

1 A bill to be entitled
 2 An act relating to the Florida Comprehensive
 3 Assessment Test; amending s. 1008.22, F.S.;
 4 discontinuing use of the Florida Comprehensive
 5 Assessment Test (FCAT) under the statewide assessment
 6 program in the public schools; continuing use of end-
 7 of-course assessments as required or developed and
 8 implemented under the section; amending ss. 1002.33,
 9 1002.37, 1003.03, 1003.413, 1003.4156, 1003.428,
 10 1003.429, 1003.4295, 1003.433, 1006.33, 1008.25,
 11 1008.30, 1008.34, 1008.341, 1011.62, 1012.22, and
 12 1012.34, F.S.; conforming provisions to changes made
 13 by the act; providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Paragraph (c) of subsection (3), paragraphs (b)
 18 and (c) of subsection (4), subsection (6), paragraph (a) of
 19 subsection (7), paragraphs (b) and (c) of subsection (9), and
 20 subsections (10) through (13) of section 1008.22, Florida
 21 Statutes, are amended to read:

22 1008.22 Student assessment program for public schools.—

23 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
 24 design and implement a statewide program of educational
 25 assessment that provides information for the improvement of the
 26 operation and management of the public schools, including
 27 schools operating for the purpose of providing educational
 28 services to youth in Department of Juvenile Justice programs.

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29 The commissioner may enter into contracts for the continued
30 administration of the assessment, testing, and evaluation
31 programs authorized and funded by the Legislature. Contracts may
32 be initiated in 1 fiscal year and continue into the next and may
33 be paid from the appropriations of either or both fiscal years.
34 The commissioner is authorized to negotiate for the sale or
35 lease of tests, scoring protocols, test scoring services, and
36 related materials developed pursuant to law. Pursuant to the
37 statewide assessment program, the commissioner shall:

38 (c) Develop and implement a student achievement testing
39 program as follows:

40 ~~1. The Florida Comprehensive Assessment Test (FCAT)~~
41 ~~measures a student's content knowledge and skills in reading,~~
42 ~~writing, science, and mathematics. The content knowledge and~~
43 ~~skills assessed by the FCAT must be aligned to the core~~
44 ~~curricular content established in the Next Generation Sunshine~~
45 ~~State Standards. Other content areas may be included as directed~~
46 ~~by the commissioner. Comprehensive assessments of reading and~~
47 ~~mathematics shall be administered annually in grades 3 through~~
48 ~~10 except, beginning with the 2010-2011 school year, the~~
49 ~~administration of grade 9 FCAT Mathematics shall be~~
50 ~~discontinued, and beginning with the 2011-2012 school year, the~~
51 ~~administration of grade 10 FCAT Mathematics shall be~~
52 ~~discontinued, except as required for students who have not~~
53 ~~attained minimum performance expectations for graduation as~~
54 ~~provided in paragraph (9) (c). FCAT Writing and FCAT Science~~
55 ~~shall be administered at least once at the elementary, middle,~~
56 ~~and high school levels except, beginning with the 2011-2012~~

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57 ~~school year, the administration of FCAT Science at the high~~
58 ~~school level shall be discontinued.~~

59 1.a.2.a. End-of-course assessments for a subject shall be
60 administered as required or otherwise implemented under this
61 section ~~in addition to the comprehensive assessments required~~
62 ~~under subparagraph 1.~~ End-of-course assessments must be
63 rigorous, statewide, standardized, and developed or approved by
64 the department. The content knowledge and skills assessed by
65 end-of-course assessments must be aligned to the core curricular
66 content established in the Next Generation Sunshine State
67 Standards.

68 (I) Statewide, standardized end-of-course assessments in
69 mathematics shall be administered according to this sub-sub-
70 subparagraph. Beginning with the 2010-2011 school year, all
71 students enrolled in Algebra I or an equivalent course must take
72 the Algebra I end-of-course assessment. For students entering
73 grade 9 during the 2010-2011 school year and who are enrolled in
74 Algebra I or an equivalent, each student's performance on the
75 end-of-course assessment in Algebra I shall constitute 30
76 percent of the student's final course grade. Beginning with
77 students entering grade 9 in the 2011-2012 school year, a
78 student who is enrolled in Algebra I or an equivalent must earn
79 a passing score on the end-of-course assessment in Algebra I or
80 attain an equivalent score as described in subsection (10) ~~(11)~~
81 in order to earn course credit. Beginning with the 2011-2012
82 school year, all students enrolled in geometry or an equivalent
83 course must take the geometry end-of-course assessment. For
84 students entering grade 9 during the 2011-2012 school year, each

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85 student's performance on the end-of-course assessment in
86 geometry shall constitute 30 percent of the student's final
87 course grade. Beginning with students entering grade 9 during
88 the 2012-2013 school year, a student must earn a passing score
89 on the end-of-course assessment in geometry or attain an
90 equivalent score as described in subsection (10)~~(11)~~ in order to
91 earn course credit.

92 (II) Statewide, standardized end-of-course assessments in
93 science shall be administered according to this sub-sub-
94 subparagraph. Beginning with the 2011-2012 school year, all
95 students enrolled in Biology I or an equivalent course must take
96 the Biology I end-of-course assessment. For the 2011-2012 school
97 year, each student's performance on the end-of-course assessment
98 in Biology I shall constitute 30 percent of the student's final
99 course grade. Beginning with students entering grade 9 during
100 the 2012-2013 school year, a student must earn a passing score
101 on the end-of-course assessment in Biology I in order to earn
102 course credit.

103 b. During the 2012-2013 school year, an end-of-course
104 assessment in civics education shall be administered as a field
105 test at the middle school level. During the 2013-2014 school
106 year, each student's performance on the statewide, standardized
107 end-of-course assessment in civics education shall constitute 30
108 percent of the student's final course grade. Beginning with the
109 2014-2015 school year, a student must earn a passing score on
110 the end-of-course assessment in civics education in order to
111 pass the course and be promoted from the middle grades. The
112 school principal of a middle school shall determine, in

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113 accordance with State Board of Education rule, whether a student
114 who transfers to the middle school and who has successfully
115 completed a civics education course at the student's previous
116 school must take an end-of-course assessment in civics
117 education.

118 c. The commissioner may select one or more nationally
119 developed comprehensive examinations, which may include, but
120 need not be limited to, examinations for a College Board
121 Advanced Placement course, International Baccalaureate course,
122 or Advanced International Certificate of Education course, or
123 industry-approved examinations to earn national industry
124 certifications identified in the Industry Certification Funding
125 List, pursuant to rules adopted by the State Board of Education,
126 for use as end-of-course assessments under this paragraph, if
127 the commissioner determines that the content knowledge and
128 skills assessed by the examinations meet or exceed the grade
129 level expectations for the core curricular content established
130 for the course in the Next Generation Sunshine State Standards.
131 The commissioner may collaborate with the American Diploma
132 Project in the adoption or development of rigorous end-of-course
133 assessments that are aligned to the Next Generation Sunshine
134 State Standards.

135 d. Contingent upon funding provided in the General
136 Appropriations Act, including the appropriation of funds
137 received through federal grants, the Commissioner of Education
138 shall establish an implementation schedule for the development
139 and administration of additional statewide, standardized end-of-
140 course assessments in English/Language Arts II, Algebra II,

141 chemistry, physics, earth/space science, United States history,
142 and world history. Priority shall be given to the development of
143 end-of-course assessments in English/Language Arts II. ~~The~~
144 ~~Commissioner of Education shall evaluate the feasibility and~~
145 ~~effect of transitioning from the grade 9 and grade 10 FCAT~~
146 ~~Reading and high school level FCAT Writing to an end-of-course~~
147 ~~assessment in English/Language Arts II. The commissioner shall~~
148 ~~report the results of the evaluation to the President of the~~
149 ~~Senate and the Speaker of the House of Representatives no later~~
150 ~~than July 1, 2011.~~

151 2.3. The testing program shall measure student content
152 knowledge and skills adopted by the State Board of Education as
153 specified in paragraph (a) and measure and report student
154 performance levels of all students assessed in reading, writing,
155 mathematics, and science. The commissioner shall provide for the
156 tests to be developed or obtained, as appropriate, through
157 contracts and project agreements with private vendors, public
158 vendors, public agencies, postsecondary educational
159 institutions, or school districts. The commissioner shall obtain
160 input with respect to the design and implementation of the
161 testing program from state educators, assistive technology
162 experts, and the public.

163 3.4. The testing program shall be composed of criterion-
164 referenced tests that shall, to the extent determined by the
165 commissioner, include test items that require the student to
166 produce information or perform tasks in such a way that the core
167 content knowledge and skills he or she uses can be measured.

168 4.5. ~~FCAT Reading, Mathematics, and Science and All~~

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169 statewide, standardized end-of-course assessments shall measure
170 the content knowledge and skills a student has attained on the
171 assessment by the use of scaled scores and achievement levels.
172 Achievement levels shall range from 1 through 5, with level 1
173 being the lowest achievement level, level 5 being the highest
174 achievement level, and level 3 indicating satisfactory
175 performance on an assessment. ~~For purposes of FCAT Writing,~~
176 ~~student achievement shall be scored using a scale of 1 through 6~~
177 ~~and the score earned shall be used in calculating school grades.~~
178 A score shall be designated for each subject area tested, below
179 which score a student's performance is deemed inadequate. The
180 school districts shall provide appropriate remedial instruction
181 to students who score below these levels.

182 5.6. The State Board of Education shall, by rule,
183 designate a passing score for each ~~part of the grade 10~~
184 ~~assessment test and~~ end-of-course assessment assessments. Any
185 rule that has the effect of raising the required passing scores
186 may apply only to students taking the assessment for the first
187 time after the rule is adopted by the State Board of Education.
188 ~~Except as otherwise provided in this subparagraph and as~~
189 ~~provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students~~
190 ~~must earn a passing score on grade 10 FCAT Reading and grade 10~~
191 ~~FCAT Mathematics or attain concordant scores as described in~~
192 ~~subsection (10) in order to qualify for a standard high school~~
193 ~~diploma.~~

194 6.7. In addition to designating a passing score under
195 subparagraph 5.6., the State Board of Education shall also
196 designate, by rule, a score for each statewide, standardized

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197 end-of-course assessment which indicates that a student is high
198 achieving and has the potential to meet college-readiness
199 standards by the time the student graduates from high school.

200 ~~7.8.~~ Participation in the testing program is mandatory for
201 all students attending public school, including students served
202 in Department of Juvenile Justice programs, except as otherwise
203 prescribed by the commissioner. ~~A student who has not earned~~
204 ~~passing scores on the grade 10 FCAT as provided in subparagraph~~
205 ~~6. must participate in each retake of the assessment until the~~
206 ~~student earns passing scores or achieves scores on a~~
207 ~~standardized assessment which are concordant with passing scores~~
208 ~~pursuant to subsection (10).~~ If a student does not participate
209 in the testing program statewide assessment, the district must
210 notify the student's parent and provide the parent with
211 information regarding the implications of such nonparticipation.
212 A parent must provide signed consent for a student to receive
213 classroom instructional accommodations that would not be
214 available or permitted on end-of-course ~~the statewide~~
215 assessments and must acknowledge in writing that he or she
216 understands the implications of such instructional
217 accommodations. The State Board of Education shall adopt rules,
218 based upon recommendations of the commissioner, for the
219 provision of test accommodations for students in exceptional
220 education programs and for students who have limited English
221 proficiency. Accommodations that negate the validity of an end-
222 of-course ~~a statewide~~ assessment are not allowable in the
223 administration of ~~the FCAT or~~ an end-of-course assessment.
224 However, instructional accommodations are allowable in the

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225 classroom if included in a student's individual education plan.
226 Students using instructional accommodations in the classroom
227 that are not allowable as accommodations on ~~the FCAT or~~ an end-
228 of-course assessment may have ~~the FCAT or~~ an end-of-course
229 assessment requirement waived pursuant to the requirements of s.
230 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~.

231 8.9. A student seeking an adult high school diploma must
232 meet the same testing requirements that a regular high school
233 student must meet.

234 9.10. District school boards must provide instruction to
235 prepare students in the core curricular content established in
236 the Next Generation Sunshine State Standards adopted under s.
237 1003.41, including the core content knowledge and skills
238 necessary for successful grade-to-grade progression and high
239 school graduation. If a student is provided with instructional
240 accommodations in the classroom that are not allowable as
241 accommodations in the statewide assessment program, as described
242 in the test manuals, the district must inform the parent in
243 writing and must provide the parent with information regarding
244 the impact on the student's ability to meet expected performance
245 levels in reading, writing, mathematics, and science. The
246 commissioner shall conduct studies as necessary to verify that
247 the required core curricular content is part of the district
248 instructional programs.

249 10.11. District school boards must provide opportunities
250 for students to demonstrate an acceptable performance level on
251 an alternative standardized assessment approved by the State
252 Board of Education following enrollment in summer academies.

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253 11.12. The Department of Education must develop, or
254 select, and implement a common battery of assessment tools that
255 will be used in all juvenile justice programs in the state.
256 These tools must accurately measure the core curricular content
257 established in the Next Generation Sunshine State Standards.

258 12.13. For students seeking a special diploma pursuant to
259 s. 1003.438, the Department of Education must develop or select
260 and implement an alternate assessment tool that accurately
261 measures the core curricular content established in the Next
262 Generation Sunshine State Standards for students with
263 disabilities under s. 1003.438.

264 ~~14. The Commissioner of Education shall establish~~
265 ~~schedules for the administration of statewide assessments and~~
266 ~~the reporting of student test results. When establishing the~~
267 ~~schedules for the administration of statewide assessments, the~~
268 ~~commissioner shall consider the observance of religious and~~
269 ~~school holidays. The commissioner shall, by August 1 of each~~
270 ~~year, notify each school district in writing and publish on the~~
271 ~~department's Internet website the testing and reporting~~
272 ~~schedules for, at a minimum, the school year following the~~
273 ~~upcoming school year. The testing and reporting schedules shall~~
274 ~~require that:~~

275 ~~a. There is the latest possible administration of~~
276 ~~statewide assessments and the earliest possible reporting to the~~
277 ~~school districts of student test results which is feasible~~
278 ~~within available technology and specific appropriations;~~
279 ~~however, test results for the FCAT must be made available no~~
280 ~~later than the week of June 8. Student results for end-of-course~~

281 ~~assessments must be provided no later than 1 week after the~~
 282 ~~school district completes testing for each course. The~~
 283 ~~commissioner may extend the reporting schedule under exigent~~
 284 ~~circumstances.~~

285 ~~b. FCAT Writing may not be administered earlier than the~~
 286 ~~week of March 1, and a comprehensive statewide assessment of any~~
 287 ~~other subject may not be administered earlier than the week of~~
 288 ~~April 15.~~

289 13.e. A statewide, standardized end-of-course assessment
 290 is administered at the end of the course. The commissioner shall
 291 select an administration period for assessments that meets the
 292 intent of end-of-course assessments and provides student results
 293 prior to the end of the course. School districts shall
 294 administer tests in accordance with a ~~the~~ schedule determined by
 295 the commissioner. For an end-of-course assessment administered
 296 at the end of the first semester, the commissioner shall
 297 determine the most appropriate testing dates based on a review
 298 of each school district's academic calendar.

299 14. The commissioner may, based on collaboration and input
 300 from school districts, design and implement student testing
 301 programs, for any grade level and subject area, necessary to
 302 effectively monitor educational achievement in the state,
 303 including the measurement of educational achievement of the Next
 304 Generation Sunshine State Standards for students with
 305 disabilities. Development and refinement of assessments shall
 306 include universal design principles and accessibility standards
 307 that will prevent any unintended obstacles for students with
 308 disabilities while ensuring the validity and reliability of the

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309 test. These principles should be applicable to all technology
310 platforms and assistive devices available for the assessments.
311 The field testing process and psychometric analyses for the
312 statewide assessment program must include an appropriate
313 percentage of students with disabilities and an evaluation or
314 determination of the effect of test items on such students.

315 (4) STATEWIDE ASSESSMENT PREPARATION; PROHIBITED
316 ACTIVITIES.—Beginning with the 2008-2009 school year, a district
317 school board shall prohibit each public school from suspending a
318 regular program of curricula for purposes of administering
319 practice tests or engaging in other test-preparation activities
320 for a statewide assessment. However, a district school board may
321 authorize a public school to engage in the following test-
322 preparation activities for a statewide assessment:

323 (b) Providing individualized instruction in test-taking
324 strategies, without suspending the school's regular program of
325 curricula, for a student who scores below grade level ~~at Level 1~~
326 ~~or Level 2~~ on a prior administration of the statewide
327 assessment.

328 (c) Providing individualized instruction in the content
329 knowledge and skills assessed, without suspending the school's
330 regular program of curricula, for a student who scores below
331 grade level ~~at Level 1 or Level 2~~ on a prior administration of
332 the statewide assessment or a student who, through a diagnostic
333 assessment administered by the school district, is identified as
334 having a deficiency in the content knowledge and skills
335 assessed.

336 (6) SCHOOL TESTING PROGRAMS.—Each public school shall

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337 participate in the statewide assessment program in accordance
338 with the testing and reporting schedules ~~published by the~~
339 ~~Commissioner of Education~~ under subparagraph (3)(c)13.
340 ~~(3)(c)14.~~ unless specifically exempted by state board rule based
341 on serving a specialized population for which standardized
342 testing is not appropriate. Student performance data shall be
343 analyzed and reported to parents, the community, and the state.
344 Student performance data shall be used in developing objectives
345 of the school improvement plan, evaluation of instructional
346 personnel, evaluation of administrative personnel, assignment of
347 staff, allocation of resources, acquisition of instructional
348 materials and technology, performance-based budgeting, and
349 promotion and assignment of students into educational programs.
350 The analysis of student performance data also must identify
351 strengths and needs in the educational program and trends over
352 time. The analysis must be used in conjunction with the
353 budgetary planning processes developed pursuant to s. 1008.385
354 and the development of the programs of remediation.

355 (7) REQUIRED ANALYSES.—The commissioner shall provide, at
356 a minimum, for the following analyses of data produced by the
357 student achievement testing program:

358 (a) The statistical system for the annual assessments
359 shall use measures of student learning, such as the end-of-
360 course assessments ~~FCAT~~, to determine teacher, school, and
361 school district statistical distributions, which shall be
362 determined using available data from the end-of-course
363 assessments ~~FCAT~~, and other data collection as deemed
364 appropriate by the Department of Education, to measure the

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365 differences in student prior year achievement compared to the
366 current year achievement for the purposes of accountability and
367 recognition.

368 (9) APPLICABILITY OF TESTING STANDARDS.—

369 (b) A student must attain the passing scores on the
370 statewide assessment required for a standard high school diploma
371 or for high school course credits under sub-sub-subparagraphs
372 (3)(c)1.a.(I) and (II) ~~(3)(c)2.a.(I) and (II)~~ which are in
373 effect at the time the student enters grade 9. If a student
374 transfers into a high school, the school principal shall
375 determine, in accordance with State Board of Education rule,
376 whether the student must take an end-of-course assessment in a
377 course for which the student has credit that was earned from the
378 previous school.

379 (c) If the commissioner revises a statewide assessment and
380 the revisions require the State Board of Education to modify the
381 passing scores required for a standard high school diploma or
382 for high school course credits under sub-sub-subparagraphs
383 (3)(c)1.a.(I) and (II) ~~(3)(c)2.a.(I) and (II)~~, the commissioner
384 may, with approval of the state board, discontinue
385 administration of the former assessment upon the graduation,
386 based on normal student progression, of students participating
387 in the final regular administration of the former assessment.
388 The state board shall adopt by rule passing scores for the
389 revised assessment which are statistically equivalent to passing
390 scores on the discontinued assessment for a student required
391 under paragraph (b) to attain passing scores on the discontinued
392 assessment.

393 ~~(10) CONCORDANT SCORES FOR THE FCAT.~~
 394 ~~(a) The Commissioner of Education shall analyze the~~
 395 ~~content and concordant data sets for nationally recognized high~~
 396 ~~school achievement tests, including, but not limited to, the~~
 397 ~~PSAT, PLAN, SAT, ACT, and College Placement Test, to assess if~~
 398 ~~concordant scores for FCAT scores can be determined for high~~
 399 ~~school graduation. When content alignment and concordant scores~~
 400 ~~can be determined, the Commissioner of Education shall adopt~~
 401 ~~those scores as meeting the graduation requirement in lieu of~~
 402 ~~achieving the FCAT passing score and may adopt those scores as~~
 403 ~~being sufficient to achieve additional purposes as determined by~~
 404 ~~rule. Each time that test content or scoring procedures change~~
 405 ~~for the FCAT or for a high school achievement test for which a~~
 406 ~~concordant score is determined, new concordant scores must be~~
 407 ~~determined.~~

408 ~~(b) The State Board of Education may define by rule the~~
 409 ~~allowable uses, other than to satisfy the high school graduation~~
 410 ~~requirement, for concordant scores as described in this~~
 411 ~~subsection. Such uses may include, but need not be limited to,~~
 412 ~~achieving appropriate standardized test scores required for the~~
 413 ~~awarding of Florida Bright Futures Scholarships and college~~
 414 ~~placement.~~

415 (10)~~(11)~~ EQUIVALENT SCORES FOR END-OF-COURSE ASSESSMENTS.
 416 (a) The Commissioner of Education shall analyze the
 417 content and equivalent data sets for nationally recognized high
 418 school achievement tests and industry certification tests under
 419 the Industry Certification Funding List, pursuant to rules
 420 adopted by the State Board of Education, including, but not

421 limited to, ~~grade 10 FCAT Mathematics retakes until such retakes~~
 422 ~~are discontinued pursuant to subsection (9),~~ the PSAT, the PLAN,
 423 the SAT, the ACT, and the College Placement Test, to assess if
 424 equivalent scores for end-of-course assessment scores can be
 425 determined for passage of an end-of-course assessment. When
 426 content alignment and equivalent scores can be determined, the
 427 Commissioner of Education shall adopt those scores as meeting
 428 the requirement to pass the end-of-course assessment and as
 429 being sufficient to achieve additional purposes as determined by
 430 rule. Each time that assessment content or scoring procedures
 431 change for an end-of-course assessment or for a high school
 432 achievement test or an industry certification test under the
 433 Industry Certification Funding List, pursuant to rules adopted
 434 by the State Board of Education for which an equivalent score is
 435 determined, new equivalent scores must be determined.

436 (b) Use of an equivalent score adopted by the State Board
 437 of Education under paragraph (a) for purposes of grade
 438 adjustment, grade forgiveness, or course credit recovery is
 439 contingent upon and subject to district school board rules.

440 (11)~~(12)~~ REPORTS.—The Department of Education shall
 441 annually provide a report to the Governor, the President of the
 442 Senate, and the Speaker of the House of Representatives on the
 443 following:

444 (a) Longitudinal performance of students in mathematics
 445 and reading.

446 (b) Longitudinal performance of students by grade level in
 447 mathematics and reading.

448 (c) Longitudinal performance regarding efforts to close

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449 the achievement gap.

450 (d) Other student performance data based on national norm-
451 referenced and criterion-referenced tests, when available, and
452 numbers of students who after 8th grade enroll in adult
453 education rather than other secondary education.

454 (12)~~(13)~~ RULES.—The State Board of Education shall adopt
455 rules pursuant to ss. 120.536(1) and 120.54 to implement the
456 provisions of this section.

457 Section 2. Paragraph (a) of subsection (20) of section
458 1002.33, Florida Statutes, is amended to read:

459 1002.33 Charter schools.—

460 (20) SERVICES.—

461 (a)1. A sponsor shall provide certain administrative and
462 educational services to charter schools. These services shall
463 include contract management services; full-time equivalent and
464 data reporting services; exceptional student education
465 administration services; services related to eligibility and
466 reporting duties required to ensure that school lunch services
467 under the federal lunch program, consistent with the needs of
468 the charter school, are provided by the school district at the
469 request of the charter school, that any funds due to the charter
470 school under the federal lunch program be paid to the charter
471 school as soon as the charter school begins serving food under
472 the federal lunch program, and that the charter school is paid
473 at the same time and in the same manner under the federal lunch
474 program as other public schools serviced by the sponsor or the
475 school district; test administration services, including payment
476 of the costs of state-required or district-required student

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477 assessments; processing of teacher certificate data services;
478 and information services, including equal access to student
479 information systems that are used by public schools in the
480 district in which the charter school is located. Student
481 performance data for each student in a charter school,
482 including, but not limited to, ~~FCAT scores,~~ standardized test
483 scores, previous public school student report cards, and student
484 performance measures, shall be provided by the sponsor to a
485 charter school in the same manner provided to other public
486 schools in the district.

487 2. A total administrative fee for the provision of such
488 services shall be calculated based upon up to 5 percent of the
489 available funds defined in paragraph (17)(b) for all students.
490 However, a sponsor may only withhold up to a 5-percent
491 administrative fee for enrollment for up to and including 250
492 students. For charter schools with a population of 251 or more
493 students, the difference between the total administrative fee
494 calculation and the amount of the administrative fee withheld
495 may only be used for capital outlay purposes specified in s.
496 1013.62(2).

497 3. For high-performing charter schools, as defined in ch.
498 2011-232, a sponsor may withhold a total administrative fee of
499 up to 2 percent for enrollment up to and including 250 students
500 per school.

501 4. In addition, a sponsor may withhold only up to a 5-
502 percent administrative fee for enrollment for up to and
503 including 500 students within a system of charter schools which
504 meets all of the following:

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- 505 a. Includes both conversion charter schools and
506 nonconversion charter schools;
- 507 b. Has all schools located in the same county;
- 508 c. Has a total enrollment exceeding the total enrollment
509 of at least one school district in the state;
- 510 d. Has the same governing board; and
- 511 e. Does not contract with a for-profit service provider
512 for management of school operations.
- 513 5. The difference between the total administrative fee
514 calculation and the amount of the administrative fee withheld
515 pursuant to subparagraph 4. may be used for instructional and
516 administrative purposes as well as for capital outlay purposes
517 specified in s. 1013.62(2).
- 518 6. For a high-performing charter school system that also
519 meets the requirements in subparagraph 4., a sponsor may
520 withhold a 2-percent administrative fee for enrollments up to
521 and including 500 students per system.
- 522 7. Sponsors shall not charge charter schools any
523 additional fees or surcharges for administrative and educational
524 services in addition to the maximum 5-percent administrative fee
525 withheld pursuant to this paragraph.
- 526 8. The sponsor of a virtual charter school may withhold a
527 fee of up to 5 percent. The funds shall be used to cover the
528 cost of services provided under subparagraph 1. and for the
529 school district's local instructional improvement system
530 pursuant to s. 1006.281 or other technological tools that are
531 required to access electronic and digital instructional
532 materials.

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533 Section 3. Subsection (9) of section 1002.37, Florida
534 Statutes, is amended to read:

535 1002.37 The Florida Virtual School.—

536 (9) Each elementary school principal must notify the
537 parent of each student who attains the highest achievement level
538 in reading or mathematics ~~scores at Level 4 or Level 5 on FCAT~~
539 ~~Reading or FCAT Mathematics~~ of the option for the student to
540 take accelerated courses through the Florida Virtual School.

541 Section 4. Paragraph (c) of subsection (3) of section
542 1003.03, Florida Statutes, is amended to read:

543 1003.03 Maximum class size.—

544 (3) IMPLEMENTATION OPTIONS.—District school boards must
545 consider, but are not limited to, implementing the following
546 items in order to meet the constitutional class size maximums
547 described in subsection (1):

548 (c)1. Repeal district school board policies that require
549 students to have more than 24 credits to graduate from high
550 school.

551 2. Adopt policies to allow students to graduate from high
552 school as soon as they pass all end-of-course assessments ~~the~~
553 ~~grade 10 FCAT~~ and complete the courses required for high school
554 graduation.

555 Section 5. Paragraph (d) of subsection (3) of section
556 1003.413, Florida Statutes, is amended to read:

557 1003.413 Florida Secondary School Redesign Act.—

558 (3) Based on these guiding principles, district school
559 boards shall establish policies to implement the requirements of
560 ss. 1003.4156, 1003.428, and 1003.493. The policies must

561 address:

562 (d) Credit recovery courses and intensive reading and
 563 mathematics intervention courses based on student performance ~~on~~
 564 ~~FCAT Reading and Mathematics~~. These courses should be competency
 565 based and offered through innovative delivery systems, including
 566 computer-assisted instruction. School districts should use
 567 learning gains as well as other appropriate data and provide
 568 incentives to identify and reward high-performing teachers who
 569 teach credit recovery and intensive intervention courses.

570 Section 6. Subsection (1) of section 1003.4156, Florida
 571 Statutes, is amended to read:

572 1003.4156 General requirements for middle grades
 573 promotion.—

574 (1) Promotion from a school composed of middle grades 6,
 575 7, and 8 requires that:

576 (a) The student must successfully complete academic
 577 courses as follows:

578 1. Three middle school or higher courses in English. These
 579 courses shall emphasize literature, composition, and technical
 580 text.

581 2. Three middle school or higher courses in mathematics.
 582 Each middle school must offer at least one high school level
 583 mathematics course for which students may earn high school
 584 credit. Successful completion of a high school level Algebra I
 585 or geometry course is not contingent upon the student's
 586 performance on the end-of-course assessment required under s.
 587 1008.22(3)(c)1.a.(I) ~~1008.22(3)(c)2.a.(I)~~. However, beginning
 588 with the 2011-2012 school year, to earn high school credit for

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589 an Algebra I course, a middle school student must pass the
590 Algebra I end-of-course assessment, and beginning with the 2012-
591 2013 school year, to earn high school credit for a geometry
592 course, a middle school student must pass the geometry end-of-
593 course assessment.

594 3. Three middle school or higher courses in social
595 studies, one semester of which must include the study of state
596 and federal government and civics education. Beginning with
597 students entering grade 6 in the 2012-2013 school year, one of
598 these courses must be at least a one-semester civics education
599 course that a student successfully completes in accordance with
600 s. 1008.22(3)(c) and that includes the roles and
601 responsibilities of federal, state, and local governments; the
602 structures and functions of the legislative, executive, and
603 judicial branches of government; and the meaning and
604 significance of historic documents, such as the Articles of
605 Confederation, the Declaration of Independence, and the
606 Constitution of the United States.

607 4. Three middle school or higher courses in science.
608 Successful completion of a high school level Biology I course is
609 not contingent upon the student's performance on the end-of-
610 course assessment required under s. 1008.22(3)(c)1.a.(II)
611 ~~1008.22(3)(c)2.a.(II)~~. However, beginning with the 2012-2013
612 school year, to earn high school credit for a Biology I course,
613 a middle school student must pass the Biology I end-of-course
614 assessment.

615 5. One course in career and education planning to be
616 completed in 7th or 8th grade. The course may be taught by any

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617 member of the instructional staff; must include career
618 exploration using Florida CHOICES or a comparable cost-effective
619 program; must include educational planning using the online
620 student advising system known as Florida Academic Counseling and
621 Tracking for Students at the Internet website FACTS.org; and
622 shall result in the completion of a personalized academic and
623 career plan. The required personalized academic and career plan
624 must inform students of high school graduation requirements,
625 high school assessment and college entrance test requirements,
626 Florida Bright Futures Scholarship Program requirements, state
627 university and Florida College System institution admission
628 requirements, and programs through which a high school student
629 can earn college credit, including Advanced Placement,
630 International Baccalaureate, Advanced International Certificate
631 of Education, dual enrollment, career academy opportunities, and
632 courses that lead to national industry certification.

633

634 A student with a disability, as defined in s. 1007.02(2), for
635 whom the individual education plan team determines that an end-
636 of-course assessment cannot accurately measure the student's
637 abilities, taking into consideration all allowable
638 accommodations, shall have the end-of-course assessment results
639 waived for purposes of determining the student's course grade
640 and completing the requirements for middle grades promotion.
641 Each school must hold a parent meeting either in the evening or
642 on a weekend to inform parents about the course curriculum and
643 activities. Each student shall complete an electronic personal
644 education plan that must be signed by the student; the student's

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645 instructor, guidance counselor, or academic advisor; and the
646 student's parent. The Department of Education shall develop
647 course frameworks and professional development materials for the
648 career exploration and education planning course. The course may
649 be implemented as a stand-alone course or integrated into
650 another course or courses. The Commissioner of Education shall
651 collect longitudinal high school course enrollment data by
652 student ethnicity in order to analyze course-taking patterns.

653 (b) For each year in which a student scores below grade
654 level in reading ~~at Level 1 on FCAT Reading~~, the student must be
655 enrolled in and complete an intensive reading course the
656 following year. ~~Placement of Level 2 readers in either an~~
657 ~~intensive reading course or a content area course in which~~
658 ~~reading strategies are delivered shall be determined by~~
659 ~~diagnosis of reading needs.~~ The department shall provide
660 guidance on appropriate strategies for diagnosing and meeting
661 the varying instructional needs of students reading below grade
662 level. Reading courses shall be designed and offered pursuant to
663 the comprehensive reading plan required by s. 1011.62(9). A
664 middle grades student who scores below grade level in reading ~~at~~
665 ~~Level 1 or Level 2 on FCAT Reading~~ but who did not score below
666 grade level 3 in the previous 3 years may be granted a 1-year
667 exemption from the reading remediation requirement; however, the
668 student must have an approved academic improvement plan already
669 in place, signed by the appropriate school staff and the
670 student's parent, for the year for which the exemption is
671 granted.

672 (c) For each year in which a student scores below grade

673 level in mathematics ~~at Level 1 or Level 2 on FCAT Mathematics,~~
 674 the student must receive remediation the following year, which
 675 may be integrated into the student's required mathematics
 676 course.

677 Section 7. Subsection (2), paragraphs (a) and (b) of
 678 subsection (4), and subsection (8) of section 1003.428, Florida
 679 Statutes, are amended to read:

680 1003.428 General requirements for high school graduation;
 681 revised.—

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

685 (a) Sixteen core curriculum credits:

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

688 2. Four credits in mathematics, one of which must be
 689 Algebra I, a series of courses equivalent to Algebra I, or a
 690 higher-level mathematics course. Beginning with students
 691 entering grade 9 in the 2010-2011 school year, in addition to
 692 the Algebra I credit requirement, one of the four credits in
 693 mathematics must be geometry or a series of courses equivalent
 694 to geometry as approved by the State Board of Education.

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

697 1008.22(3)(c)1.a.(I) ~~1008.22(3)(c)2.a.(I)~~ must be met in order
 698 for a student to earn the required credit in Algebra I.

699 Beginning with students entering grade 9 in the 2011-2012 school
 700 year, the end-of-course assessment requirements under s.

701 1008.22(3)(c)1.a.(I) ~~1008.22(3)(e)2.a.(I)~~ must be met in order
 702 for a student to earn the required credit in geometry. Beginning
 703 with students entering grade 9 in the 2012-2013 school year, in
 704 addition to the Algebra I and geometry credit requirements, one
 705 of the four credits in mathematics must be Algebra II or a
 706 series of courses equivalent to Algebra II as approved by the
 707 State Board of Education.

708 3. Three credits in science, two of which must have a
 709 laboratory component. Beginning with students entering grade 9
 710 in the 2011-2012 school year, one of the three credits in
 711 science must be Biology I or a series of courses equivalent to
 712 Biology I as approved by the State Board of Education. Beginning
 713 with students entering grade 9 in the 2011-2012 school year, the
 714 end-of-course assessment requirements under s.

715 1008.22(3)(c)1.a.(II) ~~1008.22(3)(e)2.a.(II)~~ must be met in order
 716 for a student to earn the required credit in Biology I.
 717 Beginning with students entering grade 9 in the 2013-2014 school
 718 year, one of the three credits must be Biology I or a series of
 719 courses equivalent to Biology I as approved by the State Board
 720 of Education, one credit must be chemistry or physics or a
 721 series of courses equivalent to chemistry or physics as approved
 722 by the State Board of Education, and one credit must be an
 723 equally rigorous course, as determined by the State Board of
 724 Education.

725 4. Three credits in social studies as follows: one credit
 726 in United States history; one credit in world history; one-half
 727 credit in economics; and one-half credit in United States
 728 government.

729 5. One credit in fine or performing arts, speech and
730 debate, or a practical arts course that incorporates artistic
731 content and techniques of creativity, interpretation, and
732 imagination. Eligible practical arts courses shall be identified
733 through the Course Code Directory.

734 6. One credit in physical education to include integration
735 of health. Participation in an interscholastic sport at the
736 junior varsity or varsity level for two full seasons shall
737 satisfy the one-credit requirement in physical education if the
738 student passes a competency test on personal fitness with a
739 score of "C" or better. The competency test on personal fitness
740 must be developed by the Department of Education. A district
741 school board may not require that the one credit in physical
742 education be taken during the 9th grade year. Completion of one
743 semester with a grade of "C" or better in a marching band class,
744 in a physical activity class that requires participation in
745 marching band activities as an extracurricular activity, or in a
746 dance class shall satisfy one-half credit in physical education
747 or one-half credit in performing arts. This credit may not be
748 used to satisfy the personal fitness requirement or the
749 requirement for adaptive physical education under an individual
750 education plan (IEP) or 504 plan. Completion of 2 years in a
751 Reserve Officer Training Corps (R.O.T.C.) class, a significant
752 component of which is drills, shall satisfy the one-credit
753 requirement in physical education and the one-credit requirement
754 in performing arts. This credit may not be used to satisfy the
755 personal fitness requirement or the requirement for adaptive
756 physical education under an individual education plan (IEP) or

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757 504 plan.

758 (b) Eight credits in electives.

759 1. For each year in which a student scores below grade
760 level in reading ~~at Level 1 on FCAT Reading~~, the student must be
761 enrolled in and complete an intensive reading course the
762 following year. ~~Placement of Level 2 readers in either an~~
763 ~~intensive reading course or a content area course in which~~
764 ~~reading strategies are delivered shall be determined by~~
765 ~~diagnosis of reading needs.~~ The department shall provide
766 guidance on appropriate strategies for diagnosing and meeting
767 the varying instructional needs of students reading below grade
768 level. Reading courses shall be designed and offered pursuant to
769 the comprehensive reading plan required by s. 1011.62(9). A high
770 school student who scores below grade level in reading ~~at Level~~
771 ~~1 or Level 2 on FCAT Reading~~ but who did not score below grade
772 level 3 in the previous 3 years may be granted a 1-year
773 exemption from the reading remediation requirement; however, the
774 student must have an approved academic improvement plan already
775 in place, signed by the appropriate school staff and the
776 student's parent, for the year for which the exemption is
777 granted.

778 2. For each year in which a student scores below grade
779 level in mathematics ~~at Level 1 or Level 2 on FCAT Mathematics~~,
780 the student must receive remediation the following year. These
781 courses may be taught through applied, integrated, or combined
782 courses and are subject to approval by the department for
783 inclusion in the Course Code Directory.

784 (c) Beginning with students entering grade 9 in the 2011-

785 2012 school year, at least one course within the 24 credits
 786 required in this subsection must be completed through online
 787 learning. However, an online course taken during grades 6
 788 through 8 fulfills this requirement. This requirement shall be
 789 met through an online course offered by the Florida Virtual
 790 School, an online course offered by the high school, or an
 791 online dual enrollment course offered pursuant to a district
 792 interinstitutional articulation agreement pursuant to s.
 793 1007.235. A student who is enrolled in a full-time or part-time
 794 virtual instruction program under s. 1002.45 meets this
 795 requirement.

796 (4) Each district school board shall establish standards
 797 for graduation from its schools, which must include:

798 (a) Successful completion of the academic credit or
 799 curriculum requirements of subsections (1) and (2). For courses
 800 that require statewide, standardized end-of-course assessments
 801 under s. 1008.22(3)(c)1.d. ~~1008.22(3)(e)2.d.~~, a minimum of 30
 802 percent of a student's course grade shall be comprised of
 803 performance on the statewide, standardized end-of-course
 804 assessment.

805 (b) Earning passing scores on end-of-course assessments
 806 pursuant to the FCAT, as defined in s. 1008.22(3)(c), or
 807 equivalent scores for end-of-course assessments pursuant to ~~on a~~
 808 ~~standardized test that are concordant with passing scores on the~~
 809 ~~FCAT as defined in s. 1008.22(10).~~

810
 811 Each district school board shall adopt policies designed to
 812 assist students in meeting the requirements of this subsection.

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813 These policies may include, but are not limited to: forgiveness
814 policies, summer school or before or after school attendance,
815 special counseling, volunteers or peer tutors, school-sponsored
816 help sessions, homework hotlines, and study skills classes.
817 Forgiveness policies for required courses shall be limited to
818 replacing a grade of "D" or "F," or the equivalent of a grade of
819 "D" or "F," with a grade of "C" or higher, or the equivalent of
820 a grade of "C" or higher, earned subsequently in the same or
821 comparable course. Forgiveness policies for elective courses
822 shall be limited to replacing a grade of "D" or "F," or the
823 equivalent of a grade of "D" or "F," with a grade of "C" or
824 higher, or the equivalent of a grade of "C" or higher, earned
825 subsequently in another course. The only exception to these
826 forgiveness policies shall be made for a student in the middle
827 grades who takes any high school course for high school credit
828 and earns a grade of "C," "D," or "F" or the equivalent of a
829 grade of "C," "D," or "F." In such case, the district
830 forgiveness policy must allow the replacement of the grade with
831 a grade of "C" or higher, or the equivalent of a grade of "C" or
832 higher, earned subsequently in the same or comparable course. In
833 all cases of grade forgiveness, only the new grade shall be used
834 in the calculation of the student's grade point average. Any
835 course grade not replaced according to a district school board
836 forgiveness policy shall be included in the calculation of the
837 cumulative grade point average required for graduation.

838 (8) (a) Each district school board must provide instruction
839 to prepare students with disabilities to demonstrate proficiency
840 in the core content knowledge and skills necessary for

841 successful grade-to-grade progression and high school
 842 graduation.

843 ~~(b)1. A student with a disability, as defined in s.~~
 844 ~~1007.02(2), for whom the individual education plan (IEP)~~
 845 ~~committee determines that the FCAT cannot accurately measure the~~
 846 ~~student's abilities taking into consideration all allowable~~
 847 ~~accommodations, shall have the FCAT requirement of paragraph~~
 848 ~~(4)(b) waived for the purpose of receiving a standard high~~
 849 ~~school diploma, if the student:~~

850 ~~a. Completes the minimum number of credits and other~~
 851 ~~requirements prescribed by subsections (1), (2), and (3).~~

852 ~~b. Does not meet the requirements of paragraph (4)(b)~~
 853 ~~after one opportunity in 10th grade and one opportunity in 11th~~
 854 ~~grade.~~

855 ~~2. A student with a disability, as defined in s.~~
 856 ~~1007.02(2), for whom the IEP committee determines that an end-~~
 857 ~~of-course assessment cannot accurately measure the student's~~
 858 ~~abilities, taking into consideration all allowable~~
 859 ~~accommodations, shall have the end-of-course assessment results~~
 860 ~~waived for the purpose of determining the student's course grade~~
 861 ~~and credit as required in subsection (4) ~~paragraph (4)(a).~~~~

862 Section 8. Subsections (1) and (5), paragraph (a) of
 863 subsection (6), and subsection (8) of section 1003.429, Florida
 864 Statutes, are amended to read:

865 1003.429 Accelerated high school graduation options.—

866 (1) Students who enter grade 9 in the 2006-2007 school
 867 year and thereafter may select, upon receipt of each consent
 868 required by this section, one of the following three high school

869 graduation options:

870 (a) Completion of the general requirements for high school
871 graduation pursuant to s. 1003.428 or s. 1003.43, as applicable;

872 (b) Completion of a 3-year standard college preparatory
873 program requiring successful completion of a minimum of 18
874 academic credits in grades 9 through 12. At least 6 of the 18
875 credits required for completion of this program must be received
876 in classes that are offered pursuant to the International
877 Baccalaureate Program, the Advanced Placement Program, dual
878 enrollment, Advanced International Certificate of Education, or
879 specifically listed or identified by the Department of Education
880 as rigorous pursuant to s. 1009.531(3). The 18 credits required
881 for completion of this program shall be primary requirements and
882 shall be distributed as follows:

883 1. Four credits in English, with major concentration in
884 composition and literature;

885 2. Three credits and, beginning with students entering
886 grade 9 in the 2010-2011 school year, four credits in
887 mathematics at the Algebra I level or higher from the list of
888 courses that qualify for state university admission. Beginning
889 with students entering grade 9 in the 2010-2011 school year, in
890 addition to the Algebra I credit requirement, one of the four
891 credits in mathematics must be geometry or a series of courses
892 equivalent to geometry as approved by the State Board of
893 Education. Beginning with students entering grade 9 in the 2010-
894 2011 school year, the end-of-course assessment requirements
895 under s. 1008.22(3)(c)1.a.(I) ~~1008.22(3)(c)2.a.(I)~~ must be met
896 in order for a student to earn the required credit in Algebra I.

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897 Beginning with students entering grade 9 in the 2011-2012 school
898 year, the end-of-course assessment requirements under s.
899 1008.22(3)(c)1.a.(I) ~~1008.22(3)(c)2.a.(I)~~ must be met in order
900 for a student to earn the required credit in geometry. Beginning
901 with students entering grade 9 in the 2012-2013 school year, in
902 addition to the Algebra I and geometry credit requirements, one
903 of the four credits in mathematics must be Algebra II or a
904 series of courses equivalent to Algebra II as approved by the
905 State Board of Education;

906 3. Three credits in science, two of which must have a
907 laboratory component. Beginning with students entering grade 9
908 in the 2011-2012 school year, one of the three credits in
909 science must be Biology I or a series of courses equivalent to
910 Biology I as approved by the State Board of Education. Beginning
911 with students entering grade 9 in the 2011-2012 school year, the
912 end-of-course assessment requirements under s.

913 1008.22(3)(c)1.a.(II) ~~1008.22(3)(c)2.a.(II)~~ must be met in order
914 for a student to earn the required credit in Biology I.
915 Beginning with students entering grade 9 in the 2013-2014 school
916 year, one of the three credits must be Biology I or a series of
917 courses equivalent to Biology I as approved by the State Board
918 of Education, one credit must be chemistry or physics or a
919 series of courses equivalent to chemistry or physics as approved
920 by the State Board of Education, and one credit must be an
921 equally rigorous course, as approved by the State Board of
922 Education;

923 4. Three credits in social sciences, which must include
924 one credit in United States history, one credit in world

925 history, one-half credit in United States government, and one-
 926 half credit in economics;

927 5. Two credits in the same second language unless the
 928 student is a native speaker of or can otherwise demonstrate
 929 competency in a language other than English. If the student
 930 demonstrates competency in another language, the student may
 931 replace the language requirement with two credits in other
 932 academic courses; and

933 6. Three credits in electives and, beginning with students
 934 entering grade 9 in the 2010-2011 school year, two credits in
 935 electives; or

936 (c) Completion of a 3-year career preparatory program
 937 requiring successful completion of a minimum of 18 academic
 938 credits in grades 9 through 12. The 18 credits shall be primary
 939 requirements and shall be distributed as follows:

940 1. Four credits in English, with major concentration in
 941 composition and literature;

942 2. Three credits and, beginning with students entering
 943 grade 9 in the 2010-2011 school year, four credits in
 944 mathematics, one of which must be Algebra I. Beginning with
 945 students entering grade 9 in the 2010-2011 school year, in
 946 addition to the Algebra I credit requirement, one of the four
 947 credits in mathematics must be geometry or a series of courses
 948 equivalent to geometry as approved by the State Board of
 949 Education. Beginning with students entering grade 9 in the 2010-
 950 2011 school year, the end-of-course assessment requirements
 951 under s. 1008.22(3)(c)1.a.(I) ~~1008.22(3)(c)2.a.(I)~~ must be met
 952 in order for a student to earn the required credit in Algebra I.

953 Beginning with students entering grade 9 in the 2011-2012 school
 954 year, the end-of-course assessment requirements under s.
 955 1008.22(3)(c)1.a.(I) ~~1008.22(3)(c)2.a.(I)~~ must be met in order
 956 for a student to earn the required credit in geometry. Beginning
 957 with students entering grade 9 in the 2012-2013 school year, in
 958 addition to the Algebra I and geometry credit requirements, one
 959 of the four credits in mathematics must be Algebra II or a
 960 series of courses equivalent to Algebra II as approved by the
 961 State Board of Education;

962 3. Three credits in science, two of which must have a
 963 laboratory component. Beginning with students entering grade 9
 964 in the 2011-2012 school year, one of the three credits in
 965 science must be Biology I or a series of courses equivalent to
 966 Biology I as approved by the State Board of Education. Beginning
 967 with students entering grade 9 in the 2011-2012 school year, the
 968 end-of-course assessment requirements under s.

969 1008.22(3)(c)1.a.(II) ~~1008.22(3)(c)2.a.(II)~~ must be met in order
 970 for a student to earn the required credit in Biology I.
 971 Beginning with students entering grade 9 in the 2013-2014 school
 972 year, one of the three credits must be Biology I or a series of
 973 courses equivalent to Biology I as approved by the State Board
 974 of Education, one credit must be chemistry or physics or a
 975 series of courses equivalent to chemistry or physics as approved
 976 by the State Board of Education, and one credit must be an
 977 equally rigorous course, as approved by the State Board of
 978 Education;

979 4. Three credits in social sciences, which must include
 980 one credit in United States history, one credit in world

981 history, one-half credit in United States government, and one-
 982 half credit in economics;

983 5. Three credits in a single vocational or career
 984 education program, three credits in career and technical
 985 certificate dual enrollment courses, or five credits in
 986 vocational or career education courses; and

987 6. Two credits and, beginning with students entering grade
 988 9 in the 2010-2011 school year, one credit in electives unless
 989 five credits are earned pursuant to subparagraph 5.

990

991 Any student who selected an accelerated graduation program
 992 before July 1, 2004, may continue that program, and all
 993 statutory program requirements that were applicable when the
 994 student made the program choice shall remain applicable to the
 995 student as long as the student continues that program.

996 (5) District school boards may not establish requirements
 997 for accelerated 3-year high school graduation options in excess
 998 of the requirements in paragraphs (1)(b) and (c). For courses
 999 that require statewide, standardized end-of-course assessments
 1000 under s. 1008.22(3)(c)1.d. ~~1008.22(3)(e)2.d.~~, a minimum of 30
 1001 percent of a student's course grade shall be comprised of
 1002 performance on the statewide, standardized end-of-course
 1003 assessment.

1004 (6) Students pursuing accelerated 3-year high school
 1005 graduation options pursuant to paragraph (1)(b) or paragraph
 1006 (1)(c) are required to:

1007 (a) Earn passing scores on end-of-course assessments
 1008 pursuant to the FCAT as defined in s. 1008.22(3)(c) or

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1009 equivalent scores for end-of-course assessments pursuant to ~~on a~~
 1010 ~~standardized test that are concordant with passing scores on the~~
 1011 ~~FCAT as defined in s. 1008.22(10).~~

1012
 1013 Weighted grades referred to in paragraphs (b), (c), and (d)
 1014 shall be applied to those courses specifically listed or
 1015 identified by the department as rigorous pursuant to s.
 1016 1009.531(3) or weighted by the district school board for class
 1017 ranking purposes.

1018 (8) A student who selected one of the accelerated 3-year
 1019 graduation options shall automatically move to the 4-year
 1020 program set forth in s. 1003.428 or s. 1003.43, if applicable,
 1021 if the student:

1022 (a) Exercises his or her right to change to the 4-year
 1023 program;

1024 (b) Fails to earn 5 credits by the end of grade 9 or fails
 1025 to earn 11 credits by the end of grade 10;

1026 (c) Performs below grade level in writing in ~~Does not~~
 1027 ~~achieve a score of 3 or higher on the grade 10 FCAT Writing~~
 1028 ~~assessment;~~ or

1029 (d) By the end of grade 11 does not meet the requirements
 1030 of subsections (1) and (6).

1031 Section 9. Subsection (3) of section 1003.4295, Florida
 1032 Statutes, is amended to read:

1033 1003.4295 Acceleration courses.—

1034 (3) The Credit Acceleration Program (CAP) is created for
 1035 the purpose of allowing a secondary student to earn high school
 1036 credit in a course that requires a statewide, standardized end-

1037 of-course assessment if the student attains a specified score on
 1038 the assessment. Notwithstanding s. 1003.436, a school district
 1039 shall award course credit to a student who is not enrolled in
 1040 the course, or who has not completed the course, if the student
 1041 attains a score indicating satisfactory performance, as defined
 1042 in s. 1008.22(3)(c)4. ~~s. 1008.22(3)(e)5.~~, on the corresponding
 1043 statewide, standardized end-of-course assessment. The school
 1044 district shall permit a student who is not enrolled in the
 1045 course, or who has not completed the course, to take the
 1046 standardized end-of-course assessment during the regular
 1047 administration of the assessment.

1048 Section 10. Subsections (1), (2), and (3) of section
 1049 1003.433, Florida Statutes, are amended to read:

1050 1003.433 Learning opportunities for out-of-state and out-
 1051 of-country transfer students and students needing additional
 1052 instruction to meet high school graduation requirements.-

1053 (1) Students who enter a Florida public school at the
 1054 eleventh or twelfth grade from out of state or from a foreign
 1055 country shall not be required to spend additional time in a
 1056 Florida public school in order to meet the high school course
 1057 requirements if the student has met all requirements of the
 1058 school district, state, or country from which he or she is
 1059 transferring. Such students who are not proficient in English
 1060 should receive immediate and intensive instruction in English
 1061 language acquisition. However, to receive a standard high school
 1062 diploma, a transfer student must earn a 2.0 grade point average
 1063 and pass all end-of-course assessments required for graduation
 1064 ~~the grade 10 FCAT required in s. 1008.22(3) or an alternate~~

1065 ~~assessment as described in s. 1008.22(10).~~

1066 (2) Students who have met all requirements for the
 1067 standard high school diploma except for passage of all end-of-
 1068 course assessments required for graduation ~~the grade 10 FCAT or~~
 1069 ~~an alternate assessment~~ by the end of grade 12 must be provided
 1070 the following learning opportunities:

1071 (a) Participation in an accelerated high school
 1072 equivalency diploma preparation program during the summer.

1073 (b) Upon receipt of a certificate of completion, be
 1074 allowed to take the College Placement Test and be admitted to
 1075 remedial or credit courses at a Florida College System
 1076 institution, as appropriate.

1077 (c) Participation in an adult general education program as
 1078 provided in s. 1004.93 for such time as the student requires to
 1079 master English, reading, mathematics, or any other subject
 1080 required for high school graduation. Students attending adult
 1081 basic, adult secondary, or vocational-preparatory instruction
 1082 are exempt from any requirement for the payment of tuition and
 1083 fees, including lab fees, pursuant to s. 1009.25. A student
 1084 attending an adult general education program shall have the
 1085 opportunity to take any end-of-course assessment required for
 1086 graduation ~~the grade 10 FCAT~~ an unlimited number of times in
 1087 order to receive a standard high school diploma.

1088 (3) Students who have been enrolled in an ESOL program for
 1089 less than 2 school years and have met all requirements for the
 1090 standard high school diploma except for passage of all end-of-
 1091 course assessments required for graduation ~~the grade 10 FCAT or~~
 1092 ~~alternate assessment~~ may receive immersion English language

1093 instruction during the summer following their senior year.
 1094 Students receiving such instruction are eligible to take any
 1095 end-of-course assessment ~~the FCAT or alternate assessment~~ and
 1096 receive a standard high school diploma upon passage of all end-
 1097 of-course assessments required for graduation ~~the grade 10 FCAT~~
 1098 ~~or the alternate assessment~~. This subsection shall be
 1099 implemented to the extent funding is provided in the General
 1100 Appropriations Act.

1101 Section 11. Paragraph (e) of subsection (1) of section
 1102 1006.33, Florida Statutes, is amended to read:

1103 1006.33 Bids or proposals; advertisement and its
 1104 contents.—

1105 (1)

1106 (e) The advertisement shall give information regarding
 1107 digital specifications that have been adopted by the department,
 1108 including minimum format requirements that will enable
 1109 electronic and digital content to be accessed through the
 1110 district's local instructional improvement system and a variety
 1111 of mobile, electronic, and digital devices. Beginning with
 1112 specifications released in 2014, the digital specifications
 1113 shall include requiring the capability for searching by state
 1114 standards and site and student-level licensing. Such digital
 1115 format specifications shall be appropriate for the
 1116 interoperability of the content. The department may not adopt
 1117 specifications that require the instructional materials to
 1118 include specific references to ~~FCAT and~~ Next Generation Sunshine
 1119 State Standards and benchmarks at the point of student use.

1120 Section 12. Paragraph (a) of subsection (4), paragraphs

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1121 (b) and (c) of subsection (5), paragraph (b) of subsection (6),
 1122 paragraph (b) of subsection (7), and paragraph (b) of subsection
 1123 (8) of section 1008.25, Florida Statutes, are amended to read:

1124 1008.25 Public school student progression; remedial
 1125 instruction; reporting requirements.—

1126 (4) ASSESSMENT AND REMEDIATION.—

1127 (a) Each student must participate in the statewide
 1128 assessment tests required by s. 1008.22. Each student who does
 1129 not meet specific levels of performance as determined by the
 1130 district school board in FCAT reading, writing, science, and
 1131 mathematics for each grade level, ~~or who scores below Level 3 in~~
 1132 ~~FCAT reading or FCAT mathematics,~~ must be provided with
 1133 additional diagnostic assessments to determine the nature of the
 1134 student's difficulty, the areas of academic need, and strategies
 1135 for appropriate intervention and instruction as described in
 1136 paragraph (b).

1137 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

1138 (b) Beginning with the 2002-2003 school year, if the
 1139 student's reading deficiency, as identified in paragraph (a), is
 1140 not remedied by the end of grade 3, ~~as demonstrated by scoring~~
 1141 ~~at Level 2 or higher on the statewide assessment test in reading~~
 1142 ~~for grade 3,~~ the student must be retained.

1143 (c) The parent of any student who exhibits a substantial
 1144 deficiency in reading, as described in paragraph (a), must be
 1145 notified in writing of the following:

1146 1. That his or her child has been identified as having a
 1147 substantial deficiency in reading.

1148 2. A description of the current services that are provided

1149 to the child.

1150 3. A description of the proposed supplemental
 1151 instructional services and supports that will be provided to the
 1152 child that are designed to remediate the identified area of
 1153 reading deficiency.

1154 4. That if the child's reading deficiency is not
 1155 remediated by the end of grade 3, the child must be retained
 1156 unless he or she is exempt from mandatory retention for good
 1157 cause.

1158 5. Strategies for parents to use in helping their child
 1159 succeed in reading proficiency.

1160 6. That an end-of-course assessment in reading ~~the Florida~~
 1161 ~~Comprehensive Assessment Test (FCAT)~~ is not the sole determiner
 1162 of promotion and that additional evaluations, portfolio reviews,
 1163 and assessments are available to the child to assist parents and
 1164 the school district in knowing when a child is reading at or
 1165 above grade level and ready for grade promotion.

1166 7. The district's specific criteria and policies for
 1167 midyear promotion. Midyear promotion means promotion of a
 1168 retained student at any time during the year of retention once
 1169 the student has demonstrated ability to read at grade level.

1170 (6) ELIMINATION OF SOCIAL PROMOTION.—

1171 (b) The district school board may only exempt students
 1172 from mandatory retention, as provided in paragraph (5) (b), for
 1173 good cause. Good cause exemptions shall be limited to the
 1174 following:

1175 1. Limited English proficient students who have had less
 1176 than 2 years of instruction in an English for Speakers of Other

1177 Languages program.

1178 2. Students with disabilities whose individual education
1179 plan indicates that participation in the statewide assessment
1180 program is not appropriate, consistent with the requirements of
1181 State Board of Education rule.

1182 3. Students who demonstrate an acceptable level of
1183 performance on an alternative standardized reading assessment
1184 approved by the State Board of Education.

1185 4. Students who demonstrate, through a student portfolio,
1186 that the student is reading on grade level ~~as evidenced by~~
1187 ~~demonstration of mastery of the Sunshine State Standards in~~
1188 ~~reading equal to at least a Level 2 performance on the FCAT.~~

1189 5. Students with disabilities who ~~participate in the FCAT~~
1190 ~~and who~~ have an individual education plan or a Section 504 plan
1191 that reflects that the student has received intensive
1192 remediation in reading for more than 2 years but still
1193 demonstrates a deficiency in reading and was previously retained
1194 in kindergarten, grade 1, grade 2, or grade 3.

1195 6. Students who have received intensive remediation in
1196 reading for 2 or more years but still demonstrate a deficiency
1197 in reading and who were previously retained in kindergarten,
1198 grade 1, grade 2, or grade 3 for a total of 2 years. Intensive
1199 reading instruction for students so promoted must include an
1200 altered instructional day that includes specialized diagnostic
1201 information and specific reading strategies for each student.
1202 The district school board shall assist schools and teachers to
1203 implement reading strategies that research has shown to be
1204 successful in improving reading among low-performing readers.

1205 (7) SUCCESSFUL PROGRESSION FOR RETAINED READERS.—
 1206 (b) Beginning with the 2004-2005 school year, each school
 1207 district shall:
 1208 1. Conduct a review of student progress monitoring plans
 1209 for all students who did not achieve grade level in reading
 1210 ~~score above Level 1 on the reading portion of the FCAT~~ and did
 1211 not meet the criteria for one of the good cause exemptions in
 1212 paragraph (6) (b). The review shall address additional supports
 1213 and services, as described in this subsection, needed to
 1214 remediate the identified areas of reading deficiency. The school
 1215 district shall require a student portfolio to be completed for
 1216 each such student.
 1217 2. Provide students who are retained under the provisions
 1218 of paragraph (5) (b) with intensive instructional services and
 1219 supports to remediate the identified areas of reading
 1220 deficiency, including a minimum of 90 minutes of daily,
 1221 uninterrupted, scientifically research-based reading instruction
 1222 and other strategies prescribed by the school district, which
 1223 may include, but are not limited to:
 1224 a. Small group instruction.
 1225 b. Reduced teacher-student ratios.
 1226 c. More frequent progress monitoring.
 1227 d. Tutoring or mentoring.
 1228 e. Transition classes containing 3rd and 4th grade
 1229 students.
 1230 f. Extended school day, week, or year.
 1231 g. Summer reading camps.
 1232 3. Provide written notification to the parent of any

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1233 student who is retained under the provisions of paragraph (5) (b)
1234 that his or her child has not met the proficiency level required
1235 for promotion and the reasons the child is not eligible for a
1236 good cause exemption as provided in paragraph (6) (b). The
1237 notification must comply with the provisions of s. 1002.20(15)
1238 and must include a description of proposed interventions and
1239 supports that will be provided to the child to remediate the
1240 identified areas of reading deficiency.

1241 4. Implement a policy for the midyear promotion of any
1242 student retained under the provisions of paragraph (5) (b) who
1243 can demonstrate that he or she is a successful and independent
1244 reader, reading at or above grade level, and ready to be
1245 promoted to grade 4. Tools that school districts may use in
1246 reevaluating any student retained may include subsequent
1247 assessments, alternative assessments, and portfolio reviews, in
1248 accordance with rules of the State Board of Education. ~~Students~~
1249 ~~promoted during the school year after November 1 must~~
1250 ~~demonstrate proficiency above that required to score at Level 2~~
1251 ~~on the grade 3 FCAT, as determined by the State Board of~~
1252 ~~Education.~~ The State Board of Education shall adopt standards
1253 that provide a reasonable expectation that the student's
1254 progress is sufficient to master appropriate 4th grade level
1255 reading skills.

1256 5. Provide students who are retained under the provisions
1257 of paragraph (5) (b) with a high-performing teacher as determined
1258 by student performance data and above-satisfactory performance
1259 appraisals.

1260 6. In addition to required reading enhancement and

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1261 acceleration strategies, provide parents of students to be
 1262 retained with at least one of the following instructional
 1263 options:

1264 a. Supplemental tutoring in scientifically research-based
 1265 reading services in addition to the regular reading block,
 1266 including tutoring before and/or after school.

1267 b. A "Read at Home" plan outlined in a parental contract,
 1268 including participation in "Families Building Better Readers
 1269 Workshops" and regular parent-guided home reading.

1270 c. A mentor or tutor with specialized reading training.

1271 7. Establish a Reading Enhancement and Acceleration
 1272 Development (READ) Initiative. The focus of the READ Initiative
 1273 shall be to prevent the retention of grade 3 students and to
 1274 offer intensive accelerated reading instruction to grade 3
 1275 students who failed to meet standards for promotion to grade 4
 1276 and to each K-3 student who is assessed as exhibiting a reading
 1277 deficiency. The READ Initiative shall:

1278 a. Be provided to all K-3 students at risk of retention as
 1279 identified by the statewide assessment system used in Reading
 1280 First schools. The assessment must measure phonemic awareness,
 1281 phonics, fluency, vocabulary, and comprehension.

1282 b. Be provided during regular school hours in addition to
 1283 the regular reading instruction.

1284 c. Provide a state-identified reading curriculum that has
 1285 been reviewed by the Florida Center for Reading Research at
 1286 Florida State University and meets, at a minimum, the following
 1287 specifications:

1288 (I) Assists students assessed as exhibiting a reading

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1289 deficiency in developing the ability to read at grade level.

1290 (II) Provides skill development in phonemic awareness,
1291 phonics, fluency, vocabulary, and comprehension.

1292 (III) Provides scientifically based and reliable
1293 assessment.

1294 (IV) Provides initial and ongoing analysis of each
1295 student's reading progress.

1296 (V) Is implemented during regular school hours.

1297 (VI) Provides a curriculum in core academic subjects to
1298 assist the student in maintaining or meeting proficiency levels
1299 for the appropriate grade in all academic subjects.

1300 8. Establish at each school, where applicable, an
1301 Intensive Acceleration Class for retained grade 3 students who
1302 subsequently score below grade level in reading ~~at Level 1 on~~
1303 ~~the reading portion of the FCAT~~. The focus of the Intensive
1304 Acceleration Class shall be to increase a child's reading level
1305 at least two grade levels in 1 school year. The Intensive
1306 Acceleration Class shall:

1307 a. Be provided to any student in grade 3 who scores below
1308 grade level in reading ~~at Level 1 on the reading portion of the~~
1309 ~~FCAT~~ and who was retained in grade 3 the prior year because of
1310 scoring below grade level in reading ~~at Level 1 on the reading~~
1311 ~~portion of the FCAT~~.

1312 b. Have a reduced teacher-student ratio.

1313 c. Provide uninterrupted reading instruction for the
1314 majority of student contact time each day and incorporate
1315 opportunities to master the grade 4 Sunshine State Standards in
1316 other core subject areas.

1317 d. Use a reading program that is scientifically research-
 1318 based and has proven results in accelerating student reading
 1319 achievement within the same school year.

1320 e. Provide intensive language and vocabulary instruction
 1321 using a scientifically research-based program, including use of
 1322 a speech-language therapist.

1323 f. Include weekly progress monitoring measures to ensure
 1324 progress is being made.

1325 g. Report to the Department of Education, in the manner
 1326 described by the department, the progress of students in the
 1327 class at the end of the first semester.

1328 9. Report to the State Board of Education, as requested,
 1329 on the specific intensive reading interventions and supports
 1330 implemented at the school district level. The Commissioner of
 1331 Education shall annually prescribe the required components of
 1332 requested reports.

1333 10. Provide a student who has been retained in grade 3 and
 1334 has received intensive instructional services but is still not
 1335 ready for grade promotion, as determined by the school district,
 1336 the option of being placed in a transitional instructional
 1337 setting. Such setting shall specifically be designed to produce
 1338 learning gains sufficient to meet grade 4 performance standards
 1339 while continuing to remediate the areas of reading deficiency.

1340 (8) ANNUAL REPORT.—

1341 (b) Each district school board must annually publish in
 1342 the local newspaper, and report in writing to the State Board of
 1343 Education by September 1 of each year, the following information
 1344 on the prior school year:

1345 1. The provisions of this section relating to public
 1346 school student progression and the district school board's
 1347 policies and procedures on student retention and promotion.

1348 2. By grade, the number and percentage of all students in
 1349 grades 3 through 10 performing below grade level in reading at
 1350 ~~Levels 1 and 2 on the reading portion of the FCAT.~~

1351 3. By grade, the number and percentage of all students
 1352 retained in grades 3 through 10.

1353 4. Information on the total number of students who were
 1354 promoted for good cause, by each category of good cause as
 1355 specified in paragraph (6) (b).

1356 5. Any revisions to the district school board's policy on
 1357 student retention and promotion from the prior year.

1358 Section 13. Subsection (3) of section 1008.30, Florida
 1359 Statutes, is amended to read:

1360 1008.30 Common placement testing for public postsecondary
 1361 education.—

1362 (3) The State Board of Education shall adopt rules that
 1363 require high schools to evaluate before the beginning of grade
 1364 12 the college readiness of each student who is performing at
 1365 grade level in reading or mathematics ~~scores at Level 2 or Level~~
 1366 ~~3 on the reading portion of the grade 10 FCAT or Level 2, Level~~
 1367 ~~3, or Level 4 on the mathematics assessments under s.~~

1368 ~~1008.22(3)(c).~~ High schools shall perform this evaluation using
 1369 results from the corresponding component of the common placement
 1370 test prescribed in this section, or an equivalent test
 1371 identified by the State Board of Education. The State Board of
 1372 Education shall identify in rule the assessments necessary to

1373 perform the evaluations required by this subsection and shall
 1374 work with the school districts to administer the assessments.
 1375 The State Board of Education shall establish by rule the minimum
 1376 test scores a student must achieve to demonstrate readiness.
 1377 Students who demonstrate readiness by achieving the minimum test
 1378 scores established by the state board and enroll in a Florida
 1379 College System institution within 2 years of achieving such
 1380 scores shall not be required to retest or enroll in remediation
 1381 when admitted to any Florida College System institution. The
 1382 high school shall use the results of the test to advise the
 1383 students of any identified deficiencies and to provide 12th
 1384 grade students, and require them to complete, appropriate
 1385 postsecondary preparatory instruction prior to high school
 1386 graduation. The curriculum provided under this subsection shall
 1387 be identified in rule by the State Board of Education and
 1388 encompass Florida's Postsecondary Readiness Competencies. Other
 1389 elective courses may not be substituted for the selected
 1390 postsecondary reading, mathematics, or writing preparatory
 1391 course unless the elective course covers the same competencies
 1392 included in the postsecondary reading, mathematics, or writing
 1393 preparatory course.

1394 Section 14. Paragraphs (b) and (c) of subsection (3) of
 1395 section 1008.34, Florida Statutes, are amended to read:

1396 1008.34 School grading system; school report cards;
 1397 district grade.—

1398 (3) DESIGNATION OF SCHOOL GRADES.—

1399 (b)1. A school's grade shall be based on a combination of:

1400 a. Student achievement scores, including achievement on

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1401 ~~all FCAT assessments administered under s. 1008.22(3)(c)1., end-~~
1402 of-course assessments administered under s. 1008.22(3)(c)1.a.
1403 ~~1008.22(3)(c)2.a.,~~ and achievement scores for students seeking a
1404 special diploma.

1405 b. Student learning gains in subjects ~~reading and~~
1406 ~~mathematics~~ as measured by ~~FCAT~~ and end-of-course assessments,
1407 as described in s. 1008.22(3)(c)1.a. ~~1008.22(3)(c)1. and 2.a.~~
1408 Learning gains for students seeking a special diploma, as
1409 measured by an alternate assessment tool, shall be included not
1410 later than the 2009-2010 school year.

1411 c. Improvement of the lowest 25th percentile of students
1412 in the school in subjects measured by ~~reading and mathematics on~~
1413 ~~the FCAT or~~ end-of-course assessments described in s.
1414 1008.22(3)(c)1.a. ~~1008.22(3)(c)2.a.,~~ unless these students are
1415 exhibiting satisfactory performance.

1416 2. Beginning with the 2011-2012 school year, for schools
1417 comprised of middle school grades 6 through 8 or grades 7 and 8,
1418 the school's grade shall include the performance and
1419 participation of its students enrolled in high school level
1420 courses with end-of-course assessments administered under s.
1421 1008.22(3)(c)1.a. ~~1008.22(3)(c)2.a.~~ Performance and
1422 participation must be weighted equally. As valid data becomes
1423 available, the school grades shall include the students'
1424 attainment of national industry certification identified in the
1425 Industry Certification Funding List pursuant to rules adopted by
1426 the State Board of Education.

1427 3. Beginning with the 2009-2010 school year for schools
1428 comprised of high school grades 9, 10, 11, and 12, or grades 10,

1429 11, and 12, 50 percent of the school grade shall be based on a
 1430 combination of the factors listed in sub-subparagraphs 1.a.-c.
 1431 and the remaining 50 percent on the following factors:

- 1432 a. The high school graduation rate of the school;
- 1433 b. As valid data becomes available, the performance and
 1434 participation of the school's students in College Board Advanced
 1435 Placement courses, International Baccalaureate courses, dual
 1436 enrollment courses, and Advanced International Certificate of
 1437 Education courses; and the students' achievement of national
 1438 industry certification identified in the Industry Certification
 1439 Funding List, pursuant to rules adopted by the State Board of
 1440 Education;

1441 c. Postsecondary readiness of the school's students as
 1442 measured by the SAT, ACT, or the common placement test;

1443 d. The high school graduation rate of at-risk students who
 1444 scored below grade level in reading and mathematics in at Level
 1445 ~~2 or lower on the grade 8 FCAT Reading and Mathematics~~
 1446 ~~examinations;~~

1447 e. As valid data becomes available, the performance of the
 1448 school's students on statewide standardized end-of-course
 1449 assessments administered under s. 1008.22(3)(c)1.c. and d.
 1450 ~~1008.22(3)(c)2.e. and d.; and~~

1451 f. The growth or decline in the components listed in sub-
 1452 subparagraphs a.-e. from year to year.

1453 (c) Student assessment data used in determining school
 1454 grades shall include:

- 1455 1. The aggregate scores of all eligible students enrolled
 1456 in the school who have been assessed on ~~the FCAT~~ and statewide,

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1457 standardized end-of-course assessments in courses required for
1458 high school graduation, including, beginning with the 2010-2011
1459 school year, the end-of-course assessment in Algebra I; and
1460 beginning with the 2011-2012 school year, the end-of-course
1461 assessments in geometry and Biology; and beginning with the
1462 2013-2014 school year, on the statewide, standardized end-of-
1463 course assessment in civics education at the middle school
1464 level.

1465 2. The aggregate scores of all eligible students enrolled
1466 in the school who have been assessed on ~~the FCAT and~~ end-of-
1467 course assessments as described in s. 1008.22(3)(c)1.a.
1468 ~~1008.22(3)(c)2.a.~~, and who have scored at or in the lowest 25th
1469 percentile of students in the school in the subjects measured by
1470 those assessments ~~reading and mathematics~~, unless these students
1471 are exhibiting satisfactory performance.

1472 3. The achievement scores and learning gains of eligible
1473 students attending alternative schools that provide dropout
1474 prevention and academic intervention services pursuant to s.
1475 1003.53. The term "eligible students" in this subparagraph does
1476 not include students attending an alternative school who are
1477 subject to district school board policies for expulsion for
1478 repeated or serious offenses, who are in dropout retrieval
1479 programs serving students who have officially been designated as
1480 dropouts, or who are in programs operated or contracted by the
1481 Department of Juvenile Justice. The student performance data for
1482 eligible students identified in this subparagraph shall be
1483 included in the calculation of the home school's grade. As used
1484 in this subparagraph and s. 1008.341, the term "home school"

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1485 means the school to which the student would be assigned if the
1486 student were not assigned to an alternative school. If an
1487 alternative school chooses to be graded under this section,
1488 student performance data for eligible students identified in
1489 this subparagraph shall not be included in the home school's
1490 grade but shall be included only in the calculation of the
1491 alternative school's grade. A school district that fails to
1492 assign the ~~FCAT and end-of-course assessment as described in s.~~
1493 ~~1008.22(3)(c)2.a.~~ scores, as described in s. 1008.22(3)(c)1.a.,
1494 of each of its students to his or her home school or to the
1495 alternative school that receives a grade shall forfeit Florida
1496 School Recognition Program funds for 1 fiscal year. School
1497 districts must require collaboration between the home school and
1498 the alternative school in order to promote student success. This
1499 collaboration must include an annual discussion between the
1500 principal of the alternative school and the principal of each
1501 student's home school concerning the most appropriate school
1502 assignment of the student.

1503 4. The achievement scores and learning gains of students
1504 designated as hospital- or homebound. Student assessment data
1505 for students designated as hospital- or homebound shall be
1506 assigned to their home school for the purposes of school grades.
1507 As used in this subparagraph, the term "home school" means the
1508 school to which a student would be assigned if the student were
1509 not assigned to a hospital- or homebound program.

1510 5. For schools comprised of high school grades 9, 10, 11,
1511 and 12, or grades 10, 11, and 12, the data listed in
1512 subparagraphs 1.-3. and the following data as the Department of

1513 Education determines such data are valid and available:
 1514 a. The high school graduation rate of the school as
 1515 calculated by the Department of Education;
 1516 b. The participation rate of all eligible students
 1517 enrolled in the school and enrolled in College Board Advanced
 1518 Placement courses; International Baccalaureate courses; dual
 1519 enrollment courses; Advanced International Certificate of
 1520 Education courses; and courses or sequences of courses leading
 1521 to national industry certification identified in the Industry
 1522 Certification Funding List, pursuant to rules adopted by the
 1523 State Board of Education;
 1524 c. The aggregate scores of all eligible students enrolled
 1525 in the school in College Board Advanced Placement courses,
 1526 International Baccalaureate courses, and Advanced International
 1527 Certificate of Education courses;
 1528 d. Earning of college credit by all eligible students
 1529 enrolled in the school in dual enrollment programs under s.
 1530 1007.271;
 1531 e. Earning of a national industry certification identified
 1532 in the Industry Certification Funding List, pursuant to rules
 1533 adopted by the State Board of Education;
 1534 f. The aggregate scores of all eligible students enrolled
 1535 in the school in reading, mathematics, and other subjects as
 1536 measured by the SAT, the ACT, and the common placement test for
 1537 postsecondary readiness;
 1538 g. The high school graduation rate of all eligible at-risk
 1539 students enrolled in the school who scored below grade level in
 1540 reading and mathematics in ~~at Level 2 or lower on the grade 8~~

1541 ~~FCAT Reading and Mathematics examinations;~~

1542 h. The performance of the school's students on statewide
 1543 standardized end-of-course assessments administered under s.
 1544 1008.22(3)(c)1.c. and d. ~~1008.22(3)(e)2.e. and d.;~~ and

1545 i. The growth or decline in the data components listed in
 1546 sub-subparagraphs a.-h. from year to year.

1547
 1548 The State Board of Education shall adopt appropriate criteria
 1549 for each school grade. The criteria must also give added weight
 1550 to student achievement in reading. Schools designated with a
 1551 grade of "C," making satisfactory progress, shall be required to
 1552 demonstrate that adequate progress has been made by students in
 1553 the school who are in the lowest 25th percentile in ~~reading and~~
 1554 ~~mathematics on the FCAT and~~ end-of-course assessments as
 1555 described in s. 1008.22(3)(c)1.a. ~~1008.22(3)(e)2.a.~~, unless
 1556 these students are exhibiting satisfactory performance.

1557 Beginning with the 2009-2010 school year for schools comprised
 1558 of high school grades 9, 10, 11, and 12, or grades 10, 11, and
 1559 12, the criteria for school grades must also give added weight
 1560 to the graduation rate of all eligible at-risk students, as
 1561 defined in this paragraph. Beginning in the 2009-2010 school
 1562 year, in order for a high school to be designated as having a
 1563 grade of "A," making excellent progress, the school must
 1564 demonstrate that at-risk students, as defined in this paragraph,
 1565 in the school are making adequate progress.

1566 Section 15. Subsection (3) of section 1008.341, Florida
 1567 Statutes, is amended to read:

1568 1008.341 School improvement rating for alternative

1569 schools.—

1570 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data
 1571 used in determining an alternative school's school improvement
 1572 rating shall include:

1573 (a) The aggregate scores on statewide assessments
 1574 administered under s. 1008.22 for all eligible students who were
 1575 assigned to and enrolled in the school during the October or
 1576 February FTE count and who have end-of-course assessment ~~FCAT~~ or
 1577 comparable scores for the preceding school year.

1578 (b) The aggregate scores on statewide assessments
 1579 administered under s. 1008.22 for all eligible students who were
 1580 assigned to and enrolled in the school during the October or
 1581 February FTE count and who have scored in the lowest 25th
 1582 percentile of students in the state on end-of-course assessments
 1583 in reading ~~FCAT-Reading~~.

1584
 1585 The assessment scores of students who are subject to district
 1586 school board policies for expulsion for repeated or serious
 1587 offenses, who are in dropout retrieval programs serving students
 1588 who have officially been designated as dropouts, or who are in
 1589 programs operated or contracted by the Department of Juvenile
 1590 Justice may not be included in an alternative school's school
 1591 improvement rating.

1592 Section 16. Paragraph (c) of subsection (9) of section
 1593 1011.62, Florida Statutes, is amended to read:

1594 1011.62 Funds for operation of schools.—If the annual
 1595 allocation from the Florida Education Finance Program to each
 1596 district for operation of schools is not determined in the

1597 | annual appropriations act or the substantive bill implementing
 1598 | the annual appropriations act, it shall be determined as
 1599 | follows:

1600 | (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

1601 | (c) Funds allocated under this subsection must be used to
 1602 | provide a system of comprehensive reading instruction to
 1603 | students enrolled in the K-12 programs, which may include the
 1604 | following:

1605 | 1. The provision of highly qualified reading coaches.

1606 | 2. Professional development for school district teachers
 1607 | in scientifically based reading instruction, including
 1608 | strategies to teach reading in content areas and with an
 1609 | emphasis on technical and informational text.

1610 | 3. The provision of summer reading camps for students who
 1611 | are reading below grade level ~~score at Level 1 on FCAT Reading.~~

1612 | 4. The provision of supplemental instructional materials
 1613 | that are grounded in scientifically based reading research.

1614 | 5. The provision of intensive interventions for middle and
 1615 | high school students reading below grade level.

1616 | Section 17. Paragraph (b) of subsection (1) of section
 1617 | 1012.22, Florida Statutes, is amended to read:

1618 | 1012.22 Public school personnel; powers and duties of the
 1619 | district school board.—The district school board shall:

1620 | (1) Designate positions to be filled, prescribe
 1621 | qualifications for those positions, and provide for the
 1622 | appointment, compensation, promotion, suspension, and dismissal
 1623 | of employees as follows, subject to the requirements of this
 1624 | chapter:

1625 (b) Time to act on nominations.—The district school board
 1626 shall act not later than 3 weeks following the receipt of ~~FCAT~~
 1627 ~~scores and data, including~~ school grades, or June 30, whichever
 1628 is later, on the district school superintendent's nominations of
 1629 supervisors, principals, and members of the instructional staff.

1630 Section 18. Paragraphs (a), (b), and (d) of subsection (7)
 1631 of section 1012.34, Florida Statutes, are amended to read:

1632 1012.34 Personnel evaluation procedures and criteria.—

1633 (7) MEASUREMENT OF STUDENT LEARNING GROWTH.—

1634 (a) ~~By June 1, 2011,~~ The Commissioner of Education shall
 1635 approve a formula to measure individual student learning growth
 1636 on statewide assessments ~~the Florida Comprehensive Assessment~~
 1637 ~~Test (FCAT)~~ administered under s. 1008.22(3)(c) ~~1008.22(3)(c)1~~.
 1638 The formula must take into consideration each student's prior
 1639 academic performance. The formula must not set different
 1640 expectations for student learning growth based upon a student's
 1641 gender, race, ethnicity, or socioeconomic status. In the
 1642 development of the formula, the commissioner shall consider
 1643 other factors such as a student's attendance record, disability
 1644 status, or status as an English language learner. The
 1645 commissioner shall select additional formulas as appropriate for
 1646 the remainder of the statewide assessments included under s.
 1647 1008.22 and continue to select formulas as new assessments are
 1648 implemented in the state system. After the commissioner approves
 1649 the formula to measure individual student learning growth on
 1650 statewide assessments administered under s. 1008.22(3)(c) ~~the~~
 1651 ~~FCAT~~ and as additional formulas are selected by the commissioner
 1652 for new assessments implemented in the state system, the State

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1653 Board of Education shall adopt these formulas by rule.

1654 (b) ~~Beginning in the 2011-2012 school year,~~ Each school
 1655 district shall measure student learning growth using the formula
 1656 approved by the commissioner under paragraph (a) ~~for courses~~
 1657 ~~associated with the FCAT.~~ Each school district shall implement
 1658 the additional student learning growth measures selected by the
 1659 commissioner under paragraph (a) for the remainder of the
 1660 statewide assessments included under s. 1008.22 as they become
 1661 available. Beginning in the 2014-2015 school year, for grades
 1662 and subjects not assessed by statewide assessments but otherwise
 1663 assessed as required under s. 1008.22(8), each school district
 1664 shall measure student learning growth using an equally
 1665 appropriate formula. The department shall provide models for
 1666 measuring student learning growth which school districts may
 1667 adopt.

1668 (d) If the student learning growth in a course is not
 1669 measured by a statewide assessment but is measured by a school
 1670 district assessment, a school district may request, through the
 1671 evaluation system approval process, that the performance
 1672 evaluation for the classroom teacher assigned to that course
 1673 include the learning growth of his or her students on statewide
 1674 assessments in reading or mathematics ~~FCAT Reading or FCAT~~
 1675 ~~Mathematics~~. The request must clearly explain the rationale
 1676 supporting the request. However, the classroom teacher's
 1677 performance evaluation must give greater weight to student
 1678 learning growth on the district assessment.

1679 Section 19. This act shall take effect July 1, 2012.