  
1632 the State Board of Education shall receive a school grade of  
1633 "F." A definition of minimum proficiency must include a minimum  
1634 percent of students proficient in reading and may include  
1635 significant gains from the prior year as a condition for waiving  
1636 this paragraph.

1637  
1638 The State Board of Education shall adopt appropriate criteria  
1639 for each school grade. The criteria must also give added weight  
1640 to student achievement in reading. Schools designated with a  
1641 grade of "C," making satisfactory progress, shall be required to  
1642 demonstrate that adequate progress has been made by students in  
1643 the school who are in the lowest 25th percentile in reading and  
1644 mathematics on the FCAT and end-of-course assessments as  
1645 described in s. 1008.22(3)(c)2.a., unless these students are  
1646 exhibiting satisfactory performance. Beginning with the 2009-  
1647 2010 school year for schools comprised of high school grades 9,  
1648 10, 11, and 12, or grades 10, 11, and 12, the criteria for  
1649 school grades must also give added weight to the graduation rate  
1650 of all eligible at-risk students, as defined in this paragraph.  
1651 Beginning in the 2009-2010 school year, in order for a high  
1652 school to be designated as having a grade of "A," making  
1653 excellent progress, the school must demonstrate that at-risk

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1654 students, as defined in this paragraph, in the school are making  
1655 adequate progress.

1656 Section 23. Paragraph (a) of subsection (3) of section  
1657 1011.01, Florida Statutes, is amended to read:

1658 1011.01 Budget system established.—

1659 (3) (a) Each district school board and each community  
1660 college board of trustees shall prepare, adopt, and submit to  
1661 the Commissioner of Education ~~for review~~ an annual operating  
1662 budget. Operating budgets shall be prepared and submitted in  
1663 accordance with the provisions of law, rules of the State Board  
1664 of Education, the General Appropriations Act, and for district  
1665 school boards in accordance with the provisions of ss. 200.065  
1666 and 1011.64.

1667 Section 24. Subsection (4) of section 1011.03, Florida  
1668 Statutes, is amended to read:

1669 1011.03 Public hearings; budget to be submitted to  
1670 Department of Education.—

1671 (4) The board shall hold public hearings to adopt tentative  
1672 and final budgets pursuant to s. 200.065. The hearings shall be  
1673 primarily for the purpose of hearing requests and complaints  
1674 from the public regarding the budgets and the proposed tax  
1675 levies and for explaining the budget and proposed or adopted  
1676 amendments thereto, if any. The district school board shall then  
1677 require the superintendent to transmit forthwith two copies of  
1678 the adopted budget to the Department of Education ~~for approval~~  
1679 as prescribed by law and rules of the State Board of Education.

1680 Section 25. Section 1011.035, Florida Statutes, is created  
1681 to read:

1682 1011.035 School district budget transparency.—

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1683       (1) The Legislature finds that it is important for school  
1684 districts to provide budgetary transparency to enable taxpayers,  
1685 parents, and education advocates to obtain school district  
1686 budgets and related information in a manner that is simply  
1687 explained and easily understandable. The Legislature finds that  
1688 financial transparency leads to more responsible spending, more  
1689 citizen involvement, and improved accountability. The  
1690 Legislature further finds that a budget that is not transparent,  
1691 accessible, and accurate cannot be properly analyzed, its  
1692 implementation thoroughly monitored, or its outcomes evaluated.

1693       (2) Each district school board shall post on its website  
1694 its plain language version of each proposed, tentative, and  
1695 official budget that describes each budget item in terms that  
1696 are easily understandable to the public. This information must  
1697 be prominently posted on the school district's website in a  
1698 manner that is readily accessible to the public.

1699       (3) Each district school board is encouraged to post the  
1700 following information on its website:

1701       (a) Timely information as to when a budget hearing will be  
1702 conducted;

1703       (b) Each approved contract between the district school  
1704 board and the teachers' union;

1705       (c) Each approved contract between the district school  
1706 board and noninstructional staff;

1707       (d) Recommendations of the citizens' budget advisory  
1708 committee; and

1709       (e) Current and archived video recordings of each district  
1710 school board meeting and workshop.

1711       (4) Each district school board's website must contain

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1712 links:1713 (a) Helping explain or providing background information on  
1714 various budget items that are required by state or federal law;1715 (b) Allowing users to navigate to related sites to view  
1716 supporting detail; and1717 (c) Enabling taxpayers, parents, and education advocates to  
1718 send e-mails asking questions about the budget and to enable  
1719 others to see the questions and responses.1720 Section 26. Subsection (1) of section 1011.61, Florida  
1721 Statutes, is amended to read:1722 1011.61 Definitions.—Notwithstanding the provisions of s.  
1723 1000.21, the following terms are defined as follows for the  
1724 purposes of the Florida Education Finance Program:1725 (1) A "full-time equivalent student" in each program of the  
1726 district is defined in terms of full-time students and part-time  
1727 students as follows:1728 (a) A "full-time student" is one student on the membership  
1729 roll of one school program or a combination of school programs  
1730 listed in s. 1011.62(1)(c) for the school year or the equivalent  
1731 for:1732 1. Instruction in a standard school, comprising not less  
1733 than 900 net hours for a student in or at the grade level of 4  
1734 through 12, or not less than 720 net hours for a student in or  
1735 at the grade level of kindergarten through grade 3 or in an  
1736 authorized prekindergarten exceptional program;1737 2. Instruction in a double-session school or a school  
1738 utilizing an experimental school calendar approved by the  
1739 Department of Education, comprising not less than the equivalent  
1740 of 810 net hours in grades 4 through 12 or not less than 630 net

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1741 hours in kindergarten through grade 3; or

1742 3. Instruction comprising the appropriate number of net  
1743 hours set forth in subparagraph 1. or subparagraph 2. for  
1744 students who, within the past year, have moved with their  
1745 parents for the purpose of engaging in the farm labor or fish  
1746 industries, if a plan furnishing such an extended school day or  
1747 week, or a combination thereof, has been approved by the  
1748 commissioner. Such plan may be approved to accommodate the needs  
1749 of migrant students only or may serve all students in schools  
1750 having a high percentage of migrant students. The plan described  
1751 in this subparagraph is optional for any school district and is  
1752 not mandated by the state.

1753 (b) A "part-time student" is a student on the active  
1754 membership roll of a school program or combination of school  
1755 programs listed in s. 1011.62(1)(c) who is less than a full-time  
1756 student.

1757 (c)1. A "full-time equivalent student" is:

1758 a. A full-time student in any one of the programs listed in  
1759 s. 1011.62(1)(c); or

1760 b. A combination of full-time or part-time students in any  
1761 one of the programs listed in s. 1011.62(1)(c) which is the  
1762 equivalent of one full-time student based on the following  
1763 calculations:

1764 (I) A full-time student, except a postsecondary or adult  
1765 student or a senior high school student enrolled in adult  
1766 education when such courses are required for high school  
1767 graduation, in a combination of programs listed in s.  
1768 1011.62(1)(c) shall be a fraction of a full-time equivalent  
1769 membership in each special program equal to the number of net

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1770 hours per school year for which he or she is a member, divided  
1771 by the appropriate number of hours set forth in subparagraph  
1772 (a)1. or subparagraph (a)2. The difference between that fraction  
1773 or sum of fractions and the maximum value as set forth in  
1774 subsection (4) for each full-time student is presumed to be the  
1775 balance of the student's time not spent in such special  
1776 education programs and shall be recorded as time in the  
1777 appropriate basic program.

1778 (II) A prekindergarten handicapped student shall meet the  
1779 requirements specified for kindergarten students.

1780 (III) A full-time equivalent student for students in  
1781 kindergarten through grade 5 in a school district virtual  
1782 instruction program under s. 1002.45 shall consist of a student  
1783 who has successfully completed a basic program listed in s.  
1784 1011.62(1)(c)1.a. or b., and who is promoted to a higher grade  
1785 level.

1786 (IV) A full-time equivalent student for students in grades  
1787 6 through 8 ~~12~~ in a school district virtual instruction program  
1788 under s. 1002.45(1)(b)1. ~~and 2.~~ shall consist of six full  
1789 successful course credit completions in programs listed in s.  
1790 1011.62(1)(c)1.b. or c. and 3. A full-time equivalent student  
1791 for students in grades 9 through 12 in a school district virtual  
1792 instruction program under s. 1002.45(1)(b)1. and 2. shall  
1793 consist of six full credit completions in programs listed in s.  
1794 1011.62(1)(c)1.c. or 3. Successful course Credit completions for  
1795 students in grades 6 through 8 can be a combination of either  
1796 successful semester or full course completions ~~full credits or~~  
1797 ~~half credits.~~ Successful credit completions for students in  
1798 grades 9 through 12 can be a combination of either credits or

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1799 half credits.

1800 (V) A Florida Virtual School full-time equivalent student  
1801 shall consist of six full successful course completions for  
1802 students in grades 4 through 8 ~~credit completions~~ in the  
1803 programs listed in s. 1011.62(1)(c)1.b. ~~for grades 6 through 8~~  
1804 ~~and the programs listed in s. 1011.62(1)(c)1.c. for grades 9~~  
1805 ~~through 12.~~ A Florida Virtual School full-time equivalent  
1806 student shall consist of six full credit completions for grades  
1807 9 through 12 in the programs listed in s. 1011.62(1)(c)1.c. and  
1808 3. Credit or course completions can be a combination of either  
1809 successful semester or full course completions for grades 6  
1810 through 8 and full credits and half-credits for grades 9 through  
1811 12 ~~full credits or half credits.~~

1812 (VI) Each successfully completed credit earned under the  
1813 alternative high school course credit requirements authorized in  
1814 s. 1002.375, which is not reported as a portion of the 900 net  
1815 hours of instruction pursuant to subparagraph (1)(a)1., shall be  
1816 calculated as 1/6 FTE.

1817 2. A student in membership in a program scheduled for more  
1818 or less than 180 school days or the equivalent on an hourly  
1819 basis as specified by rules of the State Board of Education is a  
1820 fraction of a full-time equivalent membership equal to the  
1821 number of instructional hours in membership divided by the  
1822 appropriate number of hours set forth in subparagraph (a)1.;

1823 however, for the purposes of this subparagraph, membership in  
1824 programs scheduled for more than 180 days is limited to students  
1825 enrolled in juvenile justice education programs and the Florida  
1826 Virtual School.

1827

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1828 The department shall determine and implement an equitable method  
1829 of equivalent funding for experimental schools and for schools  
1830 operating under emergency conditions, which schools have been  
1831 approved by the department to operate for less than the minimum  
1832 school day.

1833 Section 27. Paragraph (p) of subsection (1) of section  
1834 1011.62, Florida Statutes, is amended to read:

1835 1011.62 Funds for operation of schools.—If the annual  
1836 allocation from the Florida Education Finance Program to each  
1837 district for operation of schools is not determined in the  
1838 annual appropriations act or the substantive bill implementing  
1839 the annual appropriations act, it shall be determined as  
1840 follows:

1841 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
1842 OPERATION.—The following procedure shall be followed in  
1843 determining the annual allocation to each district for  
1844 operation:

1845 (p) *Calculation of additional full-time equivalent*  
1846 *membership based on certification of successful completion of*  
1847 *industry-certified career and professional academy programs*  
1848 *pursuant to ss. 1003.491, 1003.492, ~~and~~ 1003.493, and 1003.4935*  
1849 *and identified in the Industry Certified Funding List pursuant*  
1850 *to rules adopted by the State Board of Education.—A maximum*  
1851 *value of 0.3 full-time equivalent student membership shall be*  
1852 *calculated for each student who completes an industry-certified*  
1853 *career and professional academy program under ss. 1003.491,*  
1854 *1003.492, ~~and~~ 1003.493, and 1003.4935 and who is issued the*  
1855 *highest level of industry certification identified annually in*  
1856 *the Industry Certification Funding List approved under rules*



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1857 adopted by the State Board of Education and a high school  
1858 diploma. The value of full-time equivalent student membership  
1859 shall be determined by weights adopted by the State Board of  
1860 Education pursuant to s. 1003.492. Such value shall be added to  
1861 the total full-time equivalent student membership in secondary  
1862 career education programs for grades 9 through 12 in the  
1863 subsequent year for courses that were not funded through dual  
1864 enrollment. The additional full-time equivalent membership  
1865 authorized under this paragraph may not exceed 0.3 per student.  
1866 Allocated funds shall be proportionately prorated and  
1867 distributed to middle school career and professional academies  
1868 for those students who earned industry certifications. Each  
1869 district must allocate at least 80 percent of the funds  
1870 generated by student attainment of an ~~provided for~~ industry  
1871 certification, in accordance with this paragraph, to the program  
1872 in which the student earned the industry certification ~~that~~  
1873 ~~generated the funds.~~ Unless a different amount is specified in  
1874 the General Appropriations Act, the appropriation for this  
1875 calculation is limited to \$15 million annually. If the  
1876 appropriation is insufficient to fully fund the total  
1877 calculation, the appropriation shall be prorated.

1878 Section 28. Subsection (1) of section 1012.39, Florida  
1879 Statutes, is amended to read:

1880 1012.39 Employment of substitute teachers, teachers of  
1881 adult education, nondegreed teachers of career education, and  
1882 career specialists; students performing clinical field  
1883 experience.—

1884 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and  
1885 1012.57, or any other provision of law or rule to the contrary,

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1886 each district school board shall establish the minimal  
1887 qualifications for:

1888 (a) Substitute teachers to be employed pursuant to s.  
1889 1012.35. The qualifications shall require the filing of a  
1890 complete set of fingerprints in the same manner as required by  
1891 s. 1012.32; documentation of a minimum education level of a high  
1892 school diploma or equivalent; and completion of an initial  
1893 orientation and training program in district policies and  
1894 procedures addressing school safety and security procedures,  
1895 educational liability laws, professional responsibilities, and  
1896 ethics.

1897 (b) Part-time and full-time teachers in adult education  
1898 programs. The qualifications shall require the filing of a  
1899 complete set of fingerprints in the same manner as required by  
1900 s. 1012.32. Faculty employed solely to conduct postsecondary  
1901 instruction may be exempted from this requirement.

1902 (c) Part-time and full-time nondegreed teachers of career  
1903 programs. Qualifications shall be established for nondegreed  
1904 teachers of career and technical education courses for program  
1905 clusters that are recognized in this state ~~agriculture,~~  
1906 ~~business, health occupations, family and consumer sciences,~~  
1907 ~~industrial, marketing, career specialist, and public service~~  
1908 ~~education teachers~~, based primarily on successful occupational  
1909 experience rather than academic training. The qualifications for  
1910 such teachers shall require:

1911 1. The filing of a complete set of fingerprints in the same  
1912 manner as required by s. 1012.32. Faculty employed solely to  
1913 conduct postsecondary instruction may be exempted from this  
1914 requirement.

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1915           2. Documentation of education and successful occupational  
1916 experience including documentation of:

1917           a. A high school diploma or the equivalent.

1918           b. Completion of 6 years of full-time successful  
1919 occupational experience or the equivalent of part-time  
1920 experience in the teaching specialization area. The district  
1921 school board may establish alternative qualifications for  
1922 teachers who hold industry certificates in the career areas in  
1923 which they teach. Alternate means of determining successful  
1924 occupational experience may be established by the district  
1925 school board.

1926           c. Industry certification if state or national industry  
1927 certifications are available and applicable.

1928           ~~d.e.~~ Completion of career education training conducted  
1929 through the local school district inservice master plan.

1930           ~~e.d.~~ For full-time teachers, completion of professional  
1931 education training in teaching methods, course construction,  
1932 lesson planning and evaluation, and teaching special needs  
1933 students. This training may be completed through coursework from  
1934 an accredited or approved institution or an approved district  
1935 teacher education program.

1936           ~~f.e.~~ Demonstration of successful teaching performance.

1937           Section 29. Except as otherwise expressly provided in this  
1938 act and except for this section, which shall take effect upon  
1939 this act becoming a law, this act shall take effect July 1,  
1940 2011.