



438134

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/01/2012	.	
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The Committee on Budget Subcommittee on Education Pre-K - 12 Appropriations (Montford) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Section 1002.3105, Florida Statutes, is created to read:

1002.3105 Academically Challenging Curriculum to Enhance Learning (ACCEL) options.-

(1) ACCEL OPTIONS.-

(a) Academically Challenging Curriculum to Enhance Learning (ACCEL) options are educational options that provide academically challenging curriculum or accelerated instruction



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13 to eligible public school students in kindergarten through grade
14 12.

15 (b)1. At a minimum, each school must offer the following
16 ACCEL options:

17 a. Whole-grade and midyear promotion;

18 b. Subject-matter acceleration;

19 c. Virtual instruction in higher grade level subjects; and

20 d. The Credit Acceleration Program under s. 1003.4295.

21 2. Additional ACCEL options may include, but are not
22 limited to:

23 a. Enriched science, technology, engineering, and
24 mathematics (STEM) coursework;

25 b. Enrichment programs;

26 c. Flexible grouping;

27 d. Advanced academic courses;

28 e. Combined classes;

29 f. Self-paced instruction;

30 g. Curriculum compacting;

31 h. Advanced-content instruction; and

32 i. Telescoping curriculum.

33 (2) ELIGIBILITY AND PROCEDURAL REQUIREMENTS.—

34 (a) *Principal-determined eligibility requirements.*—

35 1. Each principal must establish student eligibility
36 requirements for virtual instruction in higher grade level
37 subjects. Each principal must also establish student eligibility
38 requirements for whole-grade promotion, midyear promotion, and
39 subject-matter acceleration when the promotion or acceleration
40 occurs within the principal's school.

41 2. If a school offers enriched STEM coursework, enrichment



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42 programs, flexible grouping, advanced academic courses, combined
43 classes, self-paced instruction, curriculum compacting,
44 advanced-content instruction, telescoping curriculum, or an
45 alternative ACCEL option established by the principal, the
46 principal must establish student eligibility requirements.

47 (b) School district-determined eligibility and procedural
48 requirements.—A school district must establish student
49 eligibility requirements and procedural requirements for any
50 whole-grade promotion, midyear promotion, or subject-matter
51 acceleration that would result in a student attending a
52 different school. Student eligibility requirements and
53 procedural requirements established by the school district must
54 be included in the school district's comprehensive student
55 progression plan under s. 1008.25.

56 (3) STUDENT ELIGIBILITY CONSIDERATIONS.—When establishing
57 student eligibility requirements, principals and school
58 districts must consider, at a minimum:

59 (a) The student's performance on a locally determined
60 assessment, a statewide assessment, or a statewide, standardized
61 assessment administered pursuant to s. 1008.22.

62 (b) The student's grade point average.

63 (c) The student's attendance and conduct record.

64 (d) Recommendations from one or more of the student's
65 teachers in core-curricula courses as defined in s.
66 1003.01(14)(a)-(e).

67 (4) ACCEL REQUIREMENTS.—

68 (a) Each principal must inform parents and students of the
69 ACCEL options available at the school and the student
70 eligibility requirements for the ACCEL options established



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71 pursuant to paragraph (2) (a) .

72 (b)1. Each principal must establish a process by which a
73 parent may request student participation in whole-grade
74 promotion, midyear promotion, and subject-matter acceleration
75 when the promotion or acceleration occurs within the principal's
76 school; virtual instruction in higher grade level subjects; or
77 an alternative ACCEL option established by the principal. If the
78 parent selects one of these ACCEL options and the student meets
79 the eligibility requirements established by the principal
80 pursuant to paragraph (2) (a), the student must be provided the
81 opportunity to participate in the ACCEL option.

82 2. Each school district must establish a process by which a
83 parent may request student participation in whole-grade
84 promotion, midyear promotion, or subject-matter acceleration
85 that would result in a student attending a different school. If
86 the parent selects one of these ACCEL options and the student
87 meets the eligibility and procedural requirements set forth in
88 the district's comprehensive student progression plan, as
89 required under paragraph (2) (b), the student must be provided
90 the opportunity to participate in the ACCEL option.

91 (c) If a student participates in an ACCEL option pursuant
92 to the parental request under subparagraph (b)1., a performance
93 contract must be executed by the student, the parent, and the
94 principal. At a minimum, the performance contract must require
95 compliance with:

96 1. Minimum student attendance requirements.

97 2. Minimum student conduct requirements.

98 3. ACCEL option requirements established by the principal,
99 which may include participation in extracurricular activities,



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100 educational outings, field trips, interscholastic competitions,
101 and other activities related to the ACCEL option selected.

102 (d) If a principal initiates a student's participation in
103 an ACCEL option, the student's parent must be notified. A
104 performance contract, pursuant to paragraph (c), is not required
105 when a principal initiates participation but may be used at the
106 discretion of the principal.

107 Section 2. Paragraph (i) of subsection (1) of section
108 1003.02, Florida Statutes, is amended to read:

109 1003.02 District school board operation and control of
110 public K-12 education within the school district.—As provided in
111 part II of chapter 1001, district school boards are
112 constitutionally and statutorily charged with the operation and
113 control of public K-12 education within their school district.
114 The district school boards must establish, organize, and operate
115 their public K-12 schools and educational programs, employees,
116 and facilities. Their responsibilities include staff
117 development, public K-12 school student education including
118 education for exceptional students and students in juvenile
119 justice programs, special programs, adult education programs,
120 and career education programs. Additionally, district school
121 boards must:

122 (1) Provide for the proper accounting for all students of
123 school age, for the attendance and control of students at
124 school, and for proper attention to health, safety, and other
125 matters relating to the welfare of students in the following
126 fields:

127 (i) *Parental notification of acceleration options*
128 ~~mechanisms~~.—At the beginning of each school year and during



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129 registration for the next term, notify parents of students in or
130 entering high school of the opportunity and benefits of advanced
131 placement, International Baccalaureate, Advanced International
132 Certificate of Education, dual enrollment, and Florida Virtual
133 School courses and options for early or accelerated high school
134 graduation under ss. 1003.4281 and 1003.429.

135 Section 3. Paragraph (a) of subsection (1) of section
136 1003.4156, Florida Statutes, is amended to read:

137 1003.4156 General requirements for middle grades
138 promotion.—

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

141 (a) The student must successfully complete academic courses
142 as follows:

143 1. Three middle school or higher courses in English. These
144 courses shall emphasize literature, composition, and technical
145 text.

146 2. Three middle school or higher courses in mathematics.
147 Each middle school must offer at least one high school level
148 mathematics course for which students may earn high school
149 credit. Successful completion of a high school level Algebra I
150 or geometry course is not contingent upon the student's
151 performance on the end-of-course assessment required under s.
152 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
153 school year, to earn high school credit for an Algebra I course,
154 a middle school student must pass the Algebra I end-of-course
155 assessment, and beginning with the 2012-2013 school year, to
156 earn high school credit for a geometry course, a middle school
157 student must pass the geometry end-of-course assessment.



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158 3. Three middle school or higher courses in social studies,
159 one semester of which must include the study of state and
160 federal government and civics education. Beginning with students
161 entering grade 6 in the 2012-2013 school year, one of these
162 courses must be at least a one-semester civics education course
163 that a student successfully completes in accordance with s.
164 1008.22(3)(c) and that includes the roles and responsibilities
165 of federal, state, and local governments; the structures and
166 functions of the legislative, executive, and judicial branches
167 of government; and the meaning and significance of historic
168 documents, such as the Articles of Confederation, the
169 Declaration of Independence, and the Constitution of the United
170 States.

171 4. Three middle school or higher courses in science.
172 Successful completion of a high school level Biology I course is
173 not contingent upon the student's performance on the end-of-
174 course assessment required under s. 1008.22(3)(c)2.a.(II).
175 However, beginning with the 2012-2013 school year, to earn high
176 school credit for a Biology I course, a middle school student
177 must pass the Biology I end-of-course assessment.

178 5. One career-themed course ~~in career and education~~
179 ~~planning~~ to be completed in 6th, 7th, or 8th grade. The course
180 may be taught by any member of the instructional staff; must
181 result in a completed personalized academic and career plan for
182 the student; must emphasize technology or the application of
183 technology in other career fields; and must include instruction
184 using the Department of Economic Opportunity's economic security
185 report as described in s. 445.07 ~~must include career exploration~~
186 ~~using Florida CHOICES or a comparable cost-effective program;~~



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187 ~~must include educational planning using the online student~~
188 ~~advising system known as Florida Academic Counseling and~~
189 ~~Tracking for Students at the Internet website FACTS.org; and~~
190 ~~shall result in the completion of a personalized academic and~~
191 ~~career plan.~~ The required personalized academic and career plan
192 must inform students of high school graduation requirements,
193 high school assessment and college entrance test requirements,
194 Florida Bright Futures Scholarship Program requirements, state
195 university and Florida College System institution admission
196 requirements, and programs through which a high school student
197 can earn college credit, including Advanced Placement,
198 International Baccalaureate, Advanced International Certificate
199 of Education, dual enrollment, ~~career academy opportunities,~~ and
200 courses that lead to national industry certification.

201
202 A student with a disability, as defined in s. 1007.02(2), for
203 whom the individual education plan team determines that an end-
204 of-course assessment cannot accurately measure the student's
205 abilities, taking into consideration all allowable
206 accommodations, shall have the end-of-course assessment results
207 waived for purposes of determining the student's course grade
208 and completing the requirements for middle grades promotion.
209 Each school must ~~hold a parent meeting either in the evening or~~
210 ~~on a weekend to~~ inform parents about the course curriculum and
211 activities. Each student shall complete a ~~an electronic~~ personal
212 education plan that must be signed by the student; ~~the student's~~
213 ~~instructor, guidance counselor, or academic advisor;~~ and the
214 student's parent. Each school district ~~The Department of~~
215 ~~Education~~ shall develop or adopt the career-themed course,



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216 subject to approval by the Department of Education ~~frameworks~~
217 and ~~professional development materials for the career~~
218 ~~exploration and education planning~~ course. The course may be
219 implemented as a stand-alone course or integrated into another
220 career-themed course or courses. The Commissioner of Education
221 shall collect longitudinal high school course enrollment data by
222 student ethnicity in order to analyze course-taking patterns.

223 Section 4. Section 1003.4281, Florida Statutes, is created
224 to read:

225 1003.4281 Science, Technology, Engineering, and Mathematics
226 (STEM) High School Graduation Acceleration Act of 2012.—

227 (1) This section may be cited as the "Science, Technology,
228 Engineering, and Mathematics (STEM) High School Graduation
229 Acceleration Act of 2012."

230 (2) The purpose of this section is to provide an option in
231 which a student may select early graduation if the student has
232 completed a minimum of 24 credits and meets the graduation
233 requirements in s. 1003.428. For purposes of this section, the
234 term "early graduation" means graduating from high school in
235 less than 8 semesters or the equivalent.

236 (3) Each school district shall adopt a policy that provides
237 a high school student with the option of graduating early. Each
238 school district shall notify the parent of a student who is
239 eligible, pursuant to this section, to graduate early. A school
240 district may not prohibit a student who meets the requirements
241 of this section from graduating early.

242 (4) A student who graduates early is eligible to continue
243 participating in activities, awards, class rankings, social
244 events, and graduation events as if the student were still



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245 enrolled in high school as a regular high school student.
246 However, a school principal or superintendent may prevent a
247 student from participating in these activities and events for
248 reasons that would otherwise exclude a regularly enrolled
249 student from participation. A student who graduates early may be
250 denied access to the school facilities and grounds during normal
251 operating hours unless the student complies with the rules and
252 policies prescribed by the district school board.

253 (5) For the purposes of this section, a credit is equal to
254 1/6 of an FTE. A student may earn up to 6 paid high school
255 credits equivalent to 1 FTE per school year in grades 9 through
256 12 for courses provided by the school district. High school
257 credits earned in excess of 6 per school year in courses
258 provided by the school district are unpaid credits.

259 Section 5. Section 1003.491, Florida Statutes, is amended
260 to read:

261 1003.491 Florida Career and Professional Education Act.—The
262 Florida Career and Professional Education Act is created to
263 provide a statewide planning partnership between the business
264 and education communities in order to attract, expand, and
265 retain targeted, high-value industry and to sustain a strong,
266 knowledge-based economy.

267 (1) The primary purpose of the Florida Career and
268 Professional Education Act is to:

269 (a) Improve middle and high school academic performance by
270 providing rigorous and relevant curriculum opportunities;

271 (b) Provide rigorous and relevant career-themed courses
272 that articulate to postsecondary-level coursework and lead to
273 industry certification;



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274 (c) Support local and regional economic development;
275 (d) Respond to Florida's critical workforce needs; and
276 (e) Provide state residents with access to high-wage and
277 high-demand careers.

278 (2) Each district school board shall develop, in
279 collaboration with regional workforce boards, economic
280 development agencies, and postsecondary institutions approved to
281 operate in the state, a strategic 3-year ~~5-year~~ plan to address
282 and meet local and regional workforce demands. If involvement of
283 a regional workforce board or an economic development agency in
284 the strategic plan development is not feasible, the local school
285 board, with the approval of the Department of Economic
286 Opportunity, shall collaborate with the most appropriate
287 regional business leadership board. Two or more school districts
288 may collaborate in the development of the strategic plan and
289 offer career-themed courses, as defined in s. 1003.493(1)(b), or
290 a career and professional academy as a joint venture. The
291 strategic plan must describe in detail provisions for the
292 efficient transportation of students, the maximum use of shared
293 resources, access to courses aligned to state curriculum
294 standards through virtual education providers legislatively
295 authorized to provide part-time instruction to middle school
296 students, and an objective review of proposed career and
297 professional academy courses and other career-themed courses to
298 determine if the courses will lead to the attainment of industry
299 certifications included on the Industry Certified Funding List
300 pursuant to rules adopted by the State Board of Education. Each
301 strategic plan shall be reviewed, updated, and jointly approved
302 every 3 ~~5~~ years by the local school district, regional workforce



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303 boards, economic development agencies, and state-approved
304 postsecondary institutions.

305 (3) The strategic 3-year ~~5-year~~ plan developed jointly by
306 the local school district, regional workforce boards, economic
307 development agencies, and state-approved postsecondary
308 institutions shall be constructed and based on:

309 (a) Research conducted to objectively determine local and
310 regional workforce needs for the ensuing 3 ~~5~~ years, using labor
311 projections of the United States Department of Labor and the
312 Department of Economic Opportunity;

313 (b) Strategies to develop and implement career academies or
314 career-themed courses based on those careers determined to be
315 high wage, high skill, and in high demand;

316 (c) Strategies to provide shared, maximum use of private
317 sector facilities and personnel;

318 (d) Strategies that ensure instruction by industry-
319 certified faculty and standards and strategies to maintain
320 current industry credentials and for recruiting and retaining
321 faculty to meet those standards;

322 (e) Strategies to provide personalized student advisement,
323 including a parent-participation component, and coordination
324 with middle schools to promote and support career-themed courses
325 and education planning as required under s. 1003.4156.

326 (f)-(e) Alignment of requirements for the middle school
327 career course under s. 1003.4156(1)(a)5. exploration, middle and
328 high school career and professional academies or career-themed
329 courses leading to industry certification or postsecondary
330 credit, and high school graduation requirements;

331 (g)-(f) Provisions to ensure that career-themed courses and



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332 courses offered through career and professional academies are
333 academically rigorous, meet or exceed appropriate state-adopted
334 subject area standards, result in attainment of industry
335 certification, and, when appropriate, result in postsecondary
336 credit;

337 (h) Plans to sustain and improve career-themed courses and
338 career and professional academies;

339 (i)~~(g)~~ Strategies to improve the passage rate for industry
340 certification examinations if the rate falls below 50 percent;

341 (j)~~(h)~~ Strategies to recruit students into career-themed
342 courses and ~~Establishment of student eligibility criteria in~~
343 career and professional academies which include opportunities
344 for students who have been unsuccessful in traditional
345 classrooms but who are interested in enrolling in career-themed
346 courses or a career and professional academy ~~show aptitude to~~
347 ~~participate in academies.~~ School boards shall address the
348 analysis of eighth grade student achievement data to provide
349 opportunities for students who may be deemed as potential
350 dropouts to enroll in career-themed courses or participate in
351 career and professional academies;

352 (k)~~(i)~~ Strategies to provide sufficient space within
353 academies to meet workforce needs and to provide access to all
354 interested and qualified students;

355 (l)~~(j)~~ Strategies to implement career-themed courses or
356 career and professional academy training that lead ~~leads~~ to
357 industry certification in juvenile justice education programs ~~at~~
358 ~~Department of Juvenile Justice facilities;~~

359 (m)~~(k)~~ Opportunities for high school students to earn
360 weighted or dual enrollment credit for higher-level career and



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361 technical courses;

362 (n)~~(l)~~ Promotion of the benefits of the Gold Seal Bright
363 Futures Scholarship;

364 (o)~~(m)~~ Strategies to ensure the review of district pupil-
365 progression plans and to amend such plans to include career-
366 themed courses and career and professional academy courses and
367 to include courses that may qualify as substitute courses for
368 core graduation requirements and those that may be counted as
369 elective courses; ~~and~~

370 (p)~~(n)~~ Strategies to provide professional development for
371 secondary guidance counselors on the benefits of career and
372 professional academies and career-themed courses that lead to
373 industry certification; and

374 (q) Strategies to redirect appropriated career funding in
375 secondary and postsecondary institutions to support career
376 academies and career-themed courses that lead to industry
377 certification.

378 (4) The State Board of Education shall establish a process
379 for the continual and uninterrupted review of newly proposed
380 core secondary courses and existing courses requested to be
381 considered as core courses to ensure that sufficient rigor and
382 relevance is provided for workforce skills and postsecondary
383 education and aligned to state curriculum standards.

384 (a) The review of newly proposed core secondary courses
385 shall be the responsibility of a curriculum review committee
386 whose membership is approved by the Workforce Florida, Inc.,
387 ~~Board as described in s. 445.004,~~ and shall include:

388 1.~~(a)~~ Three certified high school guidance counselors
389 recommended by the Florida Association of Student Services



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390 Administrators.

391 2.(b) Three assistant superintendents for curriculum and
392 instruction, recommended by the Florida Association of District
393 School Superintendents and who serve in districts that operate
394 successful career and professional academies pursuant to s.
395 1003.492 or a successful series of courses that lead to industry
396 certification. Committee members in this category shall employ
397 the expertise of appropriate subject area specialists in the
398 review of proposed courses.

399 3.(e) Three workforce representatives recommended by the
400 Department of Economic Opportunity.

401 4.(d) Three admissions directors of postsecondary
402 institutions accredited by the Southern Association of Colleges
403 and Schools, representing both public and private institutions.

404 5.(e) The Deputy Commissioner of Education, or his or her
405 designee, responsible for K-12 curriculum and instruction. The
406 Deputy commissioner shall employ the expertise of appropriate
407 subject area specialists in the review of proposed courses.

408 (b)(5) The curriculum review committee shall review
409 submission and review of newly proposed core courses shall be
410 conducted electronically. ~~and~~ Each proposed core course shall
411 be approved or denied within 30 ~~60~~ days after submission by a
412 district school board or regional workforce board. All courses
413 approved as core courses for purposes of middle school promotion
414 and high school graduation shall be immediately added to the
415 Course Code Directory. Approved core courses shall also be
416 reviewed and considered for approval for dual enrollment credit.
417 The Board of Governors and the Commissioner of Education shall
418 jointly recommend an annual deadline for approval of new core



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419 courses to be included for purposes of postsecondary admissions
420 and dual enrollment credit the following academic year. The
421 State Board of Education shall establish an appeals process in
422 the event that a proposed course is denied which shall require a
423 consensus ruling by the Department of Economic Opportunity and
424 the Commissioner of Education within 15 days.

425 Section 6. Section 1003.492, Florida Statutes, is amended
426 to read:

427 1003.492 Industry-certification ~~Industry-certified~~ career
428 education programs.—

429 (1) Secondary schools offering career-themed courses, as
430 defined in s. 1003.493(1)(b), and career and professional
431 academies shall be coordinated with the relevant and appropriate
432 industry indicating that all components of the program are
433 ~~relevant and appropriate~~ to prepare a ~~the~~ student for further
434 education or for employment in that industry.

435 (2) The State Board of Education shall use the expertise of
436 Workforce Florida, Inc., to develop and adopt rules pursuant to
437 ss. 120.536(1) and 120.54 for implementing an industry
438 certification process. Industry certification shall be defined
439 by the Department of Economic Opportunity, based upon the
440 highest available national standards for specific industry
441 certification, to ensure student skill proficiency and to
442 address emerging labor market and industry trends. A regional
443 workforce board or a school principal ~~career and professional~~
444 ~~academy~~ may apply to Workforce Florida, Inc., to request
445 additions to the approved list of industry certifications based
446 on high-skill, high-wage, and high-demand job requirements in
447 the regional economy. The list of industry certifications



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448 approved by Workforce Florida, Inc., and the Department of
449 Education shall be published and updated annually by a date
450 certain, to be included in the adopted rule.

451 (3) The Department of Education shall collect student
452 achievement and performance data in industry-certification
453 ~~industry-certified~~ career education programs and career-themed
454 courses and shall work with Workforce Florida, Inc., in the
455 analysis of collected data. The data collection and analyses
456 shall examine the performance of participating students over
457 time. Performance factors shall include, but not be limited to,
458 graduation rates, retention rates, Florida Bright Futures
459 Scholarship awards, additional educational attainment,
460 employment records, earnings, industry certification, and
461 employer satisfaction. The results of this study shall be
462 submitted to the President of the Senate and the Speaker of the
463 House of Representatives annually by December 31.

464 Section 7. Section 1003.493, Florida Statutes, is amended
465 to read:

466 1003.493 Career and professional academies and career-
467 themed courses.—

468 (1) (a) A "career and professional academy" is a research-
469 based program that integrates a rigorous academic curriculum
470 with an industry-specific curriculum aligned directly to
471 priority workforce needs established by the regional workforce
472 board or the Department of Economic Opportunity. Career and
473 professional academies shall be offered by public schools and
474 school districts. The Florida Virtual School is encouraged to
475 develop and offer rigorous career and professional courses as
476 appropriate. Students completing career and professional academy



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477 programs must receive a standard high school diploma, the
478 highest available industry certification, and opportunities to
479 earn postsecondary credit if the academy partners with a
480 postsecondary institution approved to operate in the state.

481 (b) A "career-themed course" is a course, or a course in a
482 series of courses, which leads to an industry certification
483 identified in the Industry Certification Funding List pursuant
484 to rules adopted by the State Board of Education. Career-themed
485 courses have industry-specific curriculum aligned directly to
486 priority workforce needs established by the regional workforce
487 board or the Department of Economic Opportunity. The Florida
488 Virtual School is encouraged to develop and offer rigorous
489 career-themed courses as appropriate. Students completing a
490 career-themed course must be provided opportunities to earn
491 postsecondary credit if the credit for the career-themed course
492 can be articulated to a postsecondary institution approved to
493 operate in the state.

494 (2) The goals of a career and professional academy and
495 career-themed courses are to:

496 (a) Increase student academic achievement and graduation
497 rates through integrated academic and career curricula.

498 (b) Prepare graduating high school students to make
499 appropriate choices relative to employment and future
500 educational experiences.

501 (c) Focus on career preparation through rigorous academics
502 and industry certification.

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

505 (e) Promote acceleration mechanisms, such as dual



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506 enrollment ~~and~~, articulated credits ~~credit~~, or ~~occupational~~
507 ~~completion points~~, so that students may earn postsecondary
508 credit while in high school.

509 (f) Support the state's economy by meeting industry needs
510 for skilled employees in high-skill, high-wage, and high-demand
511 occupations.

512 (3) (a) Career-themed courses may be offered in any public
513 secondary school.

514 (b) Existing career education courses may serve as a
515 foundation for the creation of a career and professional
516 academy. A career and professional academy may be offered as one
517 of the following small learning communities:

518 1. (a) A school-within-a-school career academy, as part of
519 an existing high school, which ~~that~~ provides courses in one or
520 more occupational clusters ~~cluster~~. Students who attend ~~in~~ the
521 ~~high~~ school are not required to attend ~~be students in~~ the
522 academy.

523 2. (b) A total school configuration that provides career-
524 themed courses in one or more ~~providing multiple academies, each~~
525 ~~structured around an~~ occupational clusters ~~cluster~~. Every
526 student who attends ~~in~~ the school also attends the ~~is in an~~
527 academy.

528 (4) Each career and professional academy and secondary
529 school providing career-themed courses must:

530 (a) Provide a rigorous standards-based academic curriculum
531 integrated with a career curriculum; consider. ~~The curriculum~~
532 ~~must take into consideration~~ multiple styles of student
533 learning; promote learning by doing through application and
534 adaptation; maximize relevance of the subject matter; enhance



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535 each student's capacity to excel; and include an emphasis on
536 work habits and work ethics.

537 (b) Include one or more partnerships with postsecondary
538 institutions, businesses, industry, employers, economic
539 development organizations, or other appropriate partners from
540 the local community. Such partnerships with postsecondary
541 institutions shall be delineated in articulation agreements and
542 include any career and professional academy courses or career-
543 themed ~~to provide for career-based~~ courses that earn
544 postsecondary credit. Such agreements may include articulation
545 between the secondary school academy and public or private 2-
546 year and 4-year postsecondary institutions and technical
547 centers. The Department of Education, in consultation with the
548 Board of Governors, shall establish a mechanism to ensure
549 articulation and transfer of credits to postsecondary
550 institutions in this state. Such partnerships must provide
551 opportunities for:

552 1. Instruction from highly skilled professionals who
553 possess industry-certification credentials for courses they are
554 teaching.

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

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

557 4. The highest available level of industry certification.

558 5. Maximum articulation of credits pursuant to s. 1007.23
559 upon program completion.

560 ~~(c) Provide shared, maximum use of private sector~~
561 ~~facilities and personnel.~~

562 ~~(d) Provide personalized student advisement, including a~~
563 ~~parent-participation component, and coordination with middle~~



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564 ~~schools to promote and support career exploration and education~~
565 ~~planning as required under s. 1003.4156. Coordination with~~
566 ~~middle schools must provide information to middle school~~
567 ~~students about secondary and postsecondary career education~~
568 ~~programs and academies.~~

569 ~~(c)~~ (e) Promote and provide opportunities for students
570 enrolled in a career and professional academy or career-themed
571 courses ~~students~~ to attain, at minimum, the Florida Gold Seal
572 Vocational Scholars award pursuant to s. 1009.536.

573 ~~(d)~~ (f) Provide instruction in careers designated as high
574 skill, high wage, and high growth, ~~high demand, and high pay~~ by
575 the regional workforce development board, the chamber of
576 commerce, economic development agencies, or the Department of
577 Economic Opportunity.

578 ~~(e)~~ (g) Deliver academic content through instruction
579 relevant to the career, including intensive reading and
580 mathematics intervention required by s. 1003.428, with an
581 emphasis on strengthening reading for information skills.

582 ~~(f)~~ (h) Offer applied courses that combine academic content
583 with technical skills.

584 ~~(g)~~ (i) Provide instruction resulting in competency,
585 certification, or credentials in workplace skills, including,
586 but not limited to, communication skills, interpersonal skills,
587 decisionmaking skills, the importance of attendance and
588 timeliness in the work environment, and work ethics.

589 ~~(j)~~ ~~Include a plan to sustain career and professional~~
590 ~~academies.~~

591 ~~(k)~~ ~~Redirect appropriated career funding to career and~~
592 ~~professional academies.~~



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593 (5) All career courses offered in a career and professional
594 academy and each career-themed course offered by a secondary
595 school must lead to industry certification or college credit
596 ~~linked directly to the career theme of the course.~~ If the
597 passage rate on an industry certification examination that is
598 associated with the career and professional academy or a career-
599 themed course falls below 50 percent, strategies to improve the
600 passage rate must be included in the strategic 3-year plan ~~the~~
601 ~~academy must discontinue enrollment of new students the~~
602 ~~following school year and each year thereafter until such time~~
603 ~~as the passage rate is above 50 percent or the academy is~~
604 ~~discontinued.~~

605 (6) Workforce Florida, Inc., ~~through the secondary career~~
606 ~~academies initiatives,~~ shall serve in an advisory role ~~and offer~~
607 ~~technical assistance~~ in the development and deployment of newly
608 established career and professional academies and career-themed
609 courses.

610 Section 8. Section 1003.4935, Florida Statutes, is amended
611 to read:

612 1003.4935 Middle school career and professional academy
613 courses and career-themed courses.—

614 (1) Beginning with the 2011-2012 school year, each district
615 school board, in collaboration with regional workforce boards,
616 economic development agencies, and state-approved postsecondary
617 institutions, shall include plans to implement a career and
618 professional academy or career-themed courses, as defined in s.
619 1003.493(1)(b), in at least one middle school in the district as
620 part of the strategic 3-year ~~5-year~~ plan pursuant to s.
621 1003.491(2). The ~~middle school career and professional academy~~



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622 ~~component of the~~ strategic plan must ensure that students are
623 provided the opportunity to complete the transition from a ~~of~~
624 middle school career and professional academy or career-themed
625 courses ~~students~~ to a high school career and professional
626 academy or career-themed courses currently operating within the
627 school district. Students who complete a middle school career
628 and professional academy or a career-themed course must have the
629 opportunity to earn an industry certificate and high school
630 credit and participate in career planning, job shadowing, and
631 business leadership development activities.

632 (2) Each middle school career and professional academy or
633 career-themed course must be aligned with at least one high
634 school career and professional academy or career-themed course
635 offered in the district and maintain partnerships with local
636 business and industry and economic development boards. Middle
637 school career and professional academies and career-themed
638 courses must:

639 (a) Lead ~~Provide instruction in courses leading to careers~~
640 in occupations designated as high skill, high wage, and high
641 ~~growth, high demand, and high pay~~ in the Industry Certification
642 Funding List approved under rules adopted by the State Board of
643 Education;

644 (b) ~~Offer career and professional academy courses that~~
645 Integrate content from core subject areas;

646 (c) ~~Offer courses that~~ Integrate career and professional
647 academy or career-themed course content with intensive reading
648 and mathematics pursuant to s. 1003.428;

649 (d) Coordinate with high schools to maximize opportunities
650 for middle school ~~career and professional academy~~ students to



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651 earn high school credit;

652 (e) Provide access to virtual instruction courses provided
653 by virtual education providers legislatively authorized to
654 provide part-time instruction to middle school students. The
655 virtual instruction courses must be aligned to state curriculum
656 standards for middle school career and professional academy
657 courses or career-themed courses ~~students~~, with priority given
658 to students who have required course deficits;

659 (f) Provide instruction from highly skilled professionals
660 who hold industry certificates in the career area in which they
661 teach;

662 (g) Offer externships; and

663 (h) Provide personalized student advisement pursuant to s.
664 1003.4156(1) (a)5. which ~~that~~ includes a parent-participation
665 component.

666 (3) Beginning with the 2012-2013 school year, if a school
667 district implements a middle school career and professional
668 academy or a career-themed course, the Department of Education
669 shall collect and report student achievement data pursuant to
670 performance factors identified under s. 1003.492(3) for ~~academy~~
671 students enrolled in an academy or a career-themed course.

672 (4) The State Board of Education shall adopt rules pursuant
673 to ss. 120.536(1) and 120.54 to identify industry certifications
674 in science, technology, engineering, and mathematics offered in
675 middle school to be included on the Industry Certified Funding
676 List and which are eligible for additional full-time equivalent
677 membership under s. 1011.62(1).

678 Section 9. Paragraph (c) of subsection (3) of section
679 1008.22, Florida Statutes, is amended to read:



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680 1008.22 Student assessment program for public schools.—
681 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
682 design and implement a statewide program of educational
683 assessment that provides information for the improvement of the
684 operation and management of the public schools, including
685 schools operating for the purpose of providing educational
686 services to youth in Department of Juvenile Justice programs.
687 The commissioner may enter into contracts for the continued
688 administration of the assessment, testing, and evaluation
689 programs authorized and funded by the Legislature. Contracts may
690 be initiated in 1 fiscal year and continue into the next and may
691 be paid from the appropriations of either or both fiscal years.
692 The commissioner is authorized to negotiate for the sale or
693 lease of tests, scoring protocols, test scoring services, and
694 related materials developed pursuant to law. Pursuant to the
695 statewide assessment program, the commissioner shall:
696 (c) Develop and implement a student achievement testing
697 program as follows:
698 1. The Florida Comprehensive Assessment Test (FCAT)
699 measures a student's content knowledge and skills in reading,
700 writing, science, and mathematics. The content knowledge and
701 skills assessed by the FCAT must be aligned to the core
702 curricular content established in the Next Generation Sunshine
703 State Standards. Other content areas may be included as directed
704 by the commissioner. Comprehensive assessments of reading and
705 mathematics shall be administered annually in grades 3 through
706 10 except, beginning with the 2010-2011 school year, the
707 administration of grade 9 FCAT Mathematics shall be
708 discontinued, and beginning with the 2011-2012 school year, the



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709 administration of grade 10 FCAT Mathematics shall be
710 discontinued, except as required for students who have not
711 attained minimum performance expectations for graduation as
712 provided in paragraph (9) (c). FCAT Writing and FCAT Science
713 shall be administered at least once at the elementary, middle,
714 and high school levels except, beginning with the 2011-2012
715 school year, the administration of FCAT Science at the high
716 school level shall be discontinued.

717 2.a. End-of-course assessments for a subject shall be
718 administered in addition to the comprehensive assessments
719 required under subparagraph 1. End-of-course assessments must be
720 rigorous, statewide, standardized, and developed or approved by
721 the department. The content knowledge and skills assessed by
722 end-of-course assessments must be aligned to the core curricular
723 content established in the Next Generation Sunshine State
724 Standards.

725 (I) Statewide, standardized end-of-course assessments in
726 mathematics shall be administered according to this sub-sub-
727 subparagraph. Beginning with the 2010-2011 school year, all
728 students enrolled in Algebra I or an equivalent course must take
729 the Algebra I end-of-course assessment. For students entering
730 grade 9 during the 2010-2011 school year and who are enrolled in
731 Algebra I or an equivalent, each student's performance on the
732 end-of-course assessment in Algebra I shall constitute 30
733 percent of the student's final course grade. Beginning with the
734 2013-2014 school year, the end-of-course assessment in Algebra I
735 shall be administered four times annually. Beginning with
736 students entering grade 9 in the 2011-2012 school year, a
737 student who is enrolled in Algebra I or an equivalent must earn



738 a passing score on the end-of-course assessment in Algebra I or
739 attain an equivalent score as described in subsection (11) in
740 order to earn course credit. Beginning with the 2011-2012 school
741 year, all students enrolled in geometry or an equivalent course
742 must take the geometry end-of-course assessment. For students
743 entering grade 9 during the 2011-2012 school year, each
744 student's performance on the end-of-course assessment in
745 geometry shall constitute 30 percent of the student's final
746 course grade. Beginning with students entering grade 9 during
747 the 2012-2013 school year, a student must earn a passing score
748 on the end-of-course assessment in geometry or attain an
749 equivalent score as described in subsection (11) in order to
750 earn course credit.

751 (II) Statewide, standardized end-of-course assessments in
752 science shall be administered according to this sub-sub-
753 subparagraph. Beginning with the 2011-2012 school year, all
754 students enrolled in Biology I or an equivalent course must take
755 the Biology I end-of-course assessment. For the 2011-2012 school
756 year, each student's performance on the end-of-course assessment
757 in Biology I shall constitute 30 percent of the student's final
758 course grade. Beginning with students entering grade 9 during
759 the 2012-2013 school year, a student must earn a passing score
760 on the end-of-course assessment in Biology I in order to earn
761 course credit.

762 b. During the 2012-2013 school year, an end-of-course
763 assessment in civics education shall be administered as a field
764 test at the middle school level. During the 2013-2014 school
765 year, each student's performance on the statewide, standardized
766 end-of-course assessment in civics education shall constitute 30



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767 percent of the student's final course grade. Beginning with the
768 2014-2015 school year, a student must earn a passing score on
769 the end-of-course assessment in civics education in order to
770 pass the course and be promoted from the middle grades. The
771 school principal of a middle school shall determine, in
772 accordance with State Board of Education rule, whether a student
773 who transfers to the middle school and who has successfully
774 completed a civics education course at the student's previous
775 school must take an end-of-course assessment in civics
776 education.

777 c. The commissioner may select one or more nationally
778 developed comprehensive examinations, which may include, but
779 need not be limited to, examinations for a College Board
780 Advanced Placement course, International Baccalaureate course,
781 or Advanced International Certificate of Education course, or
782 industry-approved examinations to earn national industry
783 certifications identified in the Industry Certification Funding
784 List, pursuant to rules adopted by the State Board of Education,
785 for use as end-of-course assessments under this paragraph, if
786 the commissioner determines that the content knowledge and
787 skills assessed by the examinations meet or exceed the grade
788 level expectations for the core curricular content established
789 for the course in the Next Generation Sunshine State Standards.
790 The commissioner may collaborate with the American Diploma
791 Project in the adoption or development of rigorous end-of-course
792 assessments that are aligned to the Next Generation Sunshine
793 State Standards.

794 d. Contingent upon funding provided in the General
795 Appropriations Act, including the appropriation of funds



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796 received through federal grants, the Commissioner of Education
797 shall establish an implementation schedule for the development
798 and administration of additional statewide, standardized end-of-
799 course assessments in English/Language Arts II, Algebra II,
800 chemistry, physics, earth/space science, United States history,
801 and world history. Priority shall be given to the development of
802 end-of-course assessments in English/Language Arts II. The
803 Commissioner of Education shall evaluate the feasibility and
804 effect of transitioning from the grade 9 and grade 10 FCAT
805 Reading and high school level FCAT Writing to an end-of-course
806 assessment in English/Language Arts II. The commissioner shall
807 report the results of the evaluation to the President of the
808 Senate and the Speaker of the House of Representatives no later
809 than July 1, 2011.

810 3. The testing program shall measure student content
811 knowledge and skills adopted by the State Board of Education as
812 specified in paragraph (a) and measure and report student
813 performance levels of all students assessed in reading, writing,
814 mathematics, and science. The commissioner shall provide for the
815 tests to be developed or obtained, as appropriate, through
816 contracts and project agreements with private vendors, public
817 vendors, public agencies, postsecondary educational
818 institutions, or school districts. The commissioner shall obtain
819 input with respect to the design and implementation of the
820 testing program from state educators, assistive technology
821 experts, and the public.

822 4. The testing program shall be composed of criterion-
823 referenced tests that shall, to the extent determined by the
824 commissioner, include test items that require the student to



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825 produce information or perform tasks in such a way that the core
826 content knowledge and skills he or she uses can be measured.

827 5. FCAT Reading, Mathematics, and Science and all
828 statewide, standardized end-of-course assessments shall measure
829 the content knowledge and skills a student has attained on the
830 assessment by the use of scaled scores and achievement levels.
831 Achievement levels shall range from 1 through 5, with level 1
832 being the lowest achievement level, level 5 being the highest
833 achievement level, and level 3 indicating satisfactory
834 performance on an assessment. For purposes of FCAT Writing,
835 student achievement shall be scored using a scale of 1 through 6
836 and the score earned shall be used in calculating school grades.
837 A score shall be designated for each subject area tested, below
838 which score a student's performance is deemed inadequate. The
839 school districts shall provide appropriate remedial instruction
840 to students who score below these levels.

841 6. The State Board of Education shall, by rule, designate a
842 passing score for each part of the grade 10 assessment test and
843 end-of-course assessments. Any rule that has the effect of
844 raising the required passing scores may apply only to students
845 taking the assessment for the first time after the rule is
846 adopted by the State Board of Education. Except as otherwise
847 provided in this subparagraph and as provided in s.
848 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a
849 passing score on grade 10 FCAT Reading and grade 10 FCAT
850 Mathematics or attain concordant scores as described in
851 subsection (10) in order to qualify for a standard high school
852 diploma.

853 7. In addition to designating a passing score under



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854 subparagraph 6., the State Board of Education shall also
855 designate, by rule, a score for each statewide, standardized
856 end-of-course assessment which indicates that a student is high
857 achieving and has the potential to meet college-readiness
858 standards by the time the student graduates from high school.

859 8. Participation in the testing program is mandatory for
860 all students attending public school, including students served
861 in Department of Juvenile Justice programs, except as otherwise
862 prescribed by the commissioner. A student who has not earned
863 passing scores on the grade 10 FCAT as provided in subparagraph
864 6. must participate in each retake of the assessment until the
865 student earns passing scores or achieves scores on a
866 standardized assessment which are concordant with passing scores
867 pursuant to subsection (10). If a student does not participate
868 in the statewide assessment, the district must notify the
869 student's parent and provide the parent with information
870 regarding the implications of such nonparticipation. A parent
871 must provide signed consent for a student to receive classroom
872 instructional accommodations that would not be available or
873 permitted on the statewide assessments and must acknowledge in
874 writing that he or she understands the implications of such
875 instructional accommodations. The State Board of Education shall
876 adopt rules, based upon recommendations of the commissioner, for
877 the provision of test accommodations for students in exceptional
878 education programs and for students who have limited English
879 proficiency. Accommodations that negate the validity of a
880 statewide assessment are not allowable in the administration of
881 the FCAT or an end-of-course assessment. However, instructional
882 accommodations are allowable in the classroom if included in a



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883 student's individual education plan. Students using
884 instructional accommodations in the classroom that are not
885 allowable as accommodations on the FCAT or an end-of-course
886 assessment may have the FCAT or an end-of-course assessment
887 requirement waived pursuant to the requirements of s.
888 1003.428(8)(b) or s. 1003.43(11)(b).

889 9. A student seeking an adult high school diploma must meet
890 the same testing requirements that a regular high school student
891 must meet.

892 10. District school boards must provide instruction to
893 prepare students in the core curricular content established in
894 the Next Generation Sunshine State Standards adopted under s.
895 1003.41, including the core content knowledge and skills
896 necessary for successful grade-to-grade progression and high
897 school graduation. If a student is provided with instructional
898 accommodations in the classroom that are not allowable as
899 accommodations in the statewide assessment program, as described
900 in the test manuals, the district must inform the parent in
901 writing and must provide the parent with information regarding
902 the impact on the student's ability to meet expected performance
903 levels in reading, writing, mathematics, and science. The
904 commissioner shall conduct studies as necessary to verify that
905 the required core curricular content is part of the district
906 instructional programs.

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

911 12. The Department of Education must develop, or select,



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912 and implement a common battery of assessment tools that will be
913 used in all juvenile justice programs in the state. These tools
914 must accurately measure the core curricular content established
915 in the Next Generation Sunshine State Standards.

916 13. For students seeking a special diploma pursuant to s.
917 1003.438, the Department of Education must develop or select and
918 implement an alternate assessment tool that accurately measures
919 the core curricular content established in the Next Generation
920 Sunshine State Standards for students with disabilities under s.
921 1003.438.

922 14. The Commissioner of Education shall establish schedules
923 for the administration of statewide assessments and the
924 reporting of student test results. When establishing the
925 schedules for the administration of statewide assessments, the
926 commissioner shall consider the observance of religious and
927 school holidays. The commissioner shall, by August 1 of each
928 year, notify each school district in writing and publish on the
929 department's Internet website the testing and reporting
930 schedules for, at a minimum, the school year following the
931 upcoming school year. The testing and reporting schedules shall
932 require that:

933 a. There is the latest possible administration of statewide
934 assessments and the earliest possible reporting to the school
935 districts of student test results which is feasible within
936 available technology and specific appropriations; however, test
937 results for the FCAT must be made available no later than the
938 week of June 8. Student results for end-of-course assessments
939 must be provided no later than 1 week after the school district
940 completes testing for each course. The commissioner may extend



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941 the reporting schedule under exigent circumstances.

942 b. FCAT Writing may not be administered earlier than the
943 week of March 1, and a comprehensive statewide assessment of any
944 other subject may not be administered earlier than the week of
945 April 15.

946 c. A statewide, standardized end-of-course assessment is
947 administered at the end of the course. The commissioner shall
948 select an administration period for assessments that meets the
949 intent of end-of-course assessments and provides student results
950 prior to the end of the course. School districts shall
951 administer tests in accordance with the schedule determined by
952 the commissioner. For an end-of-course assessment administered
953 at the end of the first semester, the commissioner shall
954 determine the most appropriate testing dates based on a review
955 of each school district's academic calendar.

956
957 The commissioner may, based on collaboration and input from
958 school districts, design and implement student testing programs,
959 for any grade level and subject area, necessary to effectively
960 monitor educational achievement in the state, including the
961 measurement of educational achievement of the Next Generation
962 Sunshine State Standards for students with disabilities.
963 Development and refinement of assessments shall include
964 universal design principles and accessibility standards that
965 will prevent any unintended obstacles for students with
966 disabilities while ensuring the validity and reliability of the
967 test. These principles should be applicable to all technology
968 platforms and assistive devices available for the assessments.
969 The field testing process and psychometric analyses for the



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970 statewide assessment program must include an appropriate
971 percentage of students with disabilities and an evaluation or
972 determination of the effect of test items on such students.

973 Section 10. Subsection (3) of section 1008.34, Florida
974 Statutes, is amended to read:

975 1008.34 School grading system; school report cards;
976 district grade.—

977 (3) DESIGNATION OF SCHOOL GRADES.—

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

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

987 2. An alternative school may choose to receive a school
988 grade under this section or a school improvement rating under s.
989 1008.341. For charter schools that meet the definition of an
990 alternative school pursuant to State Board of Education rule,
991 the decision to receive a school grade is the decision of the
992 charter school governing board.

993 3. A school that serves any combination of students in
994 kindergarten through grade 3 which does not receive a school
995 grade because its students are not tested and included in the
996 school grading system shall receive the school grade designation
997 of a K-3 feeder pattern school identified by the Department of
998 Education and verified by the school district. A school feeder



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999 pattern exists if at least 60 percent of the students in the
1000 school serving a combination of students in kindergarten through
1001 grade 3 are scheduled to be assigned to the graded school.

1002 (b)1. A school's grade shall be based on a combination of:

1003 a. Student achievement scores, including achievement on all
1004 FCAT assessments administered under s. 1008.22(3)(c)1., end-of-
1005 course assessments administered under s. 1008.22(3)(c)2.a., and
1006 achievement scores for students seeking a special diploma.

1007 b. Student learning gains in reading and mathematics as
1008 measured by FCAT and end-of-course assessments, as described in
1009 s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking
1010 a special diploma, as measured by an alternate assessment tool,
1011 shall be included not later than the 2009-2010 school year.

1012 c. Improvement of the lowest 25th percentile of students in
1013 the school in reading and mathematics on the FCAT or end-of-
1014 course assessments described in s. 1008.22(3)(c)2.a., unless
1015 these students are exhibiting satisfactory performance.

1016 2. Beginning with the 2011-2012 school year, for schools
1017 comprised of middle school grades 6 through 8 or grades 7 and 8,
1018 the school's grade shall include the performance and
1019 participation of its students enrolled in high school level
1020 courses with end-of-course assessments administered under s.
1021 1008.22(3)(c)2.a. Performance and participation must be weighted
1022 equally. As valid data becomes available, the school grades
1023 shall include the students' attainment of national industry
1024 certification identified in the Industry Certification Funding
1025 List pursuant to rules adopted by the State Board of Education.

1026 3. ~~Beginning with the 2009-2010 school year~~ For schools
1027 comprised of high school grades 9, 10, 11, and 12, or grades 10,



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1028 11, and 12, 50 percent of the school grade shall be based on a
1029 combination of the factors listed in sub-subparagraphs 1.a.-c.
1030 and the remaining 50 percent on the following factors:
1031 a. The high school graduation rate of the school;
1032 b. As valid data becomes available, the performance and
1033 participation of the school's students in College Board Advanced
1034 Placement courses, International Baccalaureate courses, dual
1035 enrollment courses, and Advanced International Certificate of
1036 Education courses; and the students' achievement of national
1037 industry certification identified in the Industry Certification
1038 Funding List, pursuant to rules adopted by the State Board of
1039 Education;
1040 c. Postsecondary readiness of the school's students as
1041 measured by the SAT, ACT, or the common placement test;
1042 d. The high school graduation rate of at-risk students who
1043 scored at Level 2 or lower on the grade 8 FCAT Reading and
1044 Mathematics examinations;
1045 e. As valid data becomes available, the performance of the
1046 school's students on statewide standardized end-of-course
1047 assessments administered under s. 1008.22(3)(c)2.c. and d.; ~~and~~
1048 f. The percentage of the school's students who earn credits
1049 in mathematics and science courses that must be:
1050 (I) In excess of the requirements in s. 1003.428(2)(a)2.
1051 and 3.; and
1052 (II) At a level of rigor exceeding the course requirements
1053 in s. 1003.428(2)(a)2. and 3.;
1054 g. The percentage of students who graduate in less than 8
1055 semesters or the equivalent; and
1056 h.f. The growth or decline in the components listed in sub-



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1057 subparagraphs a.-e. from year to year.

1058
1059 Beginning with the 2012-2013 school year, the Department of
1060 Education shall award bonus points to each high school based on
1061 the data in sub-subparagraphs f. and g.

1062 (c) Student assessment data used in determining school
1063 grades shall include:

1064 1. The aggregate scores of all eligible students enrolled
1065 in the school who have been assessed on the FCAT and statewide,
1066 standardized end-of-course assessments in courses required for
1067 high school graduation, including, beginning with the 2010-2011
1068 school year, the end-of-course assessment in Algebra I; and
1069 beginning with the 2011-2012 school year, the end-of-course
1070 assessments in geometry and Biology; and beginning with the
1071 2013-2014 school year, on the statewide, standardized end-of-
1072 course assessment in civics education at the middle school
1073 level.

1074 2. The aggregate scores of all eligible students enrolled
1075 in the school who have been assessed on the FCAT and end-of-
1076 course assessments as described in s. 1008.22(3)(c)2.a., and who
1077 have scored at or in the lowest 25th percentile of students in
1078 the school in reading and mathematics, unless these students are
1079 exhibiting satisfactory performance.

1080 3. The achievement scores and learning gains of eligible
1081 students attending alternative schools that provide dropout
1082 prevention and academic intervention services pursuant to s.
1083 1003.53. The term "eligible students" in this subparagraph does
1084 not include students attending an alternative school who are
1085 subject to district school board policies for expulsion for



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1086 repeated or serious offenses, who are in dropout retrieval
1087 programs serving students who have officially been designated as
1088 dropouts, or who are in programs operated or contracted by the
1089 Department of Juvenile Justice. The student performance data for
1090 eligible students identified in this subparagraph shall be
1091 included in the calculation of the home school's grade. As used
1092 in this subparagraph and s. 1008.341, the term "home school"
1093 means the school to which the student would be assigned if the
1094 student were not assigned to an alternative school. If an
1095 alternative school chooses to be graded under this section,
1096 student performance data for eligible students identified in
1097 this subparagraph shall not be included in the home school's
1098 grade but shall be included only in the calculation of the
1099 alternative school's grade. A school district that fails to
1100 assign the FCAT and end-of-course assessment as described in s.
1101 1008.22(3)(c)2.a. scores of each of its students to his or her
1102 home school or to the alternative school that receives a grade
1103 shall forfeit Florida School Recognition Program funds for 1
1104 fiscal year. School districts must require collaboration between
1105 the home school and the alternative school in order to promote
1106 student success. This collaboration must include an annual
1107 discussion between the principal of the alternative school and
1108 the principal of each student's home school concerning the most
1109 appropriate school assignment of the student.

1110 4. The achievement scores and learning gains of students
1111 designated as hospital- or homebound. Student assessment data
1112 for students designated as hospital- or homebound shall be
1113 assigned to their home school for the purposes of school grades.
1114 As used in this subparagraph, the term "home school" means the



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1115 school to which a student would be assigned if the student were
1116 not assigned to a hospital- or homebound program.

1117 5. For schools comprised of high school grades 9, 10, 11,
1118 and 12, or grades 10, 11, and 12, the data listed in
1119 subparagraphs 1.-3. and the following data as the Department of
1120 Education determines such data are valid and available:

1121 a. The high school graduation rate of the school as
1122 calculated by the Department of Education;

1123 b. The participation rate of all eligible students enrolled
1124 in the school and enrolled in College Board Advanced Placement
1125 courses; International Baccalaureate courses; dual enrollment
1126 courses; Advanced International Certificate of Education
1127 courses; and courses or sequences of courses leading to national
1128 industry certification identified in the Industry Certification
1129 Funding List, pursuant to rules adopted by the State Board of
1130 Education;

1131 c. The aggregate scores of all eligible students enrolled
1132 in the school in College Board Advanced Placement courses,
1133 International Baccalaureate courses, and Advanced International
1134 Certificate of Education courses;

1135 d. Earning of college credit by all eligible students
1136 enrolled in the school in dual enrollment programs under s.
1137 1007.271;

1138 e. Earning of a national industry certification identified
1139 in the Industry Certification Funding List, pursuant to rules
1140 adopted by the State Board of Education;

1141 f. The aggregate scores of all eligible students enrolled
1142 in the school in reading, mathematics, and other subjects as
1143 measured by the SAT, the ACT, and the common placement test for



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1144 postsecondary readiness;

1145 g. The high school graduation rate of all eligible at-risk
1146 students enrolled in the school who scored at Level 2 or lower
1147 on the grade 8 FCAT Reading and Mathematics examinations;

1148 h. The performance of the school's students on statewide
1149 standardized end-of-course assessments administered under s.
1150 1008.22(3)(c)2.c. and d.; ~~and~~

1151 i. The percentage of the school's students who earn credits
1152 in mathematics and science courses that must be:

1153 (I) In excess of the requirements in s. 1003.428(2)(a)2.
1154 and 3.; and

1155 (II) At a level of rigor exceeding the course requirements
1156 in s. 1003.428(2)(a)2. and 3.;

1157 j. The percentage of students who graduate in less than 8
1158 semesters or the equivalent; and

1159 ~~k.i.~~ The growth or decline in the data components listed in
1160 sub-subparagraphs a.-h. from year to year.

1161
1162 Beginning with the 2012-2013 school year, the Department of
1163 Education shall award bonus points to each high school based on
1164 the data in sub-subparagraphs i. and j. The State Board of
1165 Education shall adopt appropriate criteria for each school
1166 grade. The criteria must also give added weight to student
1167 achievement in reading. Schools designated with a grade of "C,"
1168 making satisfactory progress, shall be required to demonstrate
1169 that adequate progress has been made by students in the school
1170 who are in the lowest 25th percentile in reading and mathematics
1171 on the FCAT and end-of-course assessments as described in s.
1172 1008.22(3)(c)2.a., unless these students are exhibiting



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1173 satisfactory performance. Beginning with the 2009-2010 school
1174 year for schools comprised of high school grades 9, 10, 11, and
1175 12, or grades 10, 11, and 12, the criteria for school grades
1176 must also give added weight to the graduation rate of all
1177 eligible at-risk students, as defined in this paragraph.
1178 Beginning in the 2009-2010 school year, in order for a high
1179 school to be designated as having a grade of "A," making
1180 excellent progress, the school must demonstrate that at-risk
1181 students, as defined in this paragraph, in the school are making
1182 adequate progress.

1183 Section 11. Subsection (5) of section 1009.53, Florida
1184 Statutes, is amended to read:

1185 1009.53 Florida Bright Futures Scholarship Program.—

1186 (5) The department shall issue awards from the scholarship
1187 program annually. However, the department may evaluate students
1188 who graduate from high school at the midpoint of the academic
1189 year for an award, with distribution of the initial award during
1190 the spring term at an eligible postsecondary institution. The
1191 department shall evaluate a student for renewal of an award
1192 after the student completes a full academic year, which begins
1193 with the fall term through the beginning of the next fall term.
1194 Annual awards may be for up to 45 semester credit hours or the
1195 equivalent. Before the registration period each semester, the
1196 department shall transmit payment for each award to the
1197 president or director of the postsecondary education
1198 institution, or his or her representative, except that the
1199 department may withhold payment if the receiving institution
1200 fails to report or to make refunds to the department as required
1201 in this section.



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1202 (a) Within 30 days after the end of regular registration
1203 each semester, the educational institution shall certify to the
1204 department the eligibility status of each student who receives
1205 an award. After the end of the drop and add period, an
1206 institution is not required to reevaluate or revise a student's
1207 eligibility status; however, an institution must make a refund
1208 to the department within 30 days after the end of the semester
1209 of any funds received for courses dropped by a student or
1210 courses from which a student has withdrawn after the end of the
1211 drop and add period, unless the student has been granted an
1212 exception by the department pursuant to subsection (11).

1213 (b) An institution that receives funds from the program
1214 shall certify to the department the amount of funds disbursed to
1215 each student and shall remit to the department any undisbursed
1216 advances within 60 days after the end of regular registration.

1217 (c) Each institution that receives moneys through this
1218 program shall provide for a financial audit, as defined in s.
1219 11.45, conducted by an independent certified public accountant
1220 or the Auditor General for each fiscal year in which the
1221 institution expends program moneys in excess of \$100,000. At
1222 least every 2 years, the audit shall include an examination of
1223 the institution's administration of the program and the
1224 institution's accounting of the moneys for the program since the
1225 last examination of the institution's administration of the
1226 program. The report on the audit must be submitted to the
1227 department within 9 months after the end of the fiscal year. The
1228 department may conduct its own annual audit of an institution's
1229 administration of the program. The department may request a
1230 refund of any moneys overpaid to the institution for the



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1231 program. The department may suspend or revoke an institution's
1232 eligibility to receive future moneys for the program if the
1233 department finds that an institution has not complied with this
1234 section. The institution must remit within 60 days any refund
1235 requested in accordance with this subsection.

1236 (d) Any institution that is not subject to an audit
1237 pursuant to this subsection shall attest, under penalty of
1238 perjury, that the moneys were used in compliance with law. The
1239 attestation shall be made annually in a form and format
1240 determined by the department.

1241 Section 12. Paragraph (f) of subsection (1) of section
1242 1009.531, Florida Statutes, is amended to read:

1243 1009.531 Florida Bright Futures Scholarship Program;
1244 student eligibility requirements for initial awards.-

1245 (1) Effective January 1, 2008, in order to be eligible for
1246 an initial award from any of the three types of scholarships
1247 under the Florida Bright Futures Scholarship Program, a student
1248 must:

1249 (f) Apply for a scholarship from the program by high school
1250 graduation. A student who graduates from high school at the
1251 midpoint of the academic year may be evaluated for an award for
1252 the current academic year if he or she submits a completed
1253 Florida Financial Aid Application by August 31 of his or her
1254 graduation year.

1255 Section 13. Paragraph (c) of subsection (1) is of section
1256 1011.61, Florida Statutes, is amended to read:

1257 1011.61 Definitions.-Notwithstanding the provisions of s.
1258 1000.21, the following terms are defined as follows for the
1259 purposes of the Florida Education Finance Program:



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1260 (1) A "full-time equivalent student" in each program of the
1261 district is defined in terms of full-time students and part-time
1262 students as follows:

1263 (c)1. A "full-time equivalent student" is:

1264 a. A full-time student in any one of the programs listed in
1265 s. 1011.62(1)(c); or

1266 b. A combination of full-time or part-time students in any
1267 one of the programs listed in s. 1011.62(1)(c) which is the
1268 equivalent of one full-time student based on the following
1269 calculations:

1270 (I) A full-time student in a combination of programs listed
1271 in s. 1011.62(1)(c) shall be a fraction of a full-time
1272 equivalent membership in each special program equal to the
1273 number of net hours per school year for which he or she is a
1274 member, divided by the appropriate number of hours set forth in
1275 subparagraph (a)1. or subparagraph (a)2. The difference between
1276 that fraction or sum of fractions and the maximum value as set
1277 forth in subsection (4) for each full-time student is presumed
1278 to be the balance of the student's time not spent in such
1279 special education programs and shall be recorded as time in the
1280 appropriate basic program.

1281 (II) A prekindergarten handicapped student shall meet the
1282 requirements specified for kindergarten students.

1283 (III) A full-time equivalent student for students in
1284 kindergarten through grade 5 in a virtual instruction program
1285 under s. 1002.45 or a virtual charter school under s. 1002.33
1286 shall consist of a student who has successfully completed a
1287 basic program listed in s. 1011.62(1)(c)1.a. or b., and who is
1288 promoted to a higher grade level.



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1289 (IV) A full-time equivalent student for students in grades
1290 6 through 12 in a virtual instruction program under s.
1291 1002.45(1)(b)1., 2., or 3. or a virtual charter school under s.
1292 1002.33 shall consist of six full credit completions in programs
1293 listed in s. 1011.62(1)(c)1.b. or c. and 3. Credit completions
1294 may be a combination of full-credit courses or half-credit
1295 courses. Beginning in the 2014-2015 fiscal year, when s.
1296 1008.22(3)(g) is implemented, the reported full-time equivalent
1297 students and associated funding of students enrolled in courses
1298 requiring passage of an end-of-course assessment shall be
1299 adjusted after the student completes the end-of-course
1300 assessment.

1301 (V) A Florida Virtual School full-time equivalent student
1302 shall consist of six full credit completions or the prescribed
1303 level of content that counts toward promotion to the next grade
1304 in the programs listed in s. 1011.62(1)(c)1.a. and b. for
1305 kindergarten through grade 8 and the programs listed in s.
1306 1011.62(1)(c)1.c. for grades 9 through 12. Credit completions
1307 may be a combination of full-credit courses or half-credit
1308 courses. Beginning in the 2014-2015 fiscal year, when s.
1309 1008.22(3)(g) is implemented, the reported full-time equivalent
1310 students and associated funding of students enrolled in courses
1311 requiring passage of an end-of-course assessment shall be
1312 adjusted after the student completes the end-of-course
1313 assessment.

1314 (VI) Each successfully completed full-credit course earned
1315 through an online course delivered by a district other than the
1316 one in which the student resides shall be calculated as 1/6 FTE.

1317 (VII) Each successfully completed credit earned under the



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1318 alternative high school course credit requirements authorized in
1319 s. 1002.375, which is not reported as a portion of the 900 net
1320 hours of instruction pursuant to subparagraph (1)(a)1., shall be
1321 calculated as 1/6 FTE.

1322 (VIII)(A) A full-time equivalent student for courses
1323 requiring statewide end-of-course assessments pursuant to s.
1324 1008.22(3) shall be defined and reported based on the number of
1325 instructional hours as provided in s. 1011.61(1) for the first 3
1326 years of administering the end-of-course assessments. Beginning
1327 in the fourth year of administering the end-of-course
1328 assessments, FTE shall be credit-based and each course shall be
1329 equal to 1/6 FTE. The reported FTE shall be adjusted after the
1330 student successfully completes the end-of-course assessment
1331 pursuant to s. 1008.22(3)(c)2.a.

1332 (B) For students enrolled in a school district as a full-
1333 time student, the school district may report 1/6 FTE for each
1334 student who passes a statewide end-of-course assessment without
1335 having taken the corresponding course.

1336 (C) The FTE earned under this sub-sub-sub-subparagraph and
1337 any FTE for courses or programs listed in s. 1011.62(1)(c) which
1338 do not require passing statewide end-of-course assessments are
1339 subject to the requirements in subsection (4).

1340 2. A student in membership in a program scheduled for more
1341 or less than 180 school days or the equivalent on an hourly
1342 basis as specified by rules of the State Board of Education is a
1343 fraction of a full-time equivalent membership equal to the
1344 number of instructional hours in membership divided by the
1345 appropriate number of hours set forth in subparagraph (a)1.;

1346 however, for the purposes of this subparagraph, membership in



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1347 programs scheduled for more than 180 days is limited to students
1348 enrolled in juvenile justice education programs and the Florida
1349 Virtual School.

1350
1351 The department shall determine and implement an equitable method
1352 of equivalent funding for experimental schools and for schools
1353 operating under emergency conditions, which schools have been
1354 approved by the department to operate for less than the minimum
1355 school day.

1356 Section 14. Subsection (1) of section 1011.62, Florida
1357 Statutes, is amended to read:

1358 1011.62 Funds for operation of schools.—If the annual
1359 allocation from the Florida Education Finance Program to each
1360 district for operation of schools is not determined in the
1361 annual appropriations act or the substantive bill implementing
1362 the annual appropriations act, it shall be determined as
1363 follows:

1364 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
1365 OPERATION.—The following procedure shall be followed in
1366 determining the annual allocation to each district for
1367 operation:

1368 (a) *Determination of full-time equivalent membership.*—
1369 During each of several school weeks, including scheduled
1370 intersessions of a year-round school program during the fiscal
1371 year, a program membership survey of each school shall be made
1372 by each district by aggregating the full-time equivalent student
1373 membership of each program by school and by district. The
1374 department shall establish the number and interval of membership
1375 calculations, except that for basic and special programs such



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1376 calculations shall not exceed nine for any fiscal year. The
1377 district's full-time equivalent membership shall be computed and
1378 currently maintained in accordance with regulations of the
1379 commissioner.

1380 (b) *Determination of base student allocation.*—The base
1381 student allocation for the Florida Education Finance Program for
1382 kindergarten through grade 12 shall be determined annually by
1383 the Legislature and shall be that amount prescribed in the
1384 current year's General Appropriations Act.

1385 (c) *Determination of programs.*—Cost factors based on
1386 desired relative cost differences between the following programs
1387 shall be established in the annual General Appropriations Act.
1388 The Commissioner of Education shall specify a matrix of services
1389 and intensity levels to be used by districts in the
1390 determination of the two weighted cost factors for exceptional
1391 students with the highest levels of need. For these students,
1392 the funding support level shall fund the exceptional students'
1393 education program, with the exception of extended school year
1394 services for students with disabilities.

1395 1. Basic programs.—

1396 a. Kindergarten and grades 1, 2, and 3.

1397 b. Grades 4, 5, 6, 7, and 8.

1398 c. Grades 9, 10, 11, and 12.

1399 2. Programs for exceptional students.—

1400 a. Support Level IV.

1401 b. Support Level V.

1402 3. Secondary career education programs.—

1403 4. English for Speakers of Other Languages.—

1404 (d) *Annual allocation calculation.*—



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1405 1. The Department of Education is authorized and directed
1406 to review all district programs and enrollment projections and
1407 calculate a maximum total weighted full-time equivalent student
1408 enrollment for each district for the K-12 FEFP.

1409 2. Maximum enrollments calculated by the department shall
1410 be derived from enrollment estimates used by the Legislature to
1411 calculate the FEFP. If two or more districts enter into an
1412 agreement under the provisions of s. 1001.42(4)(d), after the
1413 final enrollment estimate is agreed upon, the amount of FTE
1414 specified in the agreement, not to exceed the estimate for the
1415 specific program as identified in paragraph (c), may be
1416 transferred from the participating districts to the district
1417 providing the program.

1418 3. As part of its calculation of each district's maximum
1419 total weighted full-time equivalent student enrollment, the
1420 department shall establish separate enrollment ceilings for each
1421 of two program groups. Group 1 shall be composed of basic
1422 programs for grades K-3, grades 4-8, and grades 9-12. Group 2
1423 shall be composed of students in exceptional student education
1424 programs support levels IV and V, English for Speakers of Other
1425 Languages programs, and all career programs in grades 9-12.

1426 a. For any calculation of the FEFP, the enrollment ceiling
1427 for group 1 shall be calculated by multiplying the actual
1428 enrollment for each program in the program group by its
1429 appropriate program weight.

1430 b. The weighted enrollment ceiling for group 2 programs
1431 shall be calculated by multiplying the enrollment for each
1432 program by the appropriate program weight as provided in the
1433 General Appropriations Act. The weighted enrollment ceiling for



1434 program group 2 shall be the sum of the weighted enrollment
1435 ceilings for each program in the program group, plus the
1436 increase in weighted full-time equivalent student membership
1437 from the prior year for clients of the Department of Children
1438 and Family Services and the Department of Juvenile Justice.

1439 c. If, for any calculation of the FEFP, the weighted
1440 enrollment for program group 2, derived by multiplying actual
1441 enrollments by appropriate program weights, exceeds the
1442 enrollment ceiling for that group, the following procedure shall
1443 be followed to reduce the weighted enrollment for that group to
1444 equal the enrollment ceiling:

1445 (I) The weighted enrollment ceiling for each program in the
1446 program group shall be subtracted from the weighted enrollment
1447 for that program derived from actual enrollments.

1448 (II) If the difference calculated under sub-sub-
1449 subparagraph (I) is greater than zero for any program, a
1450 reduction proportion shall be computed for the program by
1451 dividing the absolute value of the difference by the total
1452 amount by which the weighted enrollment for the program group
1453 exceeds the weighted enrollment ceiling for the program group.

1454 (III) The reduction proportion calculated under sub-sub-
1455 subparagraph (II) shall be multiplied by the total amount of the
1456 program group's enrollment over the ceiling as calculated under
1457 sub-sub-subparagraph (I).

1458 (IV) The prorated reduction amount calculated under sub-
1459 subparagraph (III) shall be subtracted from the program's
1460 weighted enrollment to produce a revised program weighted
1461 enrollment.

1462 (V) The prorated reduction amount calculated under sub-sub-



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1463 subparagraph (III) shall be divided by the appropriate program
1464 weight, and the result shall be added to the revised program
1465 weighted enrollment computed in sub-sub-subparagraph (IV).

1466 (e) *Funding model for exceptional student education*
1467 *programs.*—

1468 1.a. The funding model uses basic, at-risk, support levels
1469 IV and V for exceptional students and career Florida Education
1470 Finance Program cost factors, and a guaranteed allocation for
1471 exceptional student education programs. Exceptional education
1472 cost factors are determined by using a matrix of services to
1473 document the services that each exceptional student will
1474 receive. The nature and intensity of the services indicated on
1475 the matrix shall be consistent with the services described in
1476 each exceptional student's individual educational plan. The
1477 Department of Education shall review and revise the descriptions
1478 of the services and supports included in the matrix of services
1479 for exceptional students and shall implement those revisions
1480 before the beginning of the 2012-2013 school year.

1481 b. In order to generate funds using one of the two weighted
1482 cost factors, a matrix of services must be completed at the time
1483 of the student's initial placement into an exceptional student
1484 education program and at least once every 3 years by personnel
1485 who have received approved training. Nothing listed in the
1486 matrix shall be construed as limiting the services a school
1487 district must provide in order to ensure that exceptional
1488 students are provided a free, appropriate public education.

1489 c. Students identified as exceptional, in accordance with
1490 chapter 6A-6, Florida Administrative Code, who do not have a
1491 matrix of services as specified in sub-subparagraph b. shall



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1492 generate funds on the basis of full-time-equivalent student
1493 membership in the Florida Education Finance Program at the same
1494 funding level per student as provided for basic students.

1495 Additional funds for these exceptional students will be provided
1496 through the guaranteed allocation designated in subparagraph 2.

1497 2. For students identified as exceptional who do not have a
1498 matrix of services and students who are gifted in grades K
1499 through 8, there is created a guaranteed allocation to provide
1500 these students with a free appropriate public education, in
1501 accordance with s. 1001.42(4)(m) and rules of the State Board of
1502 Education, which shall be allocated annually to each school
1503 district in the amount provided in the General Appropriations
1504 Act. These funds shall be in addition to the funds appropriated
1505 on the basis of FTE student membership in the Florida Education
1506 Finance Program, and the amount allocated for each school
1507 district shall not be recalculated during the year. These funds
1508 shall be used to provide special education and related services
1509 for exceptional students and students who are gifted in grades K
1510 through 8. Beginning with the 2007-2008 fiscal year, a
1511 district's expenditure of funds from the guaranteed allocation
1512 for students in grades 9 through 12 who are gifted may not be
1513 greater than the amount expended during the 2006-2007 fiscal
1514 year for gifted students in grades 9 through 12.

1515 (f) *Supplemental academic instruction; categorical fund.*—

1516 1. There is created a categorical fund to provide
1517 supplemental academic instruction to students in kindergarten
1518 through grade 12. This paragraph may be cited as the
1519 "Supplemental Academic Instruction Categorical Fund."

1520 2. Categorical funds for supplemental academic instruction



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1521 shall be allocated annually to each school district in the
1522 amount provided in the General Appropriations Act. These funds
1523 shall be in addition to the funds appropriated on the basis of
1524 FTE student membership in the Florida Education Finance Program
1525 and shall be included in the total potential funds of each
1526 district. These funds shall be used to provide supplemental
1527 academic instruction to students enrolled in the K-12 program.
1528 Supplemental instruction strategies may include, but are not
1529 limited to: modified curriculum, reading instruction, after-
1530 school instruction, tutoring, mentoring, class size reduction,
1531 extended school year, intensive skills development in summer
1532 school, and other methods for improving student achievement.
1533 Supplemental instruction may be provided to a student in any
1534 manner and at any time during or beyond the regular 180-day term
1535 identified by the school as being the most effective and
1536 efficient way to best help that student progress from grade to
1537 grade and to graduate.

1538 3. Effective with the 1999-2000 fiscal year, funding on the
1539 basis of FTE membership beyond the 180-day regular term shall be
1540 provided in the FEFP only for students enrolled in juvenile
1541 justice education programs or in education programs for
1542 juveniles placed in secure facilities or programs under s.
1543 985.19. Funding for instruction beyond the regular 180-day
1544 school year for all other K-12 students shall be provided
1545 through the supplemental academic instruction categorical fund
1546 and other state, federal, and local fund sources with ample
1547 flexibility for schools to provide supplemental instruction to
1548 assist students in progressing from grade to grade and
1549 graduating.



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1550 4. The Florida State University School, as a lab school, is
1551 authorized to expend from its FEFP or Lottery Enhancement Trust
1552 Fund allocation the cost to the student of remediation in
1553 reading, writing, or mathematics for any graduate who requires
1554 remediation at a postsecondary educational institution.

1555 5. Beginning in the 1999-2000 school year, dropout
1556 prevention programs as defined in ss. 1003.52, 1003.53(1) (a),
1557 (b), and (c), and 1003.54 shall be included in group 1 programs
1558 under subparagraph (d)3.

1559 (g) *Education for speakers of other languages.*—A school
1560 district shall be eligible to report full-time equivalent
1561 student membership in the ESOL program in the Florida Education
1562 Finance Program provided the following conditions are met:

1563 1. The school district has a plan approved by the
1564 Department of Education.

1565 2. The eligible student is identified and assessed as
1566 limited English proficient based on assessment criteria.

1567 3.a. An eligible student may be reported for funding in the
1568 ESOL program for a base period of 3 years. However, a student
1569 whose English competency does not meet the criteria for
1570 proficiency after 3 years in the ESOL program may be reported
1571 for a fourth, fifth, and sixth year of funding, provided his or
1572 her limited English proficiency is assessed and properly
1573 documented before ~~prior to~~ his or her enrollment in each
1574 additional year beyond the 3-year base period.

1575 b. If a student exits the program and is later reclassified
1576 as limited English proficient, the student may be reported in
1577 the ESOL program for funding for an additional year, or extended
1578 annually for a period not to exceed a total of 6 years pursuant



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1579 to this paragraph, based on an annual evaluation of the
1580 student's status.

1581 4. An eligible student may be reported for funding in the
1582 ESOL program for membership in ESOL instruction in English and
1583 ESOL instruction or home language instruction in the basic
1584 subject areas of mathematics, science, social studies, and
1585 computer literacy.

1586 (h) *Small, isolated high schools.*—Districts that ~~which~~ levy
1587 the maximum nonvoted discretionary millage, exclusive of millage
1588 for capital outlay purposes levied pursuant to s. 1011.71(2),
1589 may calculate full-time equivalent students for small, isolated
1590 high schools by multiplying the number of unweighted full-time
1591 equivalent students times 2.75; provided the school has attained
1592 a grade of "C" or better, pursuant to s. 1008.34, for the
1593 previous school year. For the purpose of this section, the term
1594 "small, isolated high school" means any high school that ~~which~~
1595 is located no less than 28 miles by the shortest route from
1596 another high school; that ~~which~~ has been serving students
1597 primarily in basic studies provided by sub-subparagraphs (c)1.b.
1598 and c. and may include subparagraph (c)4.; and that ~~which~~ has a
1599 membership of no more than 100 students, but no fewer than 28
1600 students, in grades 9 through 12.

1601 (i) *Calculation of full-time equivalent membership with*
1602 *respect to dual enrollment instruction.*—Students enrolled in
1603 dual enrollment instruction pursuant to s. 1007.271 may be
1604 included in calculations of full-time equivalent student
1605 memberships for basic programs for grades 9 through 12 by a
1606 district school board. Instructional time for dual enrollment
1607 may vary from 900 hours; however, the school district may only



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1608 report the student for a maximum of 1.0 full-time equivalent
1609 student membership, as provided in s. 1011.61(4). Dual
1610 enrollment full-time equivalent student membership shall be
1611 calculated in an amount equal to the hours of instruction that
1612 would be necessary to earn the full-time equivalent student
1613 membership for an equivalent course if it were taught in the
1614 school district. Students in dual enrollment courses may also be
1615 calculated as the proportional shares of full-time equivalent
1616 enrollments they generate for a Florida College System
1617 institution or university conducting the dual enrollment
1618 instruction. Early admission students shall be considered dual
1619 enrollments for funding purposes. Students may be enrolled in
1620 dual enrollment instruction provided by an eligible independent
1621 college or university and may be included in calculations of
1622 full-time equivalent student memberships for basic programs for
1623 grades 9 through 12 by a district school board. However, those
1624 provisions of law which exempt dual enrolled and early admission
1625 students from payment of instructional materials and tuition and
1626 fees, including laboratory fees, do ~~shall~~ not apply to students
1627 who select the option of enrolling in an eligible independent
1628 institution. An independent college or university that ~~which~~ is
1629 located and chartered in Florida, is not for profit, is
1630 accredited by the Commission on Colleges of the Southern
1631 Association of Colleges and Schools or the Accrediting Council
1632 for Independent Colleges and Schools, and confers degrees as
1633 defined in s. 1005.02 shall be eligible for inclusion in the
1634 dual enrollment or early admission program. Students enrolled in
1635 dual enrollment instruction shall be exempt from the payment of
1636 tuition and fees, including laboratory fees. No student enrolled



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1637 in college credit mathematics or English dual enrollment
1638 instruction shall be funded as a dual enrollment unless the
1639 student has successfully completed the relevant section of the
1640 entry-level examination required pursuant to s. 1008.30.

1641 (j) *Instruction in exploratory career education.*—Students
1642 in grades 7 through 12 who are enrolled for more than four
1643 semesters in exploratory career education may not be counted as
1644 full-time equivalent students for this instruction.

1645 (k) *Study hall.*—A student who is enrolled in study hall may
1646 not be included in the calculation of full-time equivalent
1647 student membership for funding under this section.

1648 (l) *Calculation of additional full-time equivalent*
1649 *membership based on International Baccalaureate examination*
1650 *scores of students.*—A value of 0.16 full-time equivalent student
1651 membership shall be calculated for each student enrolled in an
1652 International Baccalaureate course who receives a score of 4 or
1653 higher on a subject examination. A value of 0.3 full-time
1654 equivalent student membership shall be calculated for each
1655 student who receives an International Baccalaureate diploma.
1656 Such value shall be added to the total full-time equivalent
1657 student membership in basic programs for grades 9 through 12 in
1658 the subsequent fiscal year. Each school district shall allocate
1659 80 percent of the funds received from International
1660 Baccalaureate bonus FTE funding to the school program whose
1661 students generate the funds and to school programs that prepare
1662 prospective students to enroll in International Baccalaureate
1663 courses. Funds shall be expended solely for the payment of
1664 allowable costs associated with the International Baccalaureate
1665 program. Allowable costs include International Baccalaureate



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1666 annual school fees; International Baccalaureate examination
1667 fees; salary, benefits, and bonuses for teachers and program
1668 coordinators for the International Baccalaureate program and
1669 teachers and coordinators who prepare prospective students for
1670 the International Baccalaureate program; supplemental books;
1671 instructional supplies; instructional equipment or instructional
1672 materials for International Baccalaureate courses; other
1673 activities that identify prospective International Baccalaureate
1674 students or prepare prospective students to enroll in
1675 International Baccalaureate courses; and training or
1676 professional development for International Baccalaureate
1677 teachers. School districts shall allocate the remaining 20
1678 percent of the funds received from International Baccalaureate
1679 bonus FTE funding for programs that assist academically
1680 disadvantaged students to prepare for more rigorous courses. The
1681 school district shall distribute to each classroom teacher who
1682 provided International Baccalaureate instruction:

1683 1. A bonus in the amount of \$50 for each student taught by
1684 the International Baccalaureate teacher in each International
1685 Baccalaureate course who receives a score of 4 or higher on the
1686 International Baccalaureate examination.

1687 2. An additional bonus of \$500 to each International
1688 Baccalaureate teacher in a school designated with a grade of "D"
1689 or "F" who has at least one student scoring 4 or higher on the
1690 International Baccalaureate examination, regardless of the
1691 number of classes taught or of the number of students scoring a
1692 4 or higher on the International Baccalaureate examination.

1693
1694 Bonuses awarded to a teacher according to this paragraph may



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1695 ~~shall~~ not exceed \$2,000 in any given school year and shall be in
1696 addition to any regular wage or other bonus the teacher received
1697 or is scheduled to receive.

1698 (m) *Calculation of additional full-time equivalent*
1699 *membership based on Advanced International Certificate of*
1700 *Education examination scores of students.*—A value of 0.16 full-
1701 time equivalent student membership shall be calculated for each
1702 student enrolled in a full-credit Advanced International
1703 Certificate of Education course who receives a score of E or
1704 higher on a subject examination. A value of 0.08 full-time
1705 equivalent student membership shall be calculated for each
1706 student enrolled in a half-credit Advanced International
1707 Certificate of Education course who receives a score of E or
1708 higher on a subject examination. A value of 0.3 full-time
1709 equivalent student membership shall be calculated for each
1710 student who receives an Advanced International Certificate of
1711 Education diploma. Such value shall be added to the total full-
1712 time equivalent student membership in basic programs for grades
1713 9 through 12 in the subsequent fiscal year. The school district
1714 shall distribute to each classroom teacher who provided Advanced
1715 International Certificate of Education instruction:

1716 1. A bonus in the amount of \$50 for each student taught by
1717 the Advanced International Certificate of Education teacher in
1718 each full-credit Advanced International Certificate of Education
1719 course who receives a score of E or higher on the Advanced
1720 International Certificate of Education examination. A bonus in
1721 the amount of \$25 for each student taught by the Advanced
1722 International Certificate of Education teacher in each half-
1723 credit Advanced International Certificate of Education course



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1724 who receives a score of E or higher on the Advanced
1725 International Certificate of Education examination.

1726 2. An additional bonus of \$500 to each Advanced
1727 International Certificate of Education teacher in a school
1728 designated with a grade of "D" or "F" who has at least one
1729 student scoring E or higher on the full-credit Advanced
1730 International Certificate of Education examination, regardless
1731 of the number of classes taught or of the number of students
1732 scoring an E or higher on the full-credit Advanced International
1733 Certificate of Education examination.

1734 3. Additional bonuses of \$250 each to teachers of half-
1735 credit Advanced International Certificate of Education classes
1736 in a school designated with a grade of "D" or "F" which has at
1737 least one student scoring an E or higher on the half-credit
1738 Advanced International Certificate of Education examination in
1739 that class. The maximum additional bonus for a teacher awarded
1740 in accordance with this subparagraph may ~~shall~~ not exceed \$500
1741 in any given school year. Teachers receiving an award under
1742 subparagraph 2. are not eligible for a bonus under this
1743 subparagraph.

1744

1745 Bonuses awarded to a teacher according to this paragraph may
1746 ~~shall~~ not exceed \$2,000 in any given school year and shall be in
1747 addition to any regular wage or other bonus the teacher received
1748 or is scheduled to receive.

1749 (n) *Calculation of additional full-time equivalent*
1750 *membership based on college board advanced placement scores of*
1751 *students.*—A value of 0.16 full-time equivalent student
1752 membership shall be calculated for each student in each advanced



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1753 placement course who receives a score of 3 or higher on the
1754 College Board Advanced Placement Examination for the prior year
1755 and added to the total full-time equivalent student membership
1756 in basic programs for grades 9 through 12 in the subsequent
1757 fiscal year. Each district must allocate at least 80 percent of
1758 the funds provided to the district for advanced placement
1759 instruction, in accordance with this paragraph, to the high
1760 school that generates the funds. The school district shall
1761 distribute to each classroom teacher who provided advanced
1762 placement instruction:

1763 1. A bonus in the amount of \$50 for each student taught by
1764 the Advanced Placement teacher in each advanced placement course
1765 who receives a score of 3 or higher on the College Board
1766 Advanced Placement Examination.

1767 2. An additional bonus of \$500 to each Advanced Placement
1768 teacher in a school designated with a grade of "D" or "F" who
1769 has at least one student scoring 3 or higher on the College
1770 Board Advanced Placement Examination, regardless of the number
1771 of classes taught or of the number of students scoring a 3 or
1772 higher on the College Board Advanced Placement Examination.

1773
1774 Bonuses awarded to a teacher according to this paragraph may
1775 ~~shall~~ not exceed \$2,000 in any given school year and shall be in
1776 addition to any regular wage or other bonus the teacher received
1777 or is scheduled to receive.

1778 (o) *Calculation of additional full-time equivalent*
1779 *membership based on certification of successful completion of*
1780 *career-themed courses or industry-certified career and*
1781 *professional academy programs pursuant to ss. 1003.491,*



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1782 1003.492, 1003.493, and 1003.4935 and attainment of the highest
1783 level of industry certification identified in the Industry
1784 Certified Funding List pursuant to rules adopted by the State
1785 Board of Education.—

1786 1. A value of 0.1, 0.2, or 0.3 full-time equivalent student
1787 membership shall be calculated for each student who completes a
1788 career-themed course or series of career-themed courses or a ~~an~~
1789 ~~industry-certified~~ career and professional academy program under
1790 ss. 1003.491, 1003.492, 1003.493, and 1003.4935 and who is
1791 issued the highest level of industry certification identified
1792 annually in the Industry Certification Funding List approved
1793 under rules adopted by the State Board of Education upon
1794 promotion to the 9th grade under subparagraph 2. or upon earning
1795 ~~and~~ a high school diploma. The maximum full-time equivalent
1796 student membership value for any student is 0.3. The Department
1797 of Education shall assign the appropriate full-time equivalent
1798 value for each certification, 50 percent of which is based on
1799 rigor and the remaining 50 percent on employment value. The
1800 State Board of Education shall include the assigned values in
1801 the Industry Certification Funding List under rules adopted by
1802 the state board. Rigor shall be based on the number of
1803 instructional hours, including work experience hours, required
1804 to earn the certification, with a bonus for industry
1805 certifications that have a statewide articulation agreement for
1806 college credit approved by the State Board of Education.
1807 Employment value shall be based on the entry wage, growth rate
1808 in employment for each occupational category, and average annual
1809 openings for the primary occupation linked to the industry
1810 certification. Such value shall be added to the total full-time



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1811 equivalent student membership in secondary career education
1812 programs for grades 9 through 12 in the subsequent year for
1813 courses that were not funded through dual enrollment.

1814 2. Upon promotion to the 9th grade, a value of 0.1 full-
1815 time equivalent student membership shall be calculated for each
1816 student who completes a career-themed course or a series of
1817 career-themed courses or a career and professional academy
1818 program under s. 1003.4935 and who is issued the highest level
1819 of industry certification in science, technology, engineering,
1820 or mathematics identified on the Industry Certification Funding
1821 List under rules adopted by the State Board of Education.

1822 3. The additional full-time equivalent membership
1823 authorized under this paragraph may not exceed 0.3 per student.
1824 Each district must allocate at least 80 percent of the funds
1825 provided for industry certification, in accordance with this
1826 paragraph, to the program that generated the funds. Unless a
1827 different amount is specified in the General Appropriations Act,
1828 the appropriation for this calculation is limited to the
1829 following:

- 1830 a. For the 2012-2013 fiscal year, \$15 million annually;
1831 b. Beginning with the 2013-2014 fiscal year, \$20 million
1832 annually;
1833 c. Beginning with the 2014-2015 fiscal year, \$25 million
1834 annually; and
1835 d. Beginning with the 2015-2016 fiscal year, \$30 million
1836 annually.

1837
1838 If the appropriation is insufficient to fully fund the total
1839 calculation, the appropriation shall be prorated.



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1840 (p) Calculation of additional full-time equivalent
1841 membership based on accelerated high school graduation.-
1842 Notwithstanding s. 1011.61(4), a school district that authorizes
1843 the accelerated graduation of a student who has met all the
1844 requirements in s. 1003.428 and graduates at least one semester
1845 in advance of the scheduled graduation of the student's cohort
1846 may report one-sixth of an FTE for unpaid high school credit
1847 delivered by the district during the student's prior enrollment.
1848 For a student who graduates 1 year or more in advance of the
1849 student's cohort, the school district may report up to 1 FTE for
1850 unpaid high school credits. For a student who graduates one
1851 semester in advance of the student's cohort, the school district
1852 may report up to 1/2 FTE for unpaid high school credits. If the
1853 student was enrolled in the district as a full-time high school
1854 student for at least 2 years, the district shall report the
1855 unpaid FTE delivered by the district. If the student was
1856 enrolled in the district for less than 2 years, the district
1857 shall report the unpaid FTE delivered by the district and the
1858 prior district of enrollment. The district of enrollment for
1859 which early graduation is claimed shall transfer a proportionate
1860 share of the funds earned for the unpaid FTE to the prior
1861 district of enrollment.

1862 (q) ~~(p)~~ Year-round-school programs.-The Commissioner of
1863 Education is authorized to adjust student eligibility
1864 definitions, funding criteria, and reporting requirements of
1865 statutes and rules in order that year-round-school programs may
1866 achieve equivalent application of funding requirements with non-
1867 year-round-school programs.

1868 (r) ~~(q)~~ Extended-school-year program.-It is the intent of



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1869 the Legislature that students be provided additional instruction
1870 by extending the school year to 210 days or more. Districts may
1871 apply to the Commissioner of Education for funds to be used in
1872 planning and implementing an extended-school-year program.

1873 ~~(s)~~ *Determination of the basic amount for current*
1874 *operation.*—The basic amount for current operation to be included
1875 in the Florida Education Finance Program for kindergarten
1876 through grade 12 for each district shall be the product of the
1877 following:

1878 1. The full-time equivalent student membership in each
1879 program, multiplied by

1880 2. The cost factor for each program, adjusted for the
1881 maximum as provided by paragraph (c), multiplied by

1882 3. The base student allocation.

1883 ~~(t)~~ *Computation for funding through the Florida*
1884 *Education Finance Program.*—The State Board of Education may
1885 adopt rules establishing programs and courses for which the
1886 student may earn credit toward high school graduation.

1887 Section 15. This act shall take effect July 1, 2012.

1888
1889 ===== T I T L E A M E N D M E N T =====

1890 And the title is amended as follows:

1891 Delete everything before the enacting clause
1892 and insert:

1893 A bill to be entitled
1894 An act relating to education; creating s. 1002.3105,
1895 F.S.; establishing Academically Challenging Curriculum
1896 to Enhance Learning (ACCEL) options to provide
1897 eligible public school students educational options



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1898 that provide academically challenging curriculum or
1899 accelerated instruction; requiring that each school
1900 offer minimum ACCEL options; providing for additional
1901 ACCEL options; requiring that each school principal
1902 and school district determine student eligibility and
1903 procedural requirements; requiring that each school
1904 principal and school district base such determination
1905 on certain considerations; requiring that each school
1906 principal inform parents and students of the ACCEL
1907 options and the eligibility requirements; requiring
1908 that each school principal and school district
1909 establish a process by which a parent may request
1910 student participation in whole-grade promotion,
1911 midyear promotion, and subject-matter acceleration
1912 under certain circumstances; requiring that a
1913 performance contract be executed by the student, the
1914 parent, and the school principal under certain
1915 circumstances; requiring that a student's parent be
1916 notified if a school principal initiates a student's
1917 participation in an ACCEL option; amending s. 1003.02,
1918 F.S.; requiring that school districts notify parents
1919 of options for early or accelerated high school
1920 graduation at the beginning of each school year and
1921 during registration for the next term; amending s.
1922 1003.4156, F.S.; revising the general requirements for
1923 middle grades promotion to include one career-themed
1924 course to be completed in 6th, 7th, or 8th grade;
1925 providing requirements for the career-themed course;
1926 requiring that each school district develop or adopt



1927 the career-themed course, subject to approval by the
1928 Department of Education; creating s. 1003.4281, F.S.;
1929 providing a short title; providing a purpose;
1930 providing a definition for the term "early
1931 graduation"; requiring that each school district adopt
1932 a policy that provides a high school student with the
1933 option of graduating early; requiring that each school
1934 district notify the parent of a student who is
1935 eligible for early graduation; prohibiting a school
1936 district from preventing a student from graduating
1937 early if the student meets the requirements; providing
1938 that a student who graduates early is eligible to
1939 continue participating in activities, awards, class
1940 rankings, social events, and graduation events;
1941 authorizing a school principal or superintendent to
1942 prevent such participation under certain
1943 circumstances; providing that a student who graduates
1944 early may be denied access to the school facilities
1945 and grounds during normal operating hours; providing
1946 that a credit is equal to one-sixth full-time
1947 equivalent student; amending s. 1003.491, F.S.;
1948 revising provisions relating to the Florida Career and
1949 Professional Education Act; requiring that each
1950 district school board, in collaboration with regional
1951 workforce boards, economic development agencies, and
1952 postsecondary institutions, develop a strategic 3-year
1953 plan addressing and meeting local and regional
1954 workforce demands; authorizing school districts to
1955 offer career-themed courses; revising the requirements



1956 of the strategic 3-year plan to include career-themed
1957 courses and specified strategies; revising the period
1958 within which newly proposed core courses are to be
1959 approved or denied by the curriculum review committee;
1960 amending s. 1003.492, F.S.; revising provisions
1961 relating to industry-certification career education
1962 programs to conform to changes made by the act;
1963 amending s. 1003.493, F.S.; providing a definition for
1964 the term "career-themed course"; requiring that a
1965 student who enrolls in and completes a career-themed
1966 course or a sequence of career-themed courses receive
1967 opportunities to earn postsecondary credit if the
1968 career-themed course credits can be articulated to a
1969 postsecondary institution; providing goals of career-
1970 themed courses; providing for career-themed courses to
1971 be offered in a school-within-a-school career academy
1972 or a school providing multiple career-themed courses
1973 structured around an occupational cluster; providing
1974 requirements for career-themed courses; requiring that
1975 strategies to improve the passage rate on an industry
1976 certification examination be included in the strategic
1977 3-year plan under certain circumstances; requiring
1978 that Workforce Florida, Inc., serve in an advisory
1979 role in the development and deployment of newly
1980 established career-themed courses; amending s.
1981 1003.4935, F.S.; revising provisions relating to
1982 middle school career and professional academy courses
1983 to conform to changes made by the act; requiring that
1984 the Department of Education collect and report student



1985 achievement data for students who are enrolled in
1986 career-themed courses and who attain a specified
1987 industry certification; requiring that the State Board
1988 of Education adopt rules to identify industry
1989 certifications in science, technology, engineering,
1990 and mathematics offered in middle school to be
1991 included on the Industry Certified Funding List;
1992 amending s. 1008.22, F.S.; requiring that the end-of-
1993 course assessment in Algebra I be administered four
1994 times annually beginning with a specified school year;
1995 amending s. 1008.34, F.S.; revising provisions
1996 relating to school grades; requiring that the
1997 Department of Education award bonus points to a high
1998 school based on the percentage of students who earn
1999 credits in mathematics and science in excess of the
2000 general requirements for high school graduation and
2001 the percentage of students who graduate in less than 8
2002 semesters or the equivalent; amending ss. 1009.53 and
2003 1009.531, F.S.; authorizing the Department of
2004 Education to evaluate students who graduate at the
2005 midpoint of the academic year for a Florida Bright
2006 Futures Scholarship award; requiring that such
2007 students be evaluated for scholarship renewal after
2008 completion of a full academic year at an eligible
2009 postsecondary education institution; requiring that
2010 students submit a completed Florida Financial Aid
2011 Application by a specified date; amending s. 1011.61,
2012 F.S.; providing reporting requirements for school
2013 districts for full-time equivalent students in courses



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2014 requiring statewide end-of-course assessments;
2015 providing that a student who passes a statewide end-
2016 of-course assessment without having taken the
2017 corresponding course is one-sixth of a full-time
2018 equivalent student for funding purposes; providing for
2019 school districts to receive additional funding for
2020 students who graduate early; amending s. 1011.62,
2021 F.S.; revising provisions relating to the computation
2022 of the annual allocation of funds for school district
2023 operations to conform to changes made by the act;
2024 providing a calculation of full-time equivalent
2025 student membership for each student who completes a
2026 career-themed course or a series of career-themed
2027 courses or a career and professional academy program;
2028 providing a calculation of additional full-time
2029 equivalent membership based on accelerated high school
2030 graduation; authorizing a school district to report
2031 unpaid high school credits for students who graduate
2032 at least one semester or 1 year or more in advance of
2033 their scheduled graduation for funding purposes;
2034 providing an effective date.