

By the Committees on Budget Subcommittee on Education Pre-K - 12 Appropriations; and Education Pre-K - 12; and Senators Gaetz and Gardiner

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1 A bill to be entitled
2 An act relating to education; creating s. 1002.3105,
3 F.S.; establishing Academically Challenging Curriculum
4 to Enhance Learning (ACCEL) options to provide
5 eligible public school students educational options
6 that provide academically challenging curriculum or
7 accelerated instruction; requiring that each school
8 offer minimum ACCEL options; providing for additional
9 ACCEL options; requiring that each school principal
10 and school district determine student eligibility and
11 procedural requirements; requiring that each school
12 principal and school district base such determination
13 on certain considerations; requiring that each school
14 principal inform parents and students of the ACCEL
15 options and the eligibility requirements; requiring
16 that each school principal and school district
17 establish a process by which a parent may request
18 student participation in whole-grade promotion,
19 midyear promotion, and subject-matter acceleration
20 under certain circumstances; requiring that a
21 performance contract be executed by the student, the
22 parent, and the school principal under certain
23 circumstances; requiring that a student's parent be
24 notified if a school principal initiates a student's
25 participation in an ACCEL option; amending s. 1003.02,
26 F.S.; requiring that school districts notify parents
27 of options for early or accelerated high school
28 graduation at the beginning of each school year and
29 during registration for the next term; amending s.

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30 1003.4156, F.S.; revising the general requirements for
31 middle grades promotion to include one career-themed
32 course to be completed in 6th, 7th, or 8th grade;
33 providing requirements for the career-themed course;
34 requiring that each school district develop or adopt
35 the career-themed course, subject to approval by the
36 Department of Education; creating s. 1003.4281, F.S.;
37 providing a short title; providing a purpose;
38 providing a definition for the term "early
39 graduation"; requiring that each school district adopt
40 a policy that provides a high school student with the
41 option of graduating early; requiring that each school
42 district notify the parent of a student who is
43 eligible for early graduation; prohibiting a school
44 district from preventing a student from graduating
45 early if the student meets the requirements; providing
46 that a student who graduates early is eligible to
47 continue participating in activities, awards, class
48 rankings, social events, and graduation events;
49 authorizing a school principal or superintendent to
50 prevent such participation under certain
51 circumstances; providing that a student who graduates
52 early may be denied access to the school facilities
53 and grounds during normal operating hours; providing
54 that a credit is equal to one-sixth full-time
55 equivalent student; amending s. 1003.491, F.S.;
56 revising provisions relating to the Florida Career and
57 Professional Education Act; requiring that each
58 district school board, in collaboration with regional

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59 workforce boards, economic development agencies, and
60 postsecondary institutions, develop a strategic 3-year
61 plan addressing and meeting local and regional
62 workforce demands; authorizing school districts to
63 offer career-themed courses; revising the requirements
64 of the strategic 3-year plan to include career-themed
65 courses and specified strategies; revising the period
66 within which newly proposed core courses are to be
67 approved or denied by the curriculum review committee;
68 amending s. 1003.492, F.S.; revising provisions
69 relating to industry-certification career education
70 programs to conform to changes made by the act;
71 amending s. 1003.493, F.S.; providing a definition for
72 the term "career-themed course"; requiring that a
73 student who enrolls in and completes a career-themed
74 course or a sequence of career-themed courses receive
75 opportunities to earn postsecondary credit if the
76 career-themed course credits can be articulated to a
77 postsecondary institution; providing goals of career-
78 themed courses; providing for career-themed courses to
79 be offered in a school-within-a-school career academy
80 or a school providing multiple career-themed courses
81 structured around an occupational cluster; providing
82 requirements for career-themed courses; requiring that
83 strategies to improve the passage rate on an industry
84 certification examination be included in the strategic
85 3-year plan under certain circumstances; requiring
86 that Workforce Florida, Inc., serve in an advisory
87 role in the development and deployment of newly

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88 established career-themed courses; amending s.
89 1003.4935, F.S.; revising provisions relating to
90 middle school career and professional academy courses
91 to conform to changes made by the act; requiring that
92 the Department of Education collect and report student
93 achievement data for students who are enrolled in
94 career-themed courses and who attain a specified
95 industry certification; requiring that the State Board
96 of Education adopt rules to identify industry
97 certifications in science, technology, engineering,
98 and mathematics offered in middle school to be
99 included on the Industry Certified Funding List;
100 amending s. 1008.22, F.S.; requiring that the end-of-
101 course assessment in Algebra I be administered four
102 times annually beginning with a specified school year;
103 amending s. 1008.34, F.S.; revising provisions
104 relating to school grades; requiring that the
105 Department of Education award bonus points to a high
106 school based on the percentage of students who earn
107 credits in mathematics and science in excess of the
108 general requirements for high school graduation and
109 the percentage of students who graduate in less than 8
110 semesters or the equivalent; amending ss. 1009.53 and
111 1009.531, F.S.; authorizing the Department of
112 Education to evaluate students who graduate at the
113 midpoint of the academic year for a Florida Bright
114 Futures Scholarship award; requiring that such
115 students be evaluated for scholarship renewal after
116 completion of a full academic year at an eligible

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117 postsecondary education institution; requiring that
118 students submit a completed Florida Financial Aid
119 Application by a specified date; amending s. 1011.61,
120 F.S.; providing reporting requirements for school
121 districts for full-time equivalent students in courses
122 requiring statewide end-of-course assessments;
123 providing that a student who passes a statewide end-
124 of-course assessment without having taken the
125 corresponding course is one-sixth of a full-time
126 equivalent student for funding purposes; providing for
127 school districts to receive additional funding for
128 students who graduate early; amending s. 1011.62,
129 F.S.; revising provisions relating to the computation
130 of the annual allocation of funds for school district
131 operations to conform to changes made by the act;
132 providing a calculation of full-time equivalent
133 student membership for each student who completes a
134 career-themed course or a series of career-themed
135 courses or a career and professional academy program;
136 providing a calculation of additional full-time
137 equivalent membership based on accelerated high school
138 graduation; authorizing a school district to report
139 unpaid high school credits for students who graduate
140 at least one semester or 1 year or more in advance of
141 their scheduled graduation for funding purposes;
142 providing an effective date.

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

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

148 1002.3105 Academically Challenging Curriculum to Enhance
149 Learning (ACCEL) options.-

150 (1) ACCEL OPTIONS.-

151 (a) Academically Challenging Curriculum to Enhance Learning
152 (ACCEL) options are educational options that provide
153 academically challenging curriculum or accelerated instruction
154 to eligible public school students in kindergarten through grade
155 12.

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

158 a. Whole-grade and midyear promotion;

159 b. Subject-matter acceleration;

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

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

162 2. Additional ACCEL options may include, but are not
163 limited to:

164 a. Enriched science, technology, engineering, and
165 mathematics (STEM) coursework;

166 b. Enrichment programs;

167 c. Flexible grouping;

168 d. Advanced academic courses;

169 e. Combined classes;

170 f. Self-paced instruction;

171 g. Curriculum compacting;

172 h. Advanced-content instruction; and

173 i. Telescoping curriculum.

174 (2) ELIGIBILITY AND PROCEDURAL REQUIREMENTS.-

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175 (a) Principal-determined eligibility requirements.-

176 1. Each principal must establish student eligibility
177 requirements for virtual instruction in higher grade level
178 subjects. Each principal must also establish student eligibility
179 requirements for whole-grade promotion, midyear promotion, and
180 subject-matter acceleration when the promotion or acceleration
181 occurs within the principal's school.

182 2. If a school offers enriched STEM coursework, enrichment
183 programs, flexible grouping, advanced academic courses, combined
184 classes, self-paced instruction, curriculum compacting,
185 advanced-content instruction, telescoping curriculum, or an
186 alternative ACCEL option established by the principal, the
187 principal must establish student eligibility requirements.

188 (b) School district-determined eligibility and procedural
189 requirements.-A school district must establish student
190 eligibility requirements and procedural requirements for any
191 whole-grade promotion, midyear promotion, or subject-matter
192 acceleration that would result in a student attending a
193 different school. Student eligibility requirements and
194 procedural requirements established by the school district must
195 be included in the school district's comprehensive student
196 progression plan under s. 1008.25.

197 (3) STUDENT ELIGIBILITY CONSIDERATIONS.-When establishing
198 student eligibility requirements, principals and school
199 districts must consider, at a minimum:

200 (a) The student's performance on a locally determined
201 assessment, a statewide assessment, or a statewide, standardized
202 assessment administered pursuant to s. 1008.22.

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

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

205 (d) Recommendations from one or more of the student's
206 teachers in core-curricula courses as defined in s.
207 1003.01(14)(a)-(e).

208 (4) ACCEL REQUIREMENTS.—

209 (a) Each principal must inform parents and students of the
210 ACCEL options available at the school and the student
211 eligibility requirements for the ACCEL options established
212 pursuant to paragraph (2)(a).

213 (b)1. Each principal must establish a process by which a
214 parent may request student participation in whole-grade
215 promotion, midyear promotion, and subject-matter acceleration
216 when the promotion or acceleration occurs within the principal's
217 school; virtual instruction in higher grade level subjects; or
218 an alternative ACCEL option established by the principal. If the
219 parent selects one of these ACCEL options and the student meets
220 the eligibility requirements established by the principal
221 pursuant to paragraph (2)(a), the student must be provided the
222 opportunity to participate in the ACCEL option.

223 2. Each school district must establish a process by which a
224 parent may request student participation in whole-grade
225 promotion, midyear promotion, or subject-matter acceleration
226 that would result in a student attending a different school. If
227 the parent selects one of these ACCEL options and the student
228 meets the eligibility and procedural requirements set forth in
229 the district's comprehensive student progression plan, as
230 required under paragraph (2)(b), the student must be provided
231 the opportunity to participate in the ACCEL option.

232 (c) If a student participates in an ACCEL option pursuant

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233 to the parental request under subparagraph (b)1., a performance
234 contract must be executed by the student, the parent, and the
235 principal. At a minimum, the performance contract must require
236 compliance with:

- 237 1. Minimum student attendance requirements.
238 2. Minimum student conduct requirements.
239 3. ACCEL option requirements established by the principal,
240 which may include participation in extracurricular activities,
241 educational outings, field trips, interscholastic competitions,
242 and other activities related to the ACCEL option selected.

243 (d) If a principal initiates a student's participation in
244 an ACCEL option, the student's parent must be notified. A
245 performance contract, pursuant to paragraph (c), is not required
246 when a principal initiates participation but may be used at the
247 discretion of the principal.

248 Section 2. Paragraph (i) of subsection (1) of section
249 1003.02, Florida Statutes, is amended to read:

250 1003.02 District school board operation and control of
251 public K-12 education within the school district.—As provided in
252 part II of chapter 1001, district school boards are
253 constitutionally and statutorily charged with the operation and
254 control of public K-12 education within their school district.
255 The district school boards must establish, organize, and operate
256 their public K-12 schools and educational programs, employees,
257 and facilities. Their responsibilities include staff
258 development, public K-12 school student education including
259 education for exceptional students and students in juvenile
260 justice programs, special programs, adult education programs,
261 and career education programs. Additionally, district school

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262 boards must:

263 (1) Provide for the proper accounting for all students of
264 school age, for the attendance and control of students at
265 school, and for proper attention to health, safety, and other
266 matters relating to the welfare of students in the following
267 fields:

268 (i) *Parental notification of acceleration options*
269 ~~*mechanisms*~~.—At the beginning of each school year and during
270 registration for the next term, notify parents of students in or
271 entering high school of the opportunity and benefits of advanced
272 placement, International Baccalaureate, Advanced International
273 Certificate of Education, dual enrollment, and Florida Virtual
274 School courses and options for early or accelerated high school
275 graduation under ss. 1003.4281 and 1003.429.

276 Section 3. Paragraph (a) of subsection (1) of section
277 1003.4156, Florida Statutes, is amended to read:

278 1003.4156 General requirements for middle grades
279 promotion.—

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

282 (a) The student must successfully complete academic courses
283 as follows:

284 1. Three middle school or higher courses in English. These
285 courses shall emphasize literature, composition, and technical
286 text.

287 2. Three middle school or higher courses in mathematics.
288 Each middle school must offer at least one high school level
289 mathematics course for which students may earn high school
290 credit. Successful completion of a high school level Algebra I

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291 or geometry course is not contingent upon the student's
292 performance on the end-of-course assessment required under s.
293 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
294 school year, to earn high school credit for an Algebra I course,
295 a middle school student must pass the Algebra I end-of-course
296 assessment, and beginning with the 2012-2013 school year, to
297 earn high school credit for a geometry course, a middle school
298 student must pass the geometry end-of-course assessment.

299 3. Three middle school or higher courses in social studies,
300 one semester of which must include the study of state and
301 federal government and civics education. Beginning with students
302 entering grade 6 in the 2012-2013 school year, one of these
303 courses must be at least a one-semester civics education course
304 that a student successfully completes in accordance with s.
305 1008.22(3)(c) and that includes the roles and responsibilities
306 of federal, state, and local governments; the structures and
307 functions of the legislative, executive, and judicial branches
308 of government; and the meaning and significance of historic
309 documents, such as the Articles of Confederation, the
310 Declaration of Independence, and the Constitution of the United
311 States.

312 4. Three middle school or higher courses in science.
313 Successful completion of a high school level Biology I course is
314 not contingent upon the student's performance on the end-of-
315 course assessment required under s. 1008.22(3)(c)2.a.(II).
316 However, beginning with the 2012-2013 school year, to earn high
317 school credit for a Biology I course, a middle school student
318 must pass the Biology I end-of-course assessment.

319 5. One career-themed course ~~in career and education~~

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320 ~~planning~~ to be completed in 6th, 7th, or 8th grade. The course
321 may be taught by any member of the instructional staff; must
322 result in a completed personalized academic and career plan for
323 the student; must emphasize technology or the application of
324 technology in other career fields; and must include instruction
325 using the Department of Economic Opportunity's economic security
326 report as described in s. 445.07 ~~must include career exploration~~
327 ~~using Florida CHOICES or a comparable cost-effective program;~~
328 ~~must include educational planning using the online student~~
329 ~~advising system known as Florida Academic Counseling and~~
330 ~~Tracking for Students at the Internet website FACTS.org; and~~
331 ~~shall result in the completion of a personalized academic and~~
332 ~~career plan.~~ The required personalized academic and career plan
333 must inform students of high school graduation requirements,
334 high school assessment and college entrance test requirements,
335 Florida Bright Futures Scholarship Program requirements, state
336 university and Florida College System institution admission
337 requirements, and programs through which a high school student
338 can earn college credit, including Advanced Placement,
339 International Baccalaureate, Advanced International Certificate
340 of Education, dual enrollment, ~~career academy opportunities,~~ and
341 courses that lead to national industry certification.

342
343 A student with a disability, as defined in s. 1007.02(2), for
344 whom the individual education plan team determines that an end-
345 of-course assessment cannot accurately measure the student's
346 abilities, taking into consideration all allowable
347 accommodations, shall have the end-of-course assessment results
348 waived for purposes of determining the student's course grade

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349 and completing the requirements for middle grades promotion.
350 Each school must ~~hold a parent meeting either in the evening or~~
351 ~~on a weekend to~~ inform parents about the course curriculum and
352 activities. Each student shall complete a ~~an electronic~~ personal
353 education plan that must be signed by the student; ~~the student's~~
354 ~~instructor, guidance counselor, or academic advisor;~~ and the
355 student's parent. Each school district ~~The Department of~~
356 ~~Education~~ shall develop or adopt the career-themed course,
357 subject to approval by the Department of Education ~~frameworks~~
358 ~~and professional development materials for the career~~
359 ~~exploration and education planning course.~~ The course may be
360 implemented as a stand-alone course or integrated into another
361 career-themed course or courses. The Commissioner of Education
362 shall collect longitudinal high school course enrollment data by
363 student ethnicity in order to analyze course-taking patterns.

364 Section 4. Section 1003.4281, Florida Statutes, is created
365 to read:

366 1003.4281 Science, Technology, Engineering, and Mathematics
367 (STEM) High School Graduation Acceleration Act of 2012.—

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

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

377 (3) Each school district shall adopt a policy that provides

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378 a high school student with the option of graduating early. Each
379 school district shall notify the parent of a student who is
380 eligible, pursuant to this section, to graduate early. A school
381 district may not prohibit a student who meets the requirements
382 of this section from graduating early.

383 (4) A student who graduates early is eligible to continue
384 participating in activities, awards, class rankings, social
385 events, and graduation events as if the student were still
386 enrolled in high school as a regular high school student.
387 However, a school principal or superintendent may prevent a
388 student from participating in these activities and events for
389 reasons that would otherwise exclude a regularly enrolled
390 student from participation. A student who graduates early may be
391 denied access to the school facilities and grounds during normal
392 operating hours unless the student complies with the rules and
393 policies prescribed by the district school board.

394 (5) For the purposes of this section, a credit is equal to
395 1/6 of an FTE. A student may earn up to 6 paid high school
396 credits equivalent to 1 FTE per school year in grades 9 through
397 12 for courses provided by the school district. High school
398 credits earned in excess of 6 per school year in courses
399 provided by the school district are unpaid credits.

400 Section 5. Section 1003.491, Florida Statutes, is amended
401 to read:

402 1003.491 Florida Career and Professional Education Act.—The
403 Florida Career and Professional Education Act is created to
404 provide a statewide planning partnership between the business
405 and education communities in order to attract, expand, and
406 retain targeted, high-value industry and to sustain a strong,

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407 knowledge-based economy.

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

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

412 (b) Provide rigorous and relevant career-themed courses
413 that articulate to postsecondary-level coursework and lead to
414 industry certification;

415 (c) Support local and regional economic development;

416 (d) Respond to Florida's critical workforce needs; and

417 (e) Provide state residents with access to high-wage and
418 high-demand careers.

419 (2) Each district school board shall develop, in
420 collaboration with regional workforce boards, economic
421 development agencies, and postsecondary institutions approved to
422 operate in the state, a strategic 3-year ~~5-year~~ plan to address
423 and meet local and regional workforce demands. If involvement of
424 a regional workforce board or an economic development agency in
425 the strategic plan development is not feasible, the local school
426 board, with the approval of the Department of Economic
427 Opportunity, shall collaborate with the most appropriate
428 regional business leadership board. Two or more school districts
429 may collaborate in the development of the strategic plan and
430 offer career-themed courses, as defined in s. 1003.493(1)(b), or
431 a career and professional academy as a joint venture. The
432 strategic plan must describe in detail provisions for the
433 efficient transportation of students, the maximum use of shared
434 resources, access to courses aligned to state curriculum
435 standards through virtual education providers legislatively

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436 authorized to provide part-time instruction to middle school
437 students, and an objective review of proposed career and
438 professional academy courses and other career-themed courses to
439 determine if the courses will lead to the attainment of industry
440 certifications included on the Industry Certified Funding List
441 pursuant to rules adopted by the State Board of Education. Each
442 strategic plan shall be reviewed, updated, and jointly approved
443 every 3 ~~5~~ years by the local school district, regional workforce
444 boards, economic development agencies, and state-approved
445 postsecondary institutions.

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

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

454 (b) Strategies to develop and implement career academies or
455 career-themed courses based on those careers determined to be
456 high wage, high skill, and ~~in~~ high demand;

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

459 (d) Strategies that ensure instruction by industry-
460 certified faculty and standards and strategies to maintain
461 current industry credentials and for recruiting and retaining
462 faculty to meet those standards;

463 (e) Strategies to provide personalized student advisement,
464 including a parent-participation component, and coordination

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465 with middle schools to promote and support career-themed courses
466 and education planning as required under s. 1003.4156.

467 (f)~~(e)~~ Alignment of requirements for the middle school
468 career course under s. 1003.4156(1)(a)5. ~~exploration~~, middle and
469 high school career and professional academies or career-themed
470 courses leading to industry certification or postsecondary
471 credit, and high school graduation requirements;

472 (g)~~(f)~~ Provisions to ensure that career-themed courses and
473 courses offered through career and professional academies are
474 academically rigorous, meet or exceed appropriate state-adopted
475 subject area standards, result in attainment of industry
476 certification, and, when appropriate, result in postsecondary
477 credit;

478 (h) Plans to sustain and improve career-themed courses and
479 career and professional academies;

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

482 (j)~~(h)~~ Strategies to recruit students into career-themed
483 courses and ~~Establishment of student eligibility criteria in~~
484 career and professional academies which include opportunities
485 for students who have been unsuccessful in traditional
486 classrooms but who are interested in enrolling in career-themed
487 courses or a career and professional academy ~~show aptitude to~~
488 participate in academies. School boards shall address the
489 analysis of eighth grade student achievement data to provide
490 opportunities for students who may be deemed as potential
491 dropouts to enroll in career-themed courses or participate in
492 career and professional academies;

493 (k)~~(i)~~ Strategies to provide sufficient space within

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494 academies to meet workforce needs and to provide access to all
495 interested and qualified students;

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

500 (m)~~(k)~~ Opportunities for high school students to earn
501 weighted or dual enrollment credit for higher-level career and
502 technical courses;

503 (n)~~(l)~~ Promotion of the benefits of the Gold Seal Bright
504 Futures Scholarship;

505 (o)~~(m)~~ Strategies to ensure the review of district pupil-
506 progression plans and to amend such plans to include career-
507 themed courses and career and professional academy courses and
508 to include courses that may qualify as substitute courses for
509 core graduation requirements and those that may be counted as
510 elective courses; ~~and~~

511 (p)~~(n)~~ Strategies to provide professional development for
512 secondary guidance counselors on the benefits of career and
513 professional academies and career-themed courses that lead to
514 industry certification; and

515 (q) Strategies to redirect appropriated career funding in
516 secondary and postsecondary institutions to support career
517 academies and career-themed courses that lead to industry
518 certification.

519 (4) The State Board of Education shall establish a process
520 for the continual and uninterrupted review of newly proposed
521 core secondary courses and existing courses requested to be
522 considered as core courses to ensure that sufficient rigor and

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523 relevance is provided for workforce skills and postsecondary
524 education and aligned to state curriculum standards.

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

529 1.(a) Three certified high school guidance counselors
530 recommended by the Florida Association of Student Services
531 Administrators.

532 2.(b) Three assistant superintendents for curriculum and
533 instruction, recommended by the Florida Association of District
534 School Superintendents and who serve in districts that operate
535 successful career and professional academies pursuant to s.
536 1003.492 or a successful series of courses that lead to industry
537 certification. Committee members in this category shall employ
538 the expertise of appropriate subject area specialists in the
539 review of proposed courses.

540 3.(c) Three workforce representatives recommended by the
541 Department of Economic Opportunity.

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

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

549 (b)(5) The curriculum review committee shall review
550 ~~submission and review of~~ newly proposed core courses ~~shall be~~
551 ~~conducted~~ electronically, ~~and~~ Each proposed core course shall

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552 be approved or denied within 30 ~~60~~ days after submission by a
553 district school board or regional workforce board. All courses
554 approved as core courses for purposes of middle school promotion
555 and high school graduation shall be immediately added to the
556 Course Code Directory. Approved core courses shall also be
557 reviewed and considered for approval for dual enrollment credit.
558 The Board of Governors and the Commissioner of Education shall
559 jointly recommend an annual deadline for approval of new core
560 courses to be included for purposes of postsecondary admissions
561 and dual enrollment credit the following academic year. The
562 State Board of Education shall establish an appeals process in
563 the event that a proposed course is denied which shall require a
564 consensus ruling by the Department of Economic Opportunity and
565 the Commissioner of Education within 15 days.

566 Section 6. Section 1003.492, Florida Statutes, is amended
567 to read:

568 1003.492 Industry-certification ~~Industry-certified~~ career
569 education programs.—

570 (1) Secondary schools offering career-themed courses, as
571 defined in s. 1003.493(1)(b), and career and professional
572 academies shall be coordinated with the relevant and appropriate
573 industry indicating that all components of the program are
574 ~~relevant and appropriate~~ to prepare a ~~the~~ student for further
575 education or for employment in that industry.

576 (2) The State Board of Education shall use the expertise of
577 Workforce Florida, Inc., to develop and adopt rules pursuant to
578 ss. 120.536(1) and 120.54 for implementing an industry
579 certification process. Industry certification shall be defined
580 by the Department of Economic Opportunity, based upon the

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581 highest available national standards for specific industry
582 certification, to ensure student skill proficiency and to
583 address emerging labor market and industry trends. A regional
584 workforce board or a school principal ~~career and professional~~
585 ~~academy~~ may apply to Workforce Florida, Inc., to request
586 additions to the approved list of industry certifications based
587 on high-skill, high-wage, and high-demand job requirements in
588 the regional economy. The list of industry certifications
589 approved by Workforce Florida, Inc., and the Department of
590 Education shall be published and updated annually by a date
591 certain, to be included in the adopted rule.

592 (3) The Department of Education shall collect student
593 achievement and performance data in industry-certification
594 ~~industry-certified~~ career education programs and career-themed
595 courses and shall work with Workforce Florida, Inc., in the
596 analysis of collected data. The data collection and analyses
597 shall examine the performance of participating students over
598 time. Performance factors shall include, but not be limited to,
599 graduation rates, retention rates, Florida Bright Futures
600 Scholarship awards, additional educational attainment,
601 employment records, earnings, industry certification, and
602 employer satisfaction. The results of this study shall be
603 submitted to the President of the Senate and the Speaker of the
604 House of Representatives annually by December 31.

605 Section 7. Section 1003.493, Florida Statutes, is amended
606 to read:

607 1003.493 Career and professional academies and career-
608 themed courses.—

609 (1) (a) A "career and professional academy" is a research-

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610 based program that integrates a rigorous academic curriculum
611 with an industry-specific curriculum aligned directly to
612 priority workforce needs established by the regional workforce
613 board or the Department of Economic Opportunity. Career and
614 professional academies shall be offered by public schools and
615 school districts. The Florida Virtual School is encouraged to
616 develop and offer rigorous career and professional courses as
617 appropriate. Students completing career and professional academy
618 programs must receive a standard high school diploma, the
619 highest available industry certification, and opportunities to
620 earn postsecondary credit if the academy partners with a
621 postsecondary institution approved to operate in the state.

622 (b) A "career-themed course" is a course, or a course in a
623 series of courses, which leads to an industry certification
624 identified in the Industry Certification Funding List pursuant
625 to rules adopted by the State Board of Education. Career-themed
626 courses have industry-specific curriculum aligned directly to
627 priority workforce needs established by the regional workforce
628 board or the Department of Economic Opportunity. The Florida
629 Virtual School is encouraged to develop and offer rigorous
630 career-themed courses as appropriate. Students completing a
631 career-themed course must be provided opportunities to earn
632 postsecondary credit if the credit for the career-themed course
633 can be articulated to a postsecondary institution approved to
634 operate in the state.

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

637 (a) Increase student academic achievement and graduation
638 rates through integrated academic and career curricula.

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639 (b) Prepare graduating high school students to make
640 appropriate choices relative to employment and future
641 educational experiences.

642 (c) Focus on career preparation through rigorous academics
643 and industry certification.

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

646 (e) Promote acceleration mechanisms, such as dual
647 enrollment and, articulated credits ~~credit~~, ~~or occupational~~
648 ~~completion points~~, so that students may earn postsecondary
649 credit while in high school.

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

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

655 (b) Existing career education courses may serve as a
656 foundation for the creation of a career and professional
657 academy. A career and professional academy may be offered as one
658 of the following small learning communities:

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

664 2.(b) A total school configuration that provides career-
665 themed courses in one or more ~~providing multiple academies, each~~
666 ~~structured around an~~ occupational clusters ~~cluster~~. Every
667 student who attends ~~in~~ the school also attends the ~~is in an~~

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668 academy.

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

671 (a) Provide a rigorous standards-based academic curriculum
672 integrated with a career curriculum; consider. ~~The curriculum~~
673 ~~must take into consideration~~ multiple styles of student
674 learning; promote learning by doing through application and
675 adaptation; maximize relevance of the subject matter; enhance
676 each student's capacity to excel; and include an emphasis on
677 work habits and work ethics.

678 (b) Include one or more partnerships with postsecondary
679 institutions, businesses, industry, employers, economic
680 development organizations, or other appropriate partners from
681 the local community. Such partnerships with postsecondary
682 institutions shall be delineated in articulation agreements and
683 include any career and professional academy courses or career-
684 themed ~~to provide for career-based~~ courses that earn
685 postsecondary credit. Such agreements may include articulation
686 between the secondary school ~~academy~~ and public or private 2-
687 year and 4-year postsecondary institutions and technical
688 centers. The Department of Education, in consultation with the
689 Board of Governors, shall establish a mechanism to ensure
690 articulation and transfer of credits to postsecondary
691 institutions in this state. Such partnerships must provide
692 opportunities for:

693 1. Instruction from highly skilled professionals who
694 possess industry-certification credentials for courses they are
695 teaching.

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

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- 697 3. A postsecondary degree, diploma, or certificate.
- 698 4. The highest available level of industry certification.
- 699 5. Maximum articulation of credits pursuant to s. 1007.23
700 upon program completion.
- 701 ~~(c) Provide shared, maximum use of private sector~~
702 ~~facilities and personnel.~~
- 703 ~~(d) Provide personalized student advisement, including a~~
704 ~~parent-participation component, and coordination with middle~~
705 ~~schools to promote and support career exploration and education~~
706 ~~planning as required under s. 1003.4156. Coordination with~~
707 ~~middle schools must provide information to middle school~~
708 ~~students about secondary and postsecondary career education~~
709 ~~programs and academies.~~
- 710 (c)~~(e)~~ Promote and provide opportunities for students
711 enrolled in a career and professional academy or career-themed
712 courses ~~students~~ to attain, at minimum, the Florida Gold Seal
713 Vocational Scholars award pursuant to s. 1009.536.
- 714 (d)~~(f)~~ Provide instruction in careers designated as high
715 skill, high wage, and high growth, ~~high demand, and high pay~~ by
716 the regional workforce development board, the chamber of
717 commerce, economic development agencies, or the Department of
718 Economic Opportunity.
- 719 (e)~~(g)~~ Deliver academic content through instruction
720 relevant to the career, including intensive reading and
721 mathematics intervention required by s. 1003.428, with an
722 emphasis on strengthening reading for information skills.
- 723 (f)~~(h)~~ Offer applied courses that combine academic content
724 with technical skills.
- 725 (g)~~(i)~~ Provide instruction resulting in competency,

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726 certification, or credentials in workplace skills, including,
727 but not limited to, communication skills, interpersonal skills,
728 decisionmaking skills, the importance of attendance and
729 timeliness in the work environment, and work ethics.

730 ~~(j) Include a plan to sustain career and professional~~
731 ~~academies.~~

732 ~~(k) Redirect appropriated career funding to career and~~
733 ~~professional academies.~~

734 (5) All career courses offered in a career and professional
735 academy and each career-themed course offered by a secondary
736 school must lead to industry certification or college credit
737 ~~linked directly to the career theme of the course.~~ If the
738 passage rate on an industry certification examination that is
739 associated with the career and professional academy or a career-
740 themed course falls below 50 percent, strategies to improve the
741 passage rate must be included in the strategic 3-year plan ~~the~~
742 ~~academy must discontinue enrollment of new students the~~
743 ~~following school year and each year thereafter until such time~~
744 ~~as the passage rate is above 50 percent or the academy is~~
745 ~~discontinued.~~

746 (6) Workforce Florida, Inc., ~~through the secondary career~~
747 ~~academies initiatives,~~ shall serve in an advisory role ~~and offer~~
748 ~~technical assistance~~ in the development and deployment of newly
749 established career and professional academies and career-themed
750 courses.

751 Section 8. Section 1003.4935, Florida Statutes, is amended
752 to read:

753 1003.4935 Middle school career and professional academy
754 courses and career-themed courses.-

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755 (1) Beginning with the 2011-2012 school year, each district
756 school board, in collaboration with regional workforce boards,
757 economic development agencies, and state-approved postsecondary
758 institutions, shall include plans to implement a career and
759 professional academy or career-themed courses, as defined in s.
760 1003.493(1)(b), in at least one middle school in the district as
761 part of the strategic 3-year ~~5-year~~ plan pursuant to s.
762 1003.491(2). The ~~middle school career and professional academy~~
763 ~~component of the~~ strategic plan must ensure that students are
764 provided the opportunity to complete the transition from a ~~of~~
765 middle school career and professional academy or career-themed
766 courses ~~students~~ to a high school career and professional
767 academy or career-themed courses currently operating within the
768 school district. Students who complete a middle school career
769 and professional academy or a career-themed course must have the
770 opportunity to earn an industry certificate and high school
771 credit and participate in career planning, job shadowing, and
772 business leadership development activities.

773 (2) Each middle school career and professional academy or
774 career-themed course must be aligned with at least one high
775 school career and professional academy or career-themed course
776 offered in the district and maintain partnerships with local
777 business and industry and economic development boards. Middle
778 school career and professional academies and career-themed
779 courses must:

780 (a) Lead ~~Provide instruction in courses leading to careers~~
781 in occupations designated as high skill, high wage, and high
782 ~~growth, high demand, and high pay~~ in the Industry Certification
783 Funding List approved under rules adopted by the State Board of

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784 Education;

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

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

790 (d) Coordinate with high schools to maximize opportunities
791 for middle school ~~career and professional academy~~ students to
792 earn high school credit;

793 (e) Provide access to virtual instruction courses provided
794 by virtual education providers legislatively authorized to
795 provide part-time instruction to middle school students. The
796 virtual instruction courses must be aligned to state curriculum
797 standards for middle school career and professional academy
798 courses or career-themed courses ~~students~~, with priority given
799 to students who have required course deficits;

800 (f) Provide instruction from highly skilled professionals
801 who hold industry certificates in the career area in which they
802 teach;

803 (g) Offer externships; and

804 (h) Provide personalized student advisement pursuant to s.
805 1003.4156(1)(a)5. which ~~that~~ includes a parent-participation
806 component.

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

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

819 Section 9. Paragraph (c) of subsection (3) of section
820 1008.22, Florida Statutes, is amended to read:

821 1008.22 Student assessment program for public schools.—

822 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
823 design and implement a statewide program of educational
824 assessment that provides information for the improvement of the
825 operation and management of the public schools, including
826 schools operating for the purpose of providing educational
827 services to youth in Department of Juvenile Justice programs.
828 The commissioner may enter into contracts for the continued
829 administration of the assessment, testing, and evaluation
830 programs authorized and funded by the Legislature. Contracts may
831 be initiated in 1 fiscal year and continue into the next and may
832 be paid from the appropriations of either or both fiscal years.
833 The commissioner is authorized to negotiate for the sale or
834 lease of tests, scoring protocols, test scoring services, and
835 related materials developed pursuant to law. Pursuant to the
836 statewide assessment program, the commissioner shall:

837 (c) Develop and implement a student achievement testing
838 program as follows:

839 1. The Florida Comprehensive Assessment Test (FCAT)
840 measures a student's content knowledge and skills in reading,
841 writing, science, and mathematics. The content knowledge and

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842 skills assessed by the FCAT must be aligned to the core
843 curricular content established in the Next Generation Sunshine
844 State Standards. Other content areas may be included as directed
845 by the commissioner. Comprehensive assessments of reading and
846 mathematics shall be administered annually in grades 3 through
847 10 except, beginning with the 2010-2011 school year, the
848 administration of grade 9 FCAT Mathematics shall be
849 discontinued, and beginning with the 2011-2012 school year, the
850 administration of grade 10 FCAT Mathematics shall be
851 discontinued, except as required for students who have not
852 attained minimum performance expectations for graduation as
853 provided in paragraph (9)(c). FCAT Writing and FCAT Science
854 shall be administered at least once at the elementary, middle,
855 and high school levels except, beginning with the 2011-2012
856 school year, the administration of FCAT Science at the high
857 school level shall be discontinued.

858 2.a. End-of-course assessments for a subject shall be
859 administered in addition to the comprehensive assessments
860 required under subparagraph 1. End-of-course assessments must be
861 rigorous, statewide, standardized, and developed or approved by
862 the department. The content knowledge and skills assessed by
863 end-of-course assessments must be aligned to the core curricular
864 content established in the Next Generation Sunshine State
865 Standards.

866 (I) Statewide, standardized end-of-course assessments in
867 mathematics shall be administered according to this sub-sub-
868 subparagraph. Beginning with the 2010-2011 school year, all
869 students enrolled in Algebra I or an equivalent course must take
870 the Algebra I end-of-course assessment. For students entering

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871 grade 9 during the 2010-2011 school year and who are enrolled in
872 Algebra I or an equivalent, each student's performance on the
873 end-of-course assessment in Algebra I shall constitute 30
874 percent of the student's final course grade. Beginning with the
875 2013-2014 school year, the end-of-course assessment in Algebra I
876 shall be administered four times annually. Beginning with
877 students entering grade 9 in the 2011-2012 school year, a
878 student who is enrolled in Algebra I or an equivalent must earn
879 a passing score on the end-of-course assessment in Algebra I or
880 attain an equivalent score as described in subsection (11) in
881 order to earn course credit. Beginning with the 2011-2012 school
882 year, all students enrolled in geometry or an equivalent course
883 must take the geometry end-of-course assessment. For students
884 entering grade 9 during the 2011-2012 school year, each
885 student's performance on the end-of-course assessment in
886 geometry shall constitute 30 percent of the student's final
887 course grade. Beginning with students entering grade 9 during
888 the 2012-2013 school year, a student must earn a passing score
889 on the end-of-course assessment in geometry or attain an
890 equivalent score as described in subsection (11) in order to
891 earn course credit.

892 (II) Statewide, standardized end-of-course assessments in
893 science shall be administered according to this sub-sub-
894 subparagraph. Beginning with the 2011-2012 school year, all
895 students enrolled in Biology I or an equivalent course must take
896 the Biology I end-of-course assessment. For the 2011-2012 school
897 year, each student's performance on the end-of-course assessment
898 in Biology I shall constitute 30 percent of the student's final
899 course grade. Beginning with students entering grade 9 during

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900 the 2012-2013 school year, a student must earn a passing score
901 on the end-of-course assessment in Biology I in order to earn
902 course credit.

903 b. During the 2012-2013 school year, an end-of-course
904 assessment in civics education shall be administered as a field
905 test at the middle school level. During the 2013-2014 school
906 year, each student's performance on the statewide, standardized
907 end-of-course assessment in civics education shall constitute 30
908 percent of the student's final course grade. Beginning with the
909 2014-2015 school year, a student must earn a passing score on
910 the end-of-course assessment in civics education in order to
911 pass the course and be promoted from the middle grades. The
912 school principal of a middle school shall determine, in
913 accordance with State Board of Education rule, whether a student
914 who transfers to the middle school and who has successfully
915 completed a civics education course at the student's previous
916 school must take an end-of-course assessment in civics
917 education.

918 c. The commissioner may select one or more nationally
919 developed comprehensive examinations, which may include, but
920 need not be limited to, examinations for a College Board
921 Advanced Placement course, International Baccalaureate course,
922 or Advanced International Certificate of Education course, or
923 industry-approved examinations to earn national industry
924 certifications identified in the Industry Certification Funding
925 List, pursuant to rules adopted by the State Board of Education,
926 for use as end-of-course assessments under this paragraph, if
927 the commissioner determines that the content knowledge and
928 skills assessed by the examinations meet or exceed the grade

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929 level expectations for the core curricular content established
930 for the course in the Next Generation Sunshine State Standards.
931 The commissioner may collaborate with the American Diploma
932 Project in the adoption or development of rigorous end-of-course
933 assessments that are aligned to the Next Generation Sunshine
934 State Standards.

935 d. Contingent upon funding provided in the General
936 Appropriations Act, including the appropriation of funds
937 received through federal grants, the Commissioner of Education
938 shall establish an implementation schedule for the development
939 and administration of additional statewide, standardized end-of-
940 course assessments in English/Language Arts II, Algebra II,
941 chemistry, physics, earth/space science, United States history,
942 and world history. Priority shall be given to the development of
943 end-of-course assessments in English/Language Arts II. The
944 Commissioner of Education shall evaluate the feasibility and
945 effect of transitioning from the grade 9 and grade 10 FCAT
946 Reading and high school level FCAT Writing to an end-of-course
947 assessment in English/Language Arts II. The commissioner shall
948 report the results of the evaluation to the President of the
949 Senate and the Speaker of the House of Representatives no later
950 than July 1, 2011.

951 3. The testing program shall measure student content
952 knowledge and skills adopted by the State Board of Education as
953 specified in paragraph (a) and measure and report student
954 performance levels of all students assessed in reading, writing,
955 mathematics, and science. The commissioner shall provide for the
956 tests to be developed or obtained, as appropriate, through
957 contracts and project agreements with private vendors, public

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958 vendors, public agencies, postsecondary educational
959 institutions, or school districts. The commissioner shall obtain
960 input with respect to the design and implementation of the
961 testing program from state educators, assistive technology
962 experts, and the public.

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

968 5. FCAT Reading, Mathematics, and Science and all
969 statewide, standardized end-of-course assessments shall measure
970 the content knowledge and skills a student has attained on the
971 assessment by the use of scaled scores and achievement levels.
972 Achievement levels shall range from 1 through 5, with level 1
973 being the lowest achievement level, level 5 being the highest
974 achievement level, and level 3 indicating satisfactory
975 performance on an assessment. For purposes of FCAT Writing,
976 student achievement shall be scored using a scale of 1 through 6
977 and the score earned shall be used in calculating school grades.
978 A score shall be designated for each subject area tested, below
979 which score a student's performance is deemed inadequate. The
980 school districts shall provide appropriate remedial instruction
981 to students who score below these levels.

982 6. The State Board of Education shall, by rule, designate a
983 passing score for each part of the grade 10 assessment test and
984 end-of-course assessments. Any rule that has the effect of
985 raising the required passing scores may apply only to students
986 taking the assessment for the first time after the rule is

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987 adopted by the State Board of Education. Except as otherwise
988 provided in this subparagraph and as provided in s.
989 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a
990 passing score on grade 10 FCAT Reading and grade 10 FCAT
991 Mathematics or attain concordant scores as described in
992 subsection (10) in order to qualify for a standard high school
993 diploma.

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

1000 8. Participation in the testing program is mandatory for
1001 all students attending public school, including students served
1002 in Department of Juvenile Justice programs, except as otherwise
1003 prescribed by the commissioner. A student who has not earned
1004 passing scores on the grade 10 FCAT as provided in subparagraph
1005 6. must participate in each retake of the assessment until the
1006 student earns passing scores or achieves scores on a
1007 standardized assessment which are concordant with passing scores
1008 pursuant to subsection (10). If a student does not participate
1009 in the statewide assessment, the district must notify the
1010 student's parent and provide the parent with information
1011 regarding the implications of such nonparticipation. A parent
1012 must provide signed consent for a student to receive classroom
1013 instructional accommodations that would not be available or
1014 permitted on the statewide assessments and must acknowledge in
1015 writing that he or she understands the implications of such

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1016 instructional accommodations. The State Board of Education shall
1017 adopt rules, based upon recommendations of the commissioner, for
1018 the provision of test accommodations for students in exceptional
1019 education programs and for students who have limited English
1020 proficiency. Accommodations that negate the validity of a
1021 statewide assessment are not allowable in the administration of
1022 the FCAT or an end-of-course assessment. However, instructional
1023 accommodations are allowable in the classroom if included in a
1024 student's individual education plan. Students using
1025 instructional accommodations in the classroom that are not
1026 allowable as accommodations on the FCAT or an end-of-course
1027 assessment may have the FCAT or an end-of-course assessment
1028 requirement waived pursuant to the requirements of s.
1029 1003.428(8)(b) or s. 1003.43(11)(b).

1030 9. A student seeking an adult high school diploma must meet
1031 the same testing requirements that a regular high school student
1032 must meet.

1033 10. District school boards must provide instruction to
1034 prepare students in the core curricular content established in
1035 the Next Generation Sunshine State Standards adopted under s.
1036 1003.41, including the core content knowledge and skills
1037 necessary for successful grade-to-grade progression and high
1038 school graduation. If a student is provided with instructional
1039 accommodations in the classroom that are not allowable as
1040 accommodations in the statewide assessment program, as described
1041 in the test manuals, the district must inform the parent in
1042 writing and must provide the parent with information regarding
1043 the impact on the student's ability to meet expected performance
1044 levels in reading, writing, mathematics, and science. The

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1045 commissioner shall conduct studies as necessary to verify that
1046 the required core curricular content is part of the district
1047 instructional programs.

1048 11. District school boards must provide opportunities for
1049 students to demonstrate an acceptable performance level on an
1050 alternative standardized assessment approved by the State Board
1051 of Education following enrollment in summer academies.

1052 12. The Department of Education must develop, or select,
1053 and implement a common battery of assessment tools that will be
1054 used in all juvenile justice programs in the state. These tools
1055 must accurately measure the core curricular content established
1056 in the Next Generation Sunshine State Standards.

1057 13. For students seeking a special diploma pursuant to s.
1058 1003.438, the Department of Education must develop or select and
1059 implement an alternate assessment tool that accurately measures
1060 the core curricular content established in the Next Generation
1061 Sunshine State Standards for students with disabilities under s.
1062 1003.438.

1063 14. The Commissioner of Education shall establish schedules
1064 for the administration of statewide assessments and the
1065 reporting of student test results. When establishing the
1066 schedules for the administration of statewide assessments, the
1067 commissioner shall consider the observance of religious and
1068 school holidays. The commissioner shall, by August 1 of each
1069 year, notify each school district in writing and publish on the
1070 department's Internet website the testing and reporting
1071 schedules for, at a minimum, the school year following the
1072 upcoming school year. The testing and reporting schedules shall
1073 require that:

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1074 a. There is the latest possible administration of statewide
1075 assessments and the earliest possible reporting to the school
1076 districts of student test results which is feasible within
1077 available technology and specific appropriations; however, test
1078 results for the FCAT must be made available no later than the
1079 week of June 8. Student results for end-of-course assessments
1080 must be provided no later than 1 week after the school district
1081 completes testing for each course. The commissioner may extend
1082 the reporting schedule under exigent circumstances.

1083 b. FCAT Writing may not be administered earlier than the
1084 week of March 1, and a comprehensive statewide assessment of any
1085 other subject may not be administered earlier than the week of
1086 April 15.

1087 c. A statewide, standardized end-of-course assessment is
1088 administered at the end of the course. The commissioner shall
1089 select an administration period for assessments that meets the
1090 intent of end-of-course assessments and provides student results
1091 prior to the end of the course. School districts shall
1092 administer tests in accordance with the schedule determined by
1093 the commissioner. For an end-of-course assessment administered
1094 at the end of the first semester, the commissioner shall
1095 determine the most appropriate testing dates based on a review
1096 of each school district's academic calendar.

1097
1098 The commissioner may, based on collaboration and input from
1099 school districts, design and implement student testing programs,
1100 for any grade level and subject area, necessary to effectively
1101 monitor educational achievement in the state, including the
1102 measurement of educational achievement of the Next Generation

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1103 Sunshine State Standards for students with disabilities.
1104 Development and refinement of assessments shall include
1105 universal design principles and accessibility standards that
1106 will prevent any unintended obstacles for students with
1107 disabilities while ensuring the validity and reliability of the
1108 test. These principles should be applicable to all technology
1109 platforms and assistive devices available for the assessments.
1110 The field testing process and psychometric analyses for the
1111 statewide assessment program must include an appropriate
1112 percentage of students with disabilities and an evaluation or
1113 determination of the effect of test items on such students.

1114 Section 10. Subsection (3) of section 1008.34, Florida
1115 Statutes, is amended to read:

1116 1008.34 School grading system; school report cards;
1117 district grade.—

1118 (3) DESIGNATION OF SCHOOL GRADES.—

1119 (a) Each school that has students who are tested and
1120 included in the school grading system shall receive a school
1121 grade, except as follows:

1122 1. A school shall not receive a school grade if the number
1123 of its students tested and included in the school grading system
1124 is less than the minimum sample size necessary, based on
1125 accepted professional practice, for statistical reliability and
1126 prevention of the unlawful release of personally identifiable
1127 student data under s. 1002.22 or 20 U.S.C. s. 1232g.

1128 2. An alternative school may choose to receive a school
1129 grade under this section or a school improvement rating under s.
1130 1008.341. For charter schools that meet the definition of an
1131 alternative school pursuant to State Board of Education rule,

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1132 the decision to receive a school grade is the decision of the
1133 charter school governing board.

1134 3. A school that serves any combination of students in
1135 kindergarten through grade 3 which does not receive a school
1136 grade because its students are not tested and included in the
1137 school grading system shall receive the school grade designation
1138 of a K-3 feeder pattern school identified by the Department of
1139 Education and verified by the school district. A school feeder
1140 pattern exists if at least 60 percent of the students in the
1141 school serving a combination of students in kindergarten through
1142 grade 3 are scheduled to be assigned to the graded school.

1143 (b)1. A school's grade shall be based on a combination of:

1144 a. Student achievement scores, including achievement on all
1145 FCAT assessments administered under s. 1008.22(3)(c)1., end-of-
1146 course assessments administered under s. 1008.22(3)(c)2.a., and
1147 achievement scores for students seeking a special diploma.

1148 b. Student learning gains in reading and mathematics as
1149 measured by FCAT and end-of-course assessments, as described in
1150 s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking
1151 a special diploma, as measured by an alternate assessment tool,
1152 shall be included not later than the 2009-2010 school year.

1153 c. Improvement of the lowest 25th percentile of students in
1154 the school in reading and mathematics on the FCAT or end-of-
1155 course assessments described in s. 1008.22(3)(c)2.a., unless
1156 these students are exhibiting satisfactory performance.

1157 2. Beginning with the 2011-2012 school year, for schools
1158 comprised of middle school grades 6 through 8 or grades 7 and 8,
1159 the school's grade shall include the performance and
1160 participation of its students enrolled in high school level

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1161 courses with end-of-course assessments administered under s.
1162 1008.22(3)(c)2.a. Performance and participation must be weighted
1163 equally. As valid data becomes available, the school grades
1164 shall include the students' attainment of national industry
1165 certification identified in the Industry Certification Funding
1166 List pursuant to rules adopted by the State Board of Education.

1167 3. ~~Beginning with the 2009-2010 school year~~ For schools
1168 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1169 11, and 12, 50 percent of the school grade shall be based on a
1170 combination of the factors listed in sub-subparagraphs 1.a.-c.
1171 and the remaining 50 percent on the following factors:

1172 a. The high school graduation rate of the school;

1173 b. As valid data becomes available, the performance and
1174 participation of the school's students in College Board Advanced
1175 Placement courses, International Baccalaureate courses, dual
1176 enrollment courses, and Advanced International Certificate of
1177 Education courses; and the students' achievement of national
1178 industry certification identified in the Industry Certification
1179 Funding List, pursuant to rules adopted by the State Board of
1180 Education;

1181 c. Postsecondary readiness of the school's students as
1182 measured by the SAT, ACT, or the common placement test;

1183 d. The high school graduation rate of at-risk students who
1184 scored at Level 2 or lower on the grade 8 FCAT Reading and
1185 Mathematics examinations;

1186 e. As valid data becomes available, the performance of the
1187 school's students on statewide standardized end-of-course
1188 assessments administered under s. 1008.22(3)(c)2.c. and d.; ~~and~~

1189 f. The percentage of the school's students who earn credits

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1190 in mathematics and science courses that must be:

1191 (I) In excess of the requirements in s. 1003.428(2)(a)2.
1192 and 3.; and

1193 (II) At a level of rigor exceeding the course requirements
1194 in s. 1003.428(2)(a)2. and 3.;

1195 g. The percentage of students who graduate in less than 8
1196 semesters or the equivalent; and

1197 h.~~f.~~ The growth or decline in the components listed in sub-
1198 subparagraphs a.-e. from year to year.

1199
1200 Beginning with the 2012-2013 school year, the Department of
1201 Education shall award bonus points to each high school based on
1202 the data in sub-subparagraphs f. and g.

1203 (c) Student assessment data used in determining school
1204 grades shall include:

1205 1. The aggregate scores of all eligible students enrolled
1206 in the school who have been assessed on the FCAT and statewide,
1207 standardized end-of-course assessments in courses required for
1208 high school graduation, including, beginning with the 2010-2011
1209 school year, the end-of-course assessment in Algebra I; and
1210 beginning with the 2011-2012 school year, the end-of-course
1211 assessments in geometry and Biology; and beginning with the
1212 2013-2014 school year, on the statewide, standardized end-of-
1213 course assessment in civics education at the middle school
1214 level.

1215 2. The aggregate scores of all eligible students enrolled
1216 in the school who have been assessed on the FCAT and end-of-
1217 course assessments as described in s. 1008.22(3)(c)2.a., and who
1218 have scored at or in the lowest 25th percentile of students in

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1219 the school in reading and mathematics, unless these students are
1220 exhibiting satisfactory performance.

1221 3. The achievement scores and learning gains of eligible
1222 students attending alternative schools that provide dropout
1223 prevention and academic intervention services pursuant to s.
1224 1003.53. The term "eligible students" in this subparagraph does
1225 not include students attending an alternative school who are
1226 subject to district school board policies for expulsion for
1227 repeated or serious offenses, who are in dropout retrieval
1228 programs serving students who have officially been designated as
1229 dropouts, or who are in programs operated or contracted by the
1230 Department of Juvenile Justice. The student performance data for
1231 eligible students identified in this subparagraph shall be
1232 included in the calculation of the home school's grade. As used
1233 in this subparagraph and s. 1008.341, the term "home school"
1234 means the school to which the student would be assigned if the
1235 student were not assigned to an alternative school. If an
1236 alternative school chooses to be graded under this section,
1237 student performance data for eligible students identified in
1238 this subparagraph shall not be included in the home school's
1239 grade but shall be included only in the calculation of the
1240 alternative school's grade. A school district that fails to
1241 assign the FCAT and end-of-course assessment as described in s.
1242 1008.22(3)(c)2.a. scores of each of its students to his or her
1243 home school or to the alternative school that receives a grade
1244 shall forfeit Florida School Recognition Program funds for 1
1245 fiscal year. School districts must require collaboration between
1246 the home school and the alternative school in order to promote
1247 student success. This collaboration must include an annual

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1248 discussion between the principal of the alternative school and
1249 the principal of each student's home school concerning the most
1250 appropriate school assignment of the student.

1251 4. The achievement scores and learning gains of students
1252 designated as hospital- or homebound. Student assessment data
1253 for students designated as hospital- or homebound shall be
1254 assigned to their home school for the purposes of school grades.
1255 As used in this subparagraph, the term "home school" means the
1256 school to which a student would be assigned if the student were
1257 not assigned to a hospital- or homebound program.

1258 5. For schools comprised of high school grades 9, 10, 11,
1259 and 12, or grades 10, 11, and 12, the data listed in
1260 subparagraphs 1.-3. and the following data as the Department of
1261 Education determines such data are valid and available:

1262 a. The high school graduation rate of the school as
1263 calculated by the Department of Education;

1264 b. The participation rate of all eligible students enrolled
1265 in the school and enrolled in College Board Advanced Placement
1266 courses; International Baccalaureate courses; dual enrollment
1267 courses; Advanced International Certificate of Education
1268 courses; and courses or sequences of courses leading to national
1269 industry certification identified in the Industry Certification
1270 Funding List, pursuant to rules adopted by the State Board of
1271 Education;

1272 c. The aggregate scores of all eligible students enrolled
1273 in the school in College Board Advanced Placement courses,
1274 International Baccalaureate courses, and Advanced International
1275 Certificate of Education courses;

1276 d. Earning of college credit by all eligible students

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1277 enrolled in the school in dual enrollment programs under s.
1278 1007.271;

1279 e. Earning of a national industry certification identified
1280 in the Industry Certification Funding List, pursuant to rules
1281 adopted by the State Board of Education;

1282 f. The aggregate scores of all eligible students enrolled
1283 in the school in reading, mathematics, and other subjects as
1284 measured by the SAT, the ACT, and the common placement test for
1285 postsecondary readiness;

1286 g. The high school graduation rate of all eligible at-risk
1287 students enrolled in the school who scored at Level 2 or lower
1288 on the grade 8 FCAT Reading and Mathematics examinations;

1289 h. The performance of the school's students on statewide
1290 standardized end-of-course assessments administered under s.
1291 1008.22 (3) (c) 2.c. and d.; ~~and~~

1292 i. The percentage of the school's students who earn credits
1293 in mathematics and science courses that must be:

1294 (I) In excess of the requirements in s. 1003.428(2) (a) 2.
1295 and 3.; and

1296 (II) At a level of rigor exceeding the course requirements
1297 in s. 1003.428(2) (a) 2. and 3.;

1298 j. The percentage of students who graduate in less than 8
1299 semesters or the equivalent; and

1300 k.~~i~~. The growth or decline in the data components listed in
1301 sub-subparagraphs a.-h. from year to year.

1302
1303 Beginning with the 2012-2013 school year, the Department of
1304 Education shall award bonus points to each high school based on
1305 the data in sub-subparagraphs i. and j. The State Board of

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1306 Education shall adopt appropriate criteria for each school
1307 grade. The criteria must also give added weight to student
1308 achievement in reading. Schools designated with a grade of "C,"
1309 making satisfactory progress, shall be required to demonstrate
1310 that adequate progress has been made by students in the school
1311 who are in the lowest 25th percentile in reading and mathematics
1312 on the FCAT and end-of-course assessments as described in s.
1313 1008.22(3)(c)2.a., unless these students are exhibiting
1314 satisfactory performance. Beginning with the 2009-2010 school
1315 year for schools comprised of high school grades 9, 10, 11, and
1316 12, or grades 10, 11, and 12, the criteria for school grades
1317 must also give added weight to the graduation rate of all
1318 eligible at-risk students, as defined in this paragraph.
1319 Beginning in the 2009-2010 school year, in order for a high
1320 school to be designated as having a grade of "A," making
1321 excellent progress, the school must demonstrate that at-risk
1322 students, as defined in this paragraph, in the school are making
1323 adequate progress.

1324 Section 11. Subsection (5) of section 1009.53, Florida
1325 Statutes, is amended to read:

1326 1009.53 Florida Bright Futures Scholarship Program.—

1327 (5) The department shall issue awards from the scholarship
1328 program annually. However, the department may evaluate students
1329 who graduate from high school at the midpoint of the academic
1330 year for an award, with distribution of the initial award during
1331 the spring term at an eligible postsecondary institution. The
1332 department shall evaluate a student for renewal of an award
1333 after the student completes a full academic year, which begins
1334 with the fall term through the beginning of the next fall term.

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1335 Annual awards may be for up to 45 semester credit hours or the
1336 equivalent. Before the registration period each semester, the
1337 department shall transmit payment for each award to the
1338 president or director of the postsecondary education
1339 institution, or his or her representative, except that the
1340 department may withhold payment if the receiving institution
1341 fails to report or to make refunds to the department as required
1342 in this section.

1343 (a) Within 30 days after the end of regular registration
1344 each semester, the educational institution shall certify to the
1345 department the eligibility status of each student who receives
1346 an award. After the end of the drop and add period, an
1347 institution is not required to reevaluate or revise a student's
1348 eligibility status; however, an institution must make a refund
1349 to the department within 30 days after the end of the semester
1350 of any funds received for courses dropped by a student or
1351 courses from which a student has withdrawn after the end of the
1352 drop and add period, unless the student has been granted an
1353 exception by the department pursuant to subsection (11).

1354 (b) An institution that receives funds from the program
1355 shall certify to the department the amount of funds disbursed to
1356 each student and shall remit to the department any undisbursed
1357 advances within 60 days after the end of regular registration.

1358 (c) Each institution that receives moneys through this
1359 program shall provide for a financial audit, as defined in s.
1360 11.45, conducted by an independent certified public accountant
1361 or the Auditor General for each fiscal year in which the
1362 institution expends program moneys in excess of \$100,000. At
1363 least every 2 years, the audit shall include an examination of

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1364 the institution's administration of the program and the
1365 institution's accounting of the moneys for the program since the
1366 last examination of the institution's administration of the
1367 program. The report on the audit must be submitted to the
1368 department within 9 months after the end of the fiscal year. The
1369 department may conduct its own annual audit of an institution's
1370 administration of the program. The department may request a
1371 refund of any moneys overpaid to the institution for the
1372 program. The department may suspend or revoke an institution's
1373 eligibility to receive future moneys for the program if the
1374 department finds that an institution has not complied with this
1375 section. The institution must remit within 60 days any refund
1376 requested in accordance with this subsection.

1377 (d) Any institution that is not subject to an audit
1378 pursuant to this subsection shall attest, under penalty of
1379 perjury, that the moneys were used in compliance with law. The
1380 attestation shall be made annually in a form and format
1381 determined by the department.

1382 Section 12. Paragraph (f) of subsection (1) of section
1383 1009.531, Florida Statutes, is amended to read:

1384 1009.531 Florida Bright Futures Scholarship Program;
1385 student eligibility requirements for initial awards.-

1386 (1) Effective January 1, 2008, in order to be eligible for
1387 an initial award from any of the three types of scholarships
1388 under the Florida Bright Futures Scholarship Program, a student
1389 must:

1390 (f) Apply for a scholarship from the program by high school
1391 graduation. A student who graduates from high school at the
1392 midpoint of the academic year may be evaluated for an award for

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1393 the current academic year if he or she submits a completed
1394 Florida Financial Aid Application by August 31 of his or her
1395 graduation year.

1396 Section 13. Paragraph (c) of subsection (1) is of section
1397 1011.61, Florida Statutes, is amended to read:

1398 1011.61 Definitions.—Notwithstanding the provisions of s.
1399 1000.21, the following terms are defined as follows for the
1400 purposes of the Florida Education Finance Program:

1401 (1) A "full-time equivalent student" in each program of the
1402 district is defined in terms of full-time students and part-time
1403 students as follows:

1404 (c)1. A "full-time equivalent student" is:

1405 a. A full-time student in any one of the programs listed in
1406 s. 1011.62(1)(c); or

1407 b. A combination of full-time or part-time students in any
1408 one of the programs listed in s. 1011.62(1)(c) which is the
1409 equivalent of one full-time student based on the following
1410 calculations:

1411 (I) A full-time student in a combination of programs listed
1412 in s. 1011.62(1)(c) shall be a fraction of a full-time
1413 equivalent membership in each special program equal to the
1414 number of net hours per school year for which he or she is a
1415 member, divided by the appropriate number of hours set forth in
1416 subparagraph (a)1. or subparagraph (a)2. The difference between
1417 that fraction or sum of fractions and the maximum value as set
1418 forth in subsection (4) for each full-time student is presumed
1419 to be the balance of the student's time not spent in such
1420 special education programs and shall be recorded as time in the
1421 appropriate basic program.

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1422 (II) A prekindergarten handicapped student shall meet the
1423 requirements specified for kindergarten students.

1424 (III) A full-time equivalent student for students in
1425 kindergarten through grade 5 in a virtual instruction program
1426 under s. 1002.45 or a virtual charter school under s. 1002.33
1427 shall consist of a student who has successfully completed a
1428 basic program listed in s. 1011.62(1)(c)1.a. or b., and who is
1429 promoted to a higher grade level.

1430 (IV) A full-time equivalent student for students in grades
1431 6 through 12 in a virtual instruction program under s.
1432 1002.45(1)(b)1., 2., or 3. or a virtual charter school under s.
1433 1002.33 shall consist of six full credit completions in programs
1434 listed in s. 1011.62(1)(c)1.b. or c. and 3. Credit completions
1435 may be a combination of full-credit courses or half-credit
1436 courses. Beginning in the 2014-2015 fiscal year, when s.
1437 1008.22(3)(g) is implemented, the reported full-time equivalent
1438 students and associated funding of students enrolled in courses
1439 requiring passage of an end-of-course assessment shall be
1440 adjusted after the student completes the end-of-course
1441 assessment.

1442 (V) A Florida Virtual School full-time equivalent student
1443 shall consist of six full credit completions or the prescribed
1444 level of content that counts toward promotion to the next grade
1445 in the programs listed in s. 1011.62(1)(c)1.a. and b. for
1446 kindergarten through grade 8 and the programs listed in s.
1447 1011.62(1)(c)1.c. for grades 9 through 12. Credit completions
1448 may be a combination of full-credit courses or half-credit
1449 courses. Beginning in the 2014-2015 fiscal year, when s.
1450 1008.22(3)(g) is implemented, the reported full-time equivalent

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1451 students and associated funding of students enrolled in courses
1452 requiring passage of an end-of-course assessment shall be
1453 adjusted after the student completes the end-of-course
1454 assessment.

1455 (VI) Each successfully completed full-credit course earned
1456 through an online course delivered by a district other than the
1457 one in which the student resides shall be calculated as 1/6 FTE.

1458 (VII) Each successfully completed credit earned under the
1459 alternative high school course credit requirements authorized in
1460 s. 1002.375, which is not reported as a portion of the 900 net
1461 hours of instruction pursuant to subparagraph (1)(a)1., shall be
1462 calculated as 1/6 FTE.

1463 (VIII) (A) A full-time equivalent student for courses
1464 requiring statewide end-of-course assessments pursuant to s.
1465 1008.22(3) shall be defined and reported based on the number of
1466 instructional hours as provided in s. 1011.61(1) for the first 3
1467 years of administering the end-of-course assessments. Beginning
1468 in the fourth year of administering the end-of-course
1469 assessments, FTE shall be credit-based and each course shall be
1470 equal to 1/6 FTE. The reported FTE shall be adjusted after the
1471 student successfully completes the end-of-course assessment
1472 pursuant to s. 1008.22(3)(c)2.a.

1473 (B) For students enrolled in a school district as a full-
1474 time student, the school district may report 1/6 FTE for each
1475 student who passes a statewide end-of-course assessment without
1476 having taken the corresponding course.

1477 (C) The FTE earned under this sub-sub-sub-subparagraph and
1478 any FTE for courses or programs listed in s. 1011.62(1)(c) which
1479 do not require passing statewide end-of-course assessments are

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1480 subject to the requirements in subsection (4).

1481 2. A student in membership in a program scheduled for more
1482 or less than 180 school days or the equivalent on an hourly
1483 basis as specified by rules of the State Board of Education is a
1484 fraction of a full-time equivalent membership equal to the
1485 number of instructional hours in membership divided by the
1486 appropriate number of hours set forth in subparagraph (a)1.;
1487 however, for the purposes of this subparagraph, membership in
1488 programs scheduled for more than 180 days is limited to students
1489 enrolled in juvenile justice education programs and the Florida
1490 Virtual School.

1491
1492 The department shall determine and implement an equitable method
1493 of equivalent funding for experimental schools and for schools
1494 operating under emergency conditions, which schools have been
1495 approved by the department to operate for less than the minimum
1496 school day.

1497 Section 14. Subsection (1) of section 1011.62, Florida
1498 Statutes, is amended to read:

1499 1011.62 Funds for operation of schools.—If the annual
1500 allocation from the Florida Education Finance Program to each
1501 district for operation of schools is not determined in the
1502 annual appropriations act or the substantive bill implementing
1503 the annual appropriations act, it shall be determined as
1504 follows:

1505 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
1506 OPERATION.—The following procedure shall be followed in
1507 determining the annual allocation to each district for
1508 operation:

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1509 (a) *Determination of full-time equivalent membership.*—
1510 During each of several school weeks, including scheduled
1511 intersessions of a year-round school program during the fiscal
1512 year, a program membership survey of each school shall be made
1513 by each district by aggregating the full-time equivalent student
1514 membership of each program by school and by district. The
1515 department shall establish the number and interval of membership
1516 calculations, except that for basic and special programs such
1517 calculations shall not exceed nine for any fiscal year. The
1518 district's full-time equivalent membership shall be computed and
1519 currently maintained in accordance with regulations of the
1520 commissioner.

1521 (b) *Determination of base student allocation.*—The base
1522 student allocation for the Florida Education Finance Program for
1523 kindergarten through grade 12 shall be determined annually by
1524 the Legislature and shall be that amount prescribed in the
1525 current year's General Appropriations Act.

1526 (c) *Determination of programs.*—Cost factors based on
1527 desired relative cost differences between the following programs
1528 shall be established in the annual General Appropriations Act.
1529 The Commissioner of Education shall specify a matrix of services
1530 and intensity levels to be used by districts in the
1531 determination of the two weighted cost factors for exceptional
1532 students with the highest levels of need. For these students,
1533 the funding support level shall fund the exceptional students'
1534 education program, with the exception of extended school year
1535 services for students with disabilities.

1536 1. Basic programs.—

1537 a. Kindergarten and grades 1, 2, and 3.

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- 1538 b. Grades 4, 5, 6, 7, and 8.
- 1539 c. Grades 9, 10, 11, and 12.
- 1540 2. Programs for exceptional students.—
- 1541 a. Support Level IV.
- 1542 b. Support Level V.
- 1543 3. Secondary career education programs.—
- 1544 4. English for Speakers of Other Languages.—
- 1545 (d) *Annual allocation calculation.*—
- 1546 1. The Department of Education is authorized and directed
- 1547 to review all district programs and enrollment projections and
- 1548 calculate a maximum total weighted full-time equivalent student
- 1549 enrollment for each district for the K-12 FEFP.
- 1550 2. Maximum enrollments calculated by the department shall
- 1551 be derived from enrollment estimates used by the Legislature to
- 1552 calculate the FEFP. If two or more districts enter into an
- 1553 agreement under the provisions of s. 1001.42(4)(d), after the
- 1554 final enrollment estimate is agreed upon, the amount of FTE
- 1555 specified in the agreement, not to exceed the estimate for the
- 1556 specific program as identified in paragraph (c), may be
- 1557 transferred from the participating districts to the district
- 1558 providing the program.
- 1559 3. As part of its calculation of each district's maximum
- 1560 total weighted full-time equivalent student enrollment, the
- 1561 department shall establish separate enrollment ceilings for each
- 1562 of two program groups. Group 1 shall be composed of basic
- 1563 programs for grades K-3, grades 4-8, and grades 9-12. Group 2
- 1564 shall be composed of students in exceptional student education
- 1565 programs support levels IV and V, English for Speakers of Other
- 1566 Languages programs, and all career programs in grades 9-12.

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1567 a. For any calculation of the FEFP, the enrollment ceiling
1568 for group 1 shall be calculated by multiplying the actual
1569 enrollment for each program in the program group by its
1570 appropriate program weight.

1571 b. The weighted enrollment ceiling for group 2 programs
1572 shall be calculated by multiplying the enrollment for each
1573 program by the appropriate program weight as provided in the
1574 General Appropriations Act. The weighted enrollment ceiling for
1575 program group 2 shall be the sum of the weighted enrollment
1576 ceilings for each program in the program group, plus the
1577 increase in weighted full-time equivalent student membership
1578 from the prior year for clients of the Department of Children
1579 and Family Services and the Department of Juvenile Justice.

1580 c. If, for any calculation of the FEFP, the weighted
1581 enrollment for program group 2, derived by multiplying actual
1582 enrollments by appropriate program weights, exceeds the
1583 enrollment ceiling for that group, the following procedure shall
1584 be followed to reduce the weighted enrollment for that group to
1585 equal the enrollment ceiling:

1586 (I) The weighted enrollment ceiling for each program in the
1587 program group shall be subtracted from the weighted enrollment
1588 for that program derived from actual enrollments.

1589 (II) If the difference calculated under sub-sub-
1590 subparagraph (I) is greater than zero for any program, a
1591 reduction proportion shall be computed for the program by
1592 dividing the absolute value of the difference by the total
1593 amount by which the weighted enrollment for the program group
1594 exceeds the weighted enrollment ceiling for the program group.

1595 (III) The reduction proportion calculated under sub-sub-

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1596 subparagraph (II) shall be multiplied by the total amount of the
1597 program group's enrollment over the ceiling as calculated under
1598 sub-sub-subparagraph (I).

1599 (IV) The prorated reduction amount calculated under sub-
1600 sub-subparagraph (III) shall be subtracted from the program's
1601 weighted enrollment to produce a revised program weighted
1602 enrollment.

1603 (V) The prorated reduction amount calculated under sub-sub-
1604 subparagraph (III) shall be divided by the appropriate program
1605 weight, and the result shall be added to the revised program
1606 weighted enrollment computed in sub-sub-subparagraph (IV).

1607 (e) *Funding model for exceptional student education*
1608 *programs.*—

1609 1.a. The funding model uses basic, at-risk, support levels
1610 IV and V for exceptional students and career Florida Education
1611 Finance Program cost factors, and a guaranteed allocation for
1612 exceptional student education programs. Exceptional education
1613 cost factors are determined by using a matrix of services to
1614 document the services that each exceptional student will
1615 receive. The nature and intensity of the services indicated on
1616 the matrix shall be consistent with the services described in
1617 each exceptional student's individual educational plan. The
1618 Department of Education shall review and revise the descriptions
1619 of the services and supports included in the matrix of services
1620 for exceptional students and shall implement those revisions
1621 before the beginning of the 2012-2013 school year.

1622 b. In order to generate funds using one of the two weighted
1623 cost factors, a matrix of services must be completed at the time
1624 of the student's initial placement into an exceptional student

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1625 education program and at least once every 3 years by personnel
1626 who have received approved training. Nothing listed in the
1627 matrix shall be construed as limiting the services a school
1628 district must provide in order to ensure that exceptional
1629 students are provided a free, appropriate public education.

1630 c. Students identified as exceptional, in accordance with
1631 chapter 6A-6, Florida Administrative Code, who do not have a
1632 matrix of services as specified in sub-subparagraph b. shall
1633 generate funds on the basis of full-time-equivalent student
1634 membership in the Florida Education Finance Program at the same
1635 funding level per student as provided for basic students.
1636 Additional funds for these exceptional students will be provided
1637 through the guaranteed allocation designated in subparagraph 2.

1638 2. For students identified as exceptional who do not have a
1639 matrix of services and students who are gifted in grades K
1640 through 8, there is created a guaranteed allocation to provide
1641 these students with a free appropriate public education, in
1642 accordance with s. 1001.42(4)(m) and rules of the State Board of
1643 Education, which shall be allocated annually to each school
1644 district in the amount provided in the General Appropriations
1645 Act. These funds shall be in addition to the funds appropriated
1646 on the basis of FTE student membership in the Florida Education
1647 Finance Program, and the amount allocated for each school
1648 district shall not be recalculated during the year. These funds
1649 shall be used to provide special education and related services
1650 for exceptional students and students who are gifted in grades K
1651 through 8. Beginning with the 2007-2008 fiscal year, a
1652 district's expenditure of funds from the guaranteed allocation
1653 for students in grades 9 through 12 who are gifted may not be

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1654 greater than the amount expended during the 2006-2007 fiscal
1655 year for gifted students in grades 9 through 12.

1656 (f) *Supplemental academic instruction; categorical fund.*—

1657 1. There is created a categorical fund to provide
1658 supplemental academic instruction to students in kindergarten
1659 through grade 12. This paragraph may be cited as the
1660 “Supplemental Academic Instruction Categorical Fund.”

1661 2. Categorical funds for supplemental academic instruction
1662 shall be allocated annually to each school district in the
1663 amount provided in the General Appropriations Act. These funds
1664 shall be in addition to the funds appropriated on the basis of
1665 FTE student membership in the Florida Education Finance Program
1666 and shall be included in the total potential funds of each
1667 district. These funds shall be used to provide supplemental
1668 academic instruction to students enrolled in the K-12 program.
1669 Supplemental instruction strategies may include, but are not
1670 limited to: modified curriculum, reading instruction, after-
1671 school instruction, tutoring, mentoring, class size reduction,
1672 extended school year, intensive skills development in summer
1673 school, and other methods for improving student achievement.
1674 Supplemental instruction may be provided to a student in any
1675 manner and at any time during or beyond the regular 180-day term
1676 identified by the school as being the most effective and
1677 efficient way to best help that student progress from grade to
1678 grade and to graduate.

1679 3. Effective with the 1999-2000 fiscal year, funding on the
1680 basis of FTE membership beyond the 180-day regular term shall be
1681 provided in the FEFP only for students enrolled in juvenile
1682 justice education programs or in education programs for

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1683 juveniles placed in secure facilities or programs under s.
1684 985.19. Funding for instruction beyond the regular 180-day
1685 school year for all other K-12 students shall be provided
1686 through the supplemental academic instruction categorical fund
1687 and other state, federal, and local fund sources with ample
1688 flexibility for schools to provide supplemental instruction to
1689 assist students in progressing from grade to grade and
1690 graduating.

1691 4. The Florida State University School, as a lab school, is
1692 authorized to expend from its FEFP or Lottery Enhancement Trust
1693 Fund allocation the cost to the student of remediation in
1694 reading, writing, or mathematics for any graduate who requires
1695 remediation at a postsecondary educational institution.

1696 5. Beginning in the 1999-2000 school year, dropout
1697 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
1698 (b), and (c), and 1003.54 shall be included in group 1 programs
1699 under subparagraph (d)3.

1700 (g) *Education for speakers of other languages.*—A school
1701 district shall be eligible to report full-time equivalent
1702 student membership in the ESOL program in the Florida Education
1703 Finance Program provided the following conditions are met:

1704 1. The school district has a plan approved by the
1705 Department of Education.

1706 2. The eligible student is identified and assessed as
1707 limited English proficient based on assessment criteria.

1708 3.a. An eligible student may be reported for funding in the
1709 ESOL program for a base period of 3 years. However, a student
1710 whose English competency does not meet the criteria for
1711 proficiency after 3 years in the ESOL program may be reported

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1712 for a fourth, fifth, and sixth year of funding, provided his or
1713 her limited English proficiency is assessed and properly
1714 documented before ~~prior to~~ his or her enrollment in each
1715 additional year beyond the 3-year base period.

1716 b. If a student exits the program and is later reclassified
1717 as limited English proficient, the student may be reported in
1718 the ESOL program for funding for an additional year, or extended
1719 annually for a period not to exceed a total of 6 years pursuant
1720 to this paragraph, based on an annual evaluation of the
1721 student's status.

1722 4. An eligible student may be reported for funding in the
1723 ESOL program for membership in ESOL instruction in English and
1724 ESOL instruction or home language instruction in the basic
1725 subject areas of mathematics, science, social studies, and
1726 computer literacy.

1727 (h) *Small, isolated high schools.*—Districts that ~~which~~ levy
1728 the maximum nonvoted discretionary millage, exclusive of millage
1729 for capital outlay purposes levied pursuant to s. 1011.71(2),
1730 may calculate full-time equivalent students for small, isolated
1731 high schools by multiplying the number of unweighted full-time
1732 equivalent students times 2.75; provided the school has attained
1733 a grade of "C" or better, pursuant to s. 1008.34, for the
1734 previous school year. For the purpose of this section, the term
1735 "small, isolated high school" means any high school that ~~which~~
1736 is located no less than 28 miles by the shortest route from
1737 another high school; that ~~which~~ has been serving students
1738 primarily in basic studies provided by sub-subparagraphs (c)1.b.
1739 and c. and may include subparagraph (c)4.; and that ~~which~~ has a
1740 membership of no more than 100 students, but no fewer than 28

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1741 students, in grades 9 through 12.

1742 (i) *Calculation of full-time equivalent membership with*
1743 *respect to dual enrollment instruction.*—Students enrolled in
1744 dual enrollment instruction pursuant to s. 1007.271 may be
1745 included in calculations of full-time equivalent student
1746 memberships for basic programs for grades 9 through 12 by a
1747 district school board. Instructional time for dual enrollment
1748 may vary from 900 hours; however, the school district may only
1749 report the student for a maximum of 1.0 full-time equivalent
1750 student membership, as provided in s. 1011.61(4). Dual
1751 enrollment full-time equivalent student membership shall be
1752 calculated in an amount equal to the hours of instruction that
1753 would be necessary to earn the full-time equivalent student
1754 membership for an equivalent course if it were taught in the
1755 school district. Students in dual enrollment courses may also be
1756 calculated as the proportional shares of full-time equivalent
1757 enrollments they generate for a Florida College System
1758 institution or university conducting the dual enrollment
1759 instruction. Early admission students shall be considered dual
1760 enrollments for funding purposes. Students may be enrolled in
1761 dual enrollment instruction provided by an eligible independent
1762 college or university and may be included in calculations of
1763 full-time equivalent student memberships for basic programs for
1764 grades 9 through 12 by a district school board. However, those
1765 provisions of law which exempt dual enrolled and early admission
1766 students from payment of instructional materials and tuition and
1767 fees, including laboratory fees, do ~~shall~~ not apply to students
1768 who select the option of enrolling in an eligible independent
1769 institution. An independent college or university that ~~which~~ is

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1770 located and chartered in Florida, is not for profit, is
1771 accredited by the Commission on Colleges of the Southern
1772 Association of Colleges and Schools or the Accrediting Council
1773 for Independent Colleges and Schools, and confers degrees as
1774 defined in s. 1005.02 shall be eligible for inclusion in the
1775 dual enrollment or early admission program. Students enrolled in
1776 dual enrollment instruction shall be exempt from the payment of
1777 tuition and fees, including laboratory fees. No student enrolled
1778 in college credit mathematics or English dual enrollment
1779 instruction shall be funded as a dual enrollment unless the
1780 student has successfully completed the relevant section of the
1781 entry-level examination required pursuant to s. 1008.30.

1782 (j) *Instruction in exploratory career education.*—Students
1783 in grades 7 through 12 who are enrolled for more than four
1784 semesters in exploratory career education may not be counted as
1785 full-time equivalent students for this instruction.

1786 (k) *Study hall.*—A student who is enrolled in study hall may
1787 not be included in the calculation of full-time equivalent
1788 student membership for funding under this section.

1789 (l) *Calculation of additional full-time equivalent*
1790 *membership based on International Baccalaureate examination*
1791 *scores of students.*—A value of 0.16 full-time equivalent student
1792 membership shall be calculated for each student enrolled in an
1793 International Baccalaureate course who receives a score of 4 or
1794 higher on a subject examination. A value of 0.3 full-time
1795 equivalent student membership shall be calculated for each
1796 student who receives an International Baccalaureate diploma.
1797 Such value shall be added to the total full-time equivalent
1798 student membership in basic programs for grades 9 through 12 in

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1799 the subsequent fiscal year. Each school district shall allocate
1800 80 percent of the funds received from International
1801 Baccalaureate bonus FTE funding to the school program whose
1802 students generate the funds and to school programs that prepare
1803 prospective students to enroll in International Baccalaureate
1804 courses. Funds shall be expended solely for the payment of
1805 allowable costs associated with the International Baccalaureate
1806 program. Allowable costs include International Baccalaureate
1807 annual school fees; International Baccalaureate examination
1808 fees; salary, benefits, and bonuses for teachers and program
1809 coordinators for the International Baccalaureate program and
1810 teachers and coordinators who prepare prospective students for
1811 the International Baccalaureate program; supplemental books;
1812 instructional supplies; instructional equipment or instructional
1813 materials for International Baccalaureate courses; other
1814 activities that identify prospective International Baccalaureate
1815 students or prepare prospective students to enroll in
1816 International Baccalaureate courses; and training or
1817 professional development for International Baccalaureate
1818 teachers. School districts shall allocate the remaining 20
1819 percent of the funds received from International Baccalaureate
1820 bonus FTE funding for programs that assist academically
1821 disadvantaged students to prepare for more rigorous courses. The
1822 school district shall distribute to each classroom teacher who
1823 provided International Baccalaureate instruction:

1824 1. A bonus in the amount of \$50 for each student taught by
1825 the International Baccalaureate teacher in each International
1826 Baccalaureate course who receives a score of 4 or higher on the
1827 International Baccalaureate examination.

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1828 2. An additional bonus of \$500 to each International
1829 Baccalaureate teacher in a school designated with a grade of "D"
1830 or "F" who has at least one student scoring 4 or higher on the
1831 International Baccalaureate examination, regardless of the
1832 number of classes taught or of the number of students scoring a
1833 4 or higher on the International Baccalaureate examination.

1834
1835 Bonuses awarded to a teacher according to this paragraph may
1836 ~~shall~~ not exceed \$2,000 in any given school year and shall be in
1837 addition to any regular wage or other bonus the teacher received
1838 or is scheduled to receive.

1839 (m) *Calculation of additional full-time equivalent*
1840 *membership based on Advanced International Certificate of*
1841 *Education examination scores of students.*—A value of 0.16 full-
1842 time equivalent student membership shall be calculated for each
1843 student enrolled in a full-credit Advanced International
1844 Certificate of Education course who receives a score of E or
1845 higher on a subject examination. A value of 0.08 full-time
1846 equivalent student membership shall be calculated for each
1847 student enrolled in a half-credit Advanced International
1848 Certificate of Education course who receives a score of E or
1849 higher on a subject examination. A value of 0.3 full-time
1850 equivalent student membership shall be calculated for each
1851 student who receives an Advanced International Certificate of
1852 Education diploma. Such value shall be added to the total full-
1853 time equivalent student membership in basic programs for grades
1854 9 through 12 in the subsequent fiscal year. The school district
1855 shall distribute to each classroom teacher who provided Advanced
1856 International Certificate of Education instruction:

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1857 1. A bonus in the amount of \$50 for each student taught by
1858 the Advanced International Certificate of Education teacher in
1859 each full-credit Advanced International Certificate of Education
1860 course who receives a score of E or higher on the Advanced
1861 International Certificate of Education examination. A bonus in
1862 the amount of \$25 for each student taught by the Advanced
1863 International Certificate of Education teacher in each half-
1864 credit Advanced International Certificate of Education course
1865 who receives a score of E or higher on the Advanced
1866 International Certificate of Education examination.

1867 2. An additional bonus of \$500 to each Advanced
1868 International Certificate of Education teacher in a school
1869 designated with a grade of "D" or "F" who has at least one
1870 student scoring E or higher on the full-credit Advanced
1871 International Certificate of Education examination, regardless
1872 of the number of classes taught or of the number of students
1873 scoring an E or higher on the full-credit Advanced International
1874 Certificate of Education examination.

1875 3. Additional bonuses of \$250 each to teachers of half-
1876 credit Advanced International Certificate of Education classes
1877 in a school designated with a grade of "D" or "F" which has at
1878 least one student scoring an E or higher on the half-credit
1879 Advanced International Certificate of Education examination in
1880 that class. The maximum additional bonus for a teacher awarded
1881 in accordance with this subparagraph may ~~shall~~ not exceed \$500
1882 in any given school year. Teachers receiving an award under
1883 subparagraph 2. are not eligible for a bonus under this
1884 subparagraph.

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1886 Bonuses awarded to a teacher according to this paragraph may
1887 ~~shall~~ not exceed \$2,000 in any given school year and shall be in
1888 addition to any regular wage or other bonus the teacher received
1889 or is scheduled to receive.

1890 (n) *Calculation of additional full-time equivalent*
1891 *membership based on college board advanced placement scores of*
1892 *students.*—A value of 0.16 full-time equivalent student
1893 membership shall be calculated for each student in each advanced
1894 placement course who receives a score of 3 or higher on the
1895 College Board Advanced Placement Examination for the prior year
1896 and added to the total full-time equivalent student membership
1897 in basic programs for grades 9 through 12 in the subsequent
1898 fiscal year. Each district must allocate at least 80 percent of
1899 the funds provided to the district for advanced placement
1900 instruction, in accordance with this paragraph, to the high
1901 school that generates the funds. The school district shall
1902 distribute to each classroom teacher who provided advanced
1903 placement instruction:

1904 1. A bonus in the amount of \$50 for each student taught by
1905 the Advanced Placement teacher in each advanced placement course
1906 who receives a score of 3 or higher on the College Board
1907 Advanced Placement Examination.

1908 2. An additional bonus of \$500 to each Advanced Placement
1909 teacher in a school designated with a grade of "D" or "F" who
1910 has at least one student scoring 3 or higher on the College
1911 Board Advanced Placement Examination, regardless of the number
1912 of classes taught or of the number of students scoring a 3 or
1913 higher on the College Board Advanced Placement Examination.

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1915 Bonuses awarded to a teacher according to this paragraph may
1916 ~~shall~~ not exceed \$2,000 in any given school year and shall be in
1917 addition to any regular wage or other bonus the teacher received
1918 or is scheduled to receive.

1919 (o) *Calculation of additional full-time equivalent*
1920 *membership based on certification of successful completion of*
1921 *career-themed courses or ~~industry-certified~~ career and*
1922 *professional academy programs pursuant to ss. 1003.491,*
1923 *1003.492, 1003.493, and 1003.4935 and attainment of the highest*
1924 *level of industry certification identified in the Industry*
1925 *Certified Funding List pursuant to rules adopted by the State*
1926 *Board of Education.—*

1927 1. A value of 0.1, 0.2, or 0.3 full-time equivalent student
1928 membership shall be calculated for each student who completes a
1929 career-themed course or series of career-themed courses or a ~~an~~
1930 ~~industry-certified~~ career and professional academy program under
1931 ss. 1003.491, 1003.492, 1003.493, and 1003.4935 and who is
1932 issued the highest level of industry certification identified
1933 annually in the Industry Certification Funding List approved
1934 under rules adopted by the State Board of Education upon
1935 promotion to the 9th grade under subparagraph 2. or upon earning
1936 ~~and~~ a high school diploma. The maximum full-time equivalent
1937 student membership value for any student is 0.3. The Department
1938 of Education shall assign the appropriate full-time equivalent
1939 value for each certification, 50 percent of which is based on
1940 rigor and the remaining 50 percent on employment value. The
1941 State Board of Education shall include the assigned values in
1942 the Industry Certification Funding List under rules adopted by
1943 the state board. Rigor shall be based on the number of

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1944 instructional hours, including work experience hours, required
1945 to earn the certification, with a bonus for industry
1946 certifications that have a statewide articulation agreement for
1947 college credit approved by the State Board of Education.
1948 Employment value shall be based on the entry wage, growth rate
1949 in employment for each occupational category, and average annual
1950 openings for the primary occupation linked to the industry
1951 certification. Such value shall be added to the total full-time
1952 equivalent student membership in secondary career education
1953 programs for grades 9 through 12 in the subsequent year for
1954 courses that were not funded through dual enrollment.

1955 2. Upon promotion to the 9th grade, a value of 0.1 full-
1956 time equivalent student membership shall be calculated for each
1957 student who completes a career-themed course or a series of
1958 career-themed courses or a career and professional academy
1959 program under s. 1003.4935 and who is issued the highest level
1960 of industry certification in science, technology, engineering,
1961 or mathematics identified on the Industry Certification Funding
1962 List under rules adopted by the State Board of Education.

1963 3. The additional full-time equivalent membership
1964 authorized under this paragraph may not exceed 0.3 per student.
1965 Each district must allocate at least 80 percent of the funds
1966 provided for industry certification, in accordance with this
1967 paragraph, to the program that generated the funds. Unless a
1968 different amount is specified in the General Appropriations Act,
1969 the appropriation for this calculation is limited to the
1970 following:

- 1971 a. For the 2012-2013 fiscal year, \$15 million annually;
1972 b. Beginning with the 2013-2014 fiscal year, \$20 million

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1973 annually;1974 c. Beginning with the 2014-2015 fiscal year, \$25 million
1975 annually; and1976 d. Beginning with the 2015-2016 fiscal year, \$30 million
1977 annually.

1978

1979 If the appropriation is insufficient to fully fund the total
1980 calculation, the appropriation shall be prorated.1981 (p) Calculation of additional full-time equivalent
1982 membership based on accelerated high school graduation.-1983 Notwithstanding s. 1011.61(4), a school district that authorizes
1984 the accelerated graduation of a student who has met all the
1985 requirements in s. 1003.428 and graduates at least one semester
1986 in advance of the scheduled graduation of the student's cohort
1987 may report one-sixth of an FTE for unpaid high school credit
1988 delivered by the district during the student's prior enrollment.1989 For a student who graduates 1 year or more in advance of the
1990 student's cohort, the school district may report up to 1 FTE for
1991 unpaid high school credits. For a student who graduates one1992 semester in advance of the student's cohort, the school district
1993 may report up to 1/2 FTE for unpaid high school credits. If the1994 student was enrolled in the district as a full-time high school
1995 student for at least 2 years, the district shall report the1996 unpaid FTE delivered by the district. If the student was
1997 enrolled in the district for less than 2 years, the district1998 shall report the unpaid FTE delivered by the district and the
1999 prior district of enrollment. The district of enrollment for2000 which early graduation is claimed shall transfer a proportionate
2001 share of the funds earned for the unpaid FTE to the prior

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2002 district of enrollment.

2003 (q)~~(p)~~ *Year-round-school programs.*—The Commissioner of
2004 Education is authorized to adjust student eligibility
2005 definitions, funding criteria, and reporting requirements of
2006 statutes and rules in order that year-round-school programs may
2007 achieve equivalent application of funding requirements with non-
2008 year-round-school programs.

2009 (r)~~(q)~~ *Extended-school-year program.*—It is the intent of
2010 the Legislature that students be provided additional instruction
2011 by extending the school year to 210 days or more. Districts may
2012 apply to the Commissioner of Education for funds to be used in
2013 planning and implementing an extended-school-year program.

2014 (s)~~(r)~~ *Determination of the basic amount for current*
2015 *operation.*—The basic amount for current operation to be included
2016 in the Florida Education Finance Program for kindergarten
2017 through grade 12 for each district shall be the product of the
2018 following:

2019 1. The full-time equivalent student membership in each
2020 program, multiplied by

2021 2. The cost factor for each program, adjusted for the
2022 maximum as provided by paragraph (c), multiplied by

2023 3. The base student allocation.

2024 (t)~~(s)~~ *Computation for funding through the Florida*
2025 *Education Finance Program.*—The State Board of Education may
2026 adopt rules establishing programs and courses for which the
2027 student may earn credit toward high school graduation.

2028 Section 15. This act shall take effect July 1, 2012.