

PCS FOR HB 1255

ORIGINAL

2011

1 A bill to be entitled
2 An act relating to education accountability; amending s.
3 1001.20, F.S.; deleting a provision that requires the
4 Florida Virtual School to be administratively housed
5 within the Office of Technology and Information Services
6 within the Department of Education; amending s. 1001.42,
7 F.S.; revising the powers and duties of district school
8 boards to require that students be provided with access to
9 Florida Virtual School courses; creating s. 1001.421,
10 F.S.; prohibiting district school board members from
11 accepting gifts from vendors; amending s. 1002.37, F.S.;
12 conforming provisions to changes made by the act; amending
13 s. 1002.38, F.S.; revising provisions relating to the
14 Opportunity Scholarship Program to provide that school
15 grades for all schools be based on statewide assessments;
16 amending s. 1002.45, F.S.; revising qualification
17 requirements for virtual instruction program providers;
18 providing that an approved provider retain its approved
19 status for 3 school years after approval; amending s.
20 1002.67, F.S.; requiring that the State Board of Education
21 periodically review and revise the performance standards
22 for the statewide kindergarten screening and align to
23 student performance standards for statewide assessments;
24 amending s. 1002.69, F.S.; amending s. 1003.4156, F.S.;
25 revising the general requirements for middle grades
26 promotion; providing that a student with a disability may
27 have his or her end-of-course assessment results waived
28 under certain circumstances; providing that a middle

PCS FOR HB 1255

ORIGINAL

2011

29 | grades student is exempt from the reading remediation
30 | requirements under certain circumstances; creating s.
31 | 1003.4203, F.S.; requiring each district school board to
32 | develop and implement a digital curriculum for students in
33 | grades 5 through 12; specifying certain components of a
34 | digital curriculum; requiring curriculum standards and
35 | measures to assess student content knowledge and skills
36 | and learning gains; authorizing the Department of
37 | Education to develop a model to serve as a guide for
38 | school districts; requiring that the department and the
39 | Commissioner of Education establish procedures for
40 | statewide recognition of school districts and individual
41 | students; authorizing partnerships with private businesses
42 | and consultants; amending s. 1003.428, F.S.; revising
43 | provisions relating to the general requirements for high
44 | school graduation; providing that a high school student
45 | may be exempt from intensive reading under certain
46 | circumstances; amending s. 1003.493, F.S.; revising
47 | provisions relating to career and professional academies
48 | to include middle schools; requiring that students who are
49 | completing a middle school career and professional academy
50 | program have an opportunity to earn an industry
51 | certification, high school credit, and participate in
52 | career planning, job shadowing, and leadership development
53 | opportunities; requiring that middle school career and
54 | professional academies align with high school career and
55 | professional academies; providing for partnerships with
56 | high schools, businesses, industry, employers, economic

57 | development organizations, and other local community
58 | partners; amending s. 1003.575, F.S.; revising provisions
59 | relating to assistive technology devices for young persons
60 | with disabilities to require that any school having an
61 | individualized education plan team arrange to complete an
62 | assistive technology assessment within a specified number
63 | of days after receiving a request for such assessment;
64 | amending s. 1008.22, F.S.; revising provisions relating to
65 | the student assessment program for public schools;
66 | requiring that the Commissioner of Education direct school
67 | districts to participate in the administration of the
68 | National Assessment of Educational Progress or similar
69 | national or international assessment program; authorizing
70 | the school principal to exempt certain students from the
71 | end-of-course assessment in civics education; amending s.
72 | 1008.33, F.S.; revising provisions relating to public
73 | school improvement; requiring that the Department of
74 | Education categorize public schools based on the portion
75 | of a school's grade that relies on statewide assessments;
76 | revising the categorization of the lowest-performing
77 | schools; amending s. 1008.34, F.S.; revising provisions
78 | relating to the designation of school grades to conform to
79 | changes made by the act; providing for assigning
80 | achievement scores and learning gains for students who are
81 | hospital or homebound; requiring that a school that does
82 | not meet minimal proficiency standards established by the
83 | State Board of Education receive a school grade of "F";
84 | amending s. 1011.01, F.S.; revising provisions relating to

85 | the annual operating budgets of district school boards and
 86 | community college boards of trustees; amending s. 1011.03,
 87 | F.S.; revising provisions relating to tentative and final
 88 | district school board budgets; requiring that an adopted
 89 | budget be transmitted to the Department of Education;
 90 | creating 1011.035, F.S.; requiring each school district to
 91 | post budgetary information its website; amending s.
 92 | 1012.39, F.S.; revising provisions relating to the
 93 | employment of nondegreed teachers of career education;
 94 | requiring that qualifications be established for
 95 | nondegreed teachers of career and technical education
 96 | courses for state-recognized program clusters; providing
 97 | effective dates.

98 |

99 | Be It Enacted by the Legislature of the State of Florida:

100 |

101 | Section 1. Paragraph (a) of subsection (4) of section
 102 | 1001.20, Florida Statutes, is amended to read:

103 | 1001.20 Department under direction of state board.—

104 | (4) The Department of Education shall establish the
 105 | following offices within the Office of the Commissioner of
 106 | Education which shall coordinate their activities with all other
 107 | divisions and offices:

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

109 | Responsible for developing a systemwide technology plan, making
 110 | budget recommendations to the commissioner, providing data
 111 | collection and management for the system, assisting school
 112 | districts in securing Internet access and telecommunications

PCS FOR HB 1255

ORIGINAL

2011

113 services, including those eligible for funding under the Schools
 114 and Libraries Program of the federal Universal Service Fund, and
 115 coordinating services with other state, local, and private
 116 agencies. The office shall develop a method to address the need
 117 for a statewide approach to planning and operations of library
 118 and information services to achieve a single K-20 education
 119 system library information portal and a unified higher education
 120 library management system. ~~The Florida Virtual School shall be~~
 121 ~~administratively housed within the office.~~

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

124 1001.42 Powers and duties of district school board.—The
 125 district school board, acting as a board, shall exercise all
 126 powers and perform all duties listed below:

127 (23) FLORIDA VIRTUAL SCHOOL.—Provide students with access
 128 to ~~enroll in~~ courses available through the Florida Virtual
 129 School and award credit for successful completion of such
 130 courses. Access shall be available to students during and ~~or~~
 131 after the normal school day and through summer school
 132 enrollment.

133 Section 3. Section 1001.421, Florida Statutes, is created
 134 to read:

135 1001.421 Gifts.—Notwithstanding ss. 112.3148 and 112.3149,
 136 or any other provision of law to the contrary, school board
 137 members and their relatives as that term is defined in s.
 138 112.312(21), shall not solicit or accept, directly or
 139 indirectly, any gift as that term is defined in s. 112.312(12),

140 from any person, vendor, potential vendor, or other entity doing
 141 business with the school district.

142 Section 4. Paragraph (a) of subsection (1) of section
 143 1002.37, Florida Statutes, is amended to read:

144 1002.37 The Florida Virtual School.—

145 (1) (a) The Florida Virtual School is established for the
 146 development and delivery of online and distance learning
 147 education ~~and shall be administratively housed within the~~
 148 ~~Commissioner of Education's Office of Technology and Information~~
 149 ~~Services.~~ The Commissioner of Education shall monitor the
 150 school's performance and report its performance to the State
 151 Board of Education and the Legislature.

152
 153 The board of trustees of the Florida Virtual School shall
 154 identify appropriate performance measures and standards based on
 155 student achievement that reflect the school's statutory mission
 156 and priorities, and shall implement an accountability system for
 157 the school that includes assessment of its effectiveness and
 158 efficiency in providing quality services that encourage high
 159 student achievement, seamless articulation, and maximum access.

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

162 1002.38 Opportunity Scholarship Program.—

163 (3) SCHOOL DISTRICT OBLIGATIONS.—

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

167 Section 6. Paragraph (b) of subsection (2) of section

168 1002.45, Florida Statutes, is amended to read:

169 1002.45 School district virtual instruction programs.—

170 (2) PROVIDER QUALIFICATIONS.—

171 (b) An approved provider shall retain its approved status
 172 during the 3 school years ~~for a period of 3 years~~ after the date
 173 of the department's approval under paragraph (a) as long as the
 174 provider continues to comply with all requirements of this
 175 section.

176 Section 7. Subsection (1) and paragraph (c) of subsection
 177 (3) of section 1002.67, Florida Statutes, are amended to read:

178 1002.67 Performance standards; curricula and
 179 accountability.—

180 (1) By April 1, 2005, the department shall develop and
 181 adopt performance standards for students in the Voluntary
 182 Prekindergarten Education Program. The performance standards
 183 must address the age-appropriate progress of students in the
 184 development of:

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

187 (b) Emergent literacy skills, including oral
 188 communication, knowledge of print and letters, phonemic and
 189 phonological awareness, and vocabulary and comprehension
 190 development.

191 (c) The State Board of Education shall periodically review
 192 and revise the performance standards for the statewide
 193 kindergarten screening administered under s. 1002.69 and align
 194 the standards to the standards established by the board for the
 195 expectations of student performance on the statewide assessments

196 | administered pursuant to s. 1008.22.

197 | (3)

198 | (c)1. If the kindergarten readiness rate of a private
 199 | prekindergarten provider or public school falls below the
 200 | minimum rate adopted by the State Board of Education as
 201 | satisfactory under s. 1002.69(6), the early learning coalition
 202 | or school district, as applicable, shall require the provider or
 203 | school to submit an improvement plan for approval by the
 204 | coalition or school district, as applicable, and to implement
 205 | the plan.

206 | 2. If a private prekindergarten provider or public school
 207 | fails to meet the minimum rate adopted by the State Board of
 208 | Education as satisfactory under s. 1002.69(6) ~~for 2 consecutive~~
 209 | ~~years~~, the early learning coalition or school district, as
 210 | applicable, shall place the provider or school on probation and
 211 | must require the provider or school to take certain corrective
 212 | actions, including the use of a curriculum approved by the
 213 | department under paragraph (2)(c).

214 | 3. A private prekindergarten provider or public school
 215 | that is placed on probation must continue the corrective actions
 216 | required under subparagraph 2., including the use of a
 217 | curriculum approved by the department, until the provider or
 218 | school meets the minimum rate adopted by the State Board of
 219 | Education as satisfactory under s. 1002.69(6).

220 | 4. If a private prekindergarten provider or public school
 221 | remains on probation for 2 consecutive years and fails to meet
 222 | the minimum rate adopted by the State Board of Education as
 223 | satisfactory under s. 1002.69(6) and is not granted a good cause

224 exemption by the department pursuant to s. 1002.69(7), the
 225 Agency for Workforce Innovation shall require the early learning
 226 coalition or the Department of Education shall require the
 227 school district to remove, as applicable, the provider or school
 228 from eligibility to deliver the Voluntary Prekindergarten
 229 Education Program and receive state funds for the program.

230 Section 8. Subsections (6) and paragraphs (b) and (c) of
 231 subsection (7) of section 1002.69, Florida Statutes, are amended
 232 to read:

233 1002.69 Statewide kindergarten screening; kindergarten
 234 readiness rates.—

235 (6) ~~(a)~~ The State Board of Education shall periodically
 236 adopt a minimum kindergarten readiness rate that, if achieved by
 237 a private prekindergarten provider or public school, would
 238 demonstrate the provider's or school's satisfactory delivery of
 239 the Voluntary Prekindergarten Education Program.

240 ~~(b) The minimum rate must not exceed the rate at which~~
 241 ~~more than 15 percent of the kindergarten readiness rates of all~~
 242 ~~private prekindergarten providers and public schools delivering~~
 243 ~~the Voluntary Prekindergarten Education Program in the state~~
 244 ~~would fall below the minimum rate.~~

245 (7)

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

251 1. Submission of data by the private prekindergarten

252 provider or public school which documents ~~on a standardized~~
 253 ~~assessment~~ the achievement and progress of the children served
 254 as measured by a standardized pre and post assessment approved
 255 by the department pursuant to paragraph (c)1.

256 2. Submission and review of data available from the
 257 respective early learning coalition or district school board,
 258 the Department of Children and Family Services, local licensing
 259 authority, or an accrediting association, as applicable,
 260 relating to the private prekindergarten provider's or public
 261 school's compliance with state and local health and safety
 262 standards.

263 3. Submission and review of data available to the
 264 department on the performance of the children served and the
 265 calculation of the private prekindergarten provider's or public
 266 school's kindergarten readiness rate.

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

270 1. Learning gains of children served in the Voluntary
 271 Prekindergarten Education Program by the private prekindergarten
 272 provider or public school. A provider seeking a good cause
 273 exemption shall have either the Early Learning Coalition or a
 274 department-approved second party administer a department-
 275 approved standardized assessment to each child in the
 276 prekindergarten provider's program within the first 30 days of
 277 each school year for which a good cause exemption is sought, and
 278 the provider shall administer a follow up assessment utilizing
 279 an approved standardized assessment to measure learning gains

280 for the year or summer, as appropriate. All data must be
 281 submitted to the department within 30 days of the administration
 282 of each assessment.

283 ~~2. Verification that the private prekindergarten provider~~
 284 ~~or public school serves at least twice the statewide percentage~~
 285 ~~of children with disabilities as defined in s. 1003.01(3)(a) or~~
 286 ~~children identified as limited English proficient as defined in~~
 287 ~~s. 1003.56.~~

288 ~~2.3.~~ Verification that local and state health and safety
 289 requirements are met.

290 Section 9. Subsection (1) of section 1003.4156, Florida
 291 Statutes, is amended to read:

292 1003.4156 General requirements for middle grades
 293 promotion.—

294 ~~(1) Beginning with students entering grade 6 in the 2006-~~
 295 ~~2007 school year,~~ Promotion from a school composed of middle
 296 grades 6, 7, and 8 requires that:

297 (a) The student must successfully complete academic
 298 courses as follows:

299 1. Three middle school or higher courses in English. These
 300 courses shall emphasize literature, composition, and technical
 301 text.

302 2. Three middle school or higher courses in mathematics.
 303 Each middle school must offer at least one high school level
 304 mathematics course for which students may earn high school
 305 credit. Successful completion of a high school level Algebra I
 306 or geometry course is not contingent upon the student's
 307 performance on the end-of-course assessment required under s.

PCS FOR HB 1255

ORIGINAL

2011

308 | 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
309 | school year, to earn high school credit for an Algebra I course,
310 | a middle school student must pass the Algebra I end-of-course
311 | assessment, and beginning with the 2012-2013 school year, to
312 | earn high school credit for a geometry course, a middle school
313 | student must pass the geometry end-of-course assessment.

314 | 3. Three middle school or higher courses in social
315 | studies, one semester of which must include the study of state
316 | and federal government and civics education. Beginning with
317 | students entering grade 6 in the 2012-2013 school year, one of
318 | these courses must be at least a one-semester civics education
319 | course that a student successfully completes in accordance with
320 | s. 1008.22(3)(c) and that includes the roles and
321 | responsibilities of federal, state, and local governments; the
322 | structures and functions of the legislative, executive, and
323 | judicial branches of government; and the meaning and
324 | significance of historic documents, such as the Articles of
325 | Confederation, the Declaration of Independence, and the
326 | Constitution of the United States.

327 | 4. Three middle school or higher courses in science.
328 | Successful completion of a high school level Biology I course is
329 | not contingent upon the student's performance on the end-of-
330 | course assessment required under s. 1008.22(3)(c)2.a.(II).
331 | However, beginning with the 2012-2013 school year, to earn high
332 | school credit for a Biology I course, a middle school student
333 | must pass the Biology I end-of-course assessment.

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

PCS FOR HB 1255

ORIGINAL

2011

336 member of the instructional staff; must include career
337 exploration using Florida CHOICES or a comparable cost-effective
338 program; must include educational planning using the online
339 student advising system known as Florida Academic Counseling and
340 Tracking for Students at the Internet website FACTS.org; and
341 shall result in the completion of a personalized academic and
342 career plan. The required personalized academic and career plan
343 must inform students of high school graduation requirements,
344 high school assessment and college entrance test requirements,
345 Florida Bright Futures Scholarship Program requirements, state
346 university and Florida college admission requirements, and
347 programs through which a high school student can earn college
348 credit, including Advanced Placement, International
349 Baccalaureate, Advanced International Certificate of Education,
350 dual enrollment, career academy opportunities, and courses that
351 lead to national industry certification.

352
353 A student with a disability, as defined in s. 1007.02(2), for
354 whom the individual education plan committee determines that the
355 end-of-course assessment cannot accurately measure the student's
356 abilities, taking into consideration all allowable
357 accommodations, shall have the end-of-course assessment results
358 waived for purposes of determining the student's course grade
359 and completing the requirements for middle grades promotion.

360 Each school must hold a parent meeting either in the evening or
361 on a weekend to inform parents about the course curriculum and
362 activities. Each student shall complete an electronic personal
363 education plan that must be signed by the student; the student's

PCS FOR HB 1255

ORIGINAL

2011

364 instructor, guidance counselor, or academic advisor; and the
365 student's parent. The Department of Education shall develop
366 course frameworks and professional development materials for the
367 career exploration and education planning course. The course may
368 be implemented as a stand-alone course or integrated into
369 another course or courses. The Commissioner of Education shall
370 collect longitudinal high school course enrollment data by
371 student ethnicity in order to analyze course-taking patterns.

372 (b) For each year in which a student scores at Level 1 on
373 FCAT Reading, the student must be enrolled in and complete an
374 intensive reading course the following year. Placement of Level
375 2 readers in either an intensive reading course or a content
376 area course in which reading strategies are delivered shall be
377 determined by diagnosis of reading needs. The department shall
378 provide guidance on appropriate strategies for diagnosing and
379 meeting the varying instructional needs of students reading
380 below grade level. Reading courses shall be designed and offered
381 pursuant to the comprehensive reading plan required by s.
382 1011.62(9). A middle grades student who scores at Level 1 or
383 Level 2 on FCAT Reading, but who did not score below Level 3 in
384 the previous 3 years may be granted an exemption from the
385 reading remediation requirements. A student may be granted a 1-
386 year exemption from intensive reading; however, the student must
387 have an approved academic improvement plan already in place and
388 signed by the appropriate school staff and a parent or guardian
389 for the year that the exemption is granted.

390 (c) For each year in which a student scores at Level 1 or
391 Level 2 on FCAT Mathematics, the student must receive

PCS FOR HB 1255

ORIGINAL

2011

392 remediation the following year, which may be integrated into the
393 student's required mathematics course.

394 Section 10. Section 1003.4203, Florida Statutes, is
395 created to read:

396 1003.4203 Digital curriculum.—

397 (1) Each district school board, in consultation with the
398 district school superintendent, may develop and implement a
399 digital curriculum for students in grades 6 through 12 to enable
400 students to attain competencies in web communications and web
401 design. A digital curriculum may include web-based skills, web-
402 based core technologies, web design, use of digital technologies
403 and markup language to evidence competency in computer skills,
404 and use of web-based core technologies to design creative,
405 informational, and content standards for web-based digital
406 products that demonstrate proficiency in creating, publishing,
407 testing, monitoring, and maintaining a website.

408 (2) The digital curriculum instruction may be integrated
409 into middle school and high school subject area curricula or
410 offered as a separate course subject to available funding.

411 (3) The Department of Education shall develop a model
412 digital curriculum to serve as a guide for district school
413 boards in the development of a digital curriculum.

414 (4) A district school board may seek partnerships with
415 private businesses and consultants to offer classes and
416 instruction to teachers and students to assist the school
417 district in providing digital curriculum instruction.

418 Section 11. Subsection (2) of section 1003.428, Florida
419 Statutes, is amended to read:

420 1003.428 General requirements for high school graduation;
 421 revised.—

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

425 (a) Sixteen core curriculum credits:

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

428 2. Four credits in mathematics, one of which must be
 429 Algebra I, a series of courses equivalent to Algebra I, or a
 430 higher-level mathematics course. Beginning with students
 431 entering grade 9 in the 2010-2011 school year, in addition to
 432 the Algebra I credit requirement, one of the four credits in
 433 mathematics must be geometry or a series of courses equivalent
 434 to geometry as approved by the State Board of Education.
 435 Beginning with students entering grade 9 in the 2010-2011 school
 436 year, the end-of-course assessment requirements under s.

437 1008.22(3)(c)2.a.(I) must be met in order for a student to earn
 438 the required credit in Algebra I. Beginning with students
 439 entering grade 9 in the 2011-2012 school year, the end-of-course
 440 assessment requirements under s. 1008.22(3)(c)2.a.(I) must be
 441 met in order for a student to earn the required credit in
 442 geometry. Beginning with students entering grade 9 in the 2012-
 443 2013 school year, in addition to the Algebra I and geometry
 444 credit requirements, one of the four credits in mathematics must
 445 be Algebra II or a series of courses equivalent to Algebra II as
 446 approved by the State Board of Education.

447 3. Three credits in science, two of which must have a

448 laboratory component. Beginning with students entering grade 9
449 in the 2011-2012 school year, one of the three credits in
450 science must be Biology I or a series of courses equivalent to
451 Biology I as approved by the State Board of Education. Beginning
452 with students entering grade 9 in the 2011-2012 school year, the
453 end-of-course assessment requirements under s.

454 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
455 the required credit in Biology I. Beginning with students
456 entering grade 9 in the 2013-2014 school year, one of the three
457 credits must be Biology I or a series of courses equivalent to
458 Biology I as approved by the State Board of Education, one
459 credit must be chemistry or physics or a series of courses
460 equivalent to chemistry or physics as approved by the State
461 Board of Education, and one credit must be an equally rigorous
462 course, as determined by the State Board of Education.

463 4. Three credits in social studies as follows: one credit
464 in United States history; one credit in world history; one-half
465 credit in economics; and one-half credit in United States
466 government.

467 5. One credit in fine or performing arts, speech and
468 debate, or a practical arts course that incorporates artistic
469 content and techniques of creativity, interpretation, and
470 imagination. Eligible practical arts courses shall be identified
471 through the Course Code Directory.

472 6. One credit in physical education to include integration
473 of health. Participation in an interscholastic sport at the
474 junior varsity or varsity level for two full seasons shall
475 satisfy the one-credit requirement in physical education if the

PCS FOR HB 1255

ORIGINAL

2011

476 student passes a competency test on personal fitness with a
477 score of "C" or better. The competency test on personal fitness
478 must be developed by the Department of Education. A district
479 school board may not require that the one credit in physical
480 education be taken during the 9th grade year. Completion of one
481 semester with a grade of "C" or better in a marching band class,
482 in a physical activity class that requires participation in
483 marching band activities as an extracurricular activity, or in a
484 dance class shall satisfy one-half credit in physical education
485 or one-half credit in performing arts. This credit may not be
486 used to satisfy the personal fitness requirement or the
487 requirement for adaptive physical education under an individual
488 education plan (IEP) or 504 plan. Completion of 2 years in a
489 Reserve Officer Training Corps (R.O.T.C.) class, a significant
490 component of which is drills, shall satisfy the one-credit
491 requirement in physical education and the one-credit requirement
492 in performing arts. This credit may not be used to satisfy the
493 personal fitness requirement or the requirement for adaptive
494 physical education under an individual education plan (IEP) or
495 504 plan.

496 (b) Eight credits in electives.

497 1. For each year in which a student scores at Level 1 on
498 FCAT Reading, the student must be enrolled in and complete an
499 intensive reading course the following year. Placement of Level
500 2 readers in either an intensive reading course or a content
501 area course in which reading strategies are delivered shall be
502 determined by diagnosis of reading needs. The department shall
503 provide guidance on appropriate strategies for diagnosing and

504 meeting the varying instructional needs of students reading
 505 below grade level. Reading courses shall be designed and offered
 506 pursuant to the comprehensive reading plan required by s.
 507 1011.62(9).

508 2. For each year in which a student scores at Level 1 or
 509 Level 2 on FCAT Mathematics, the student must receive
 510 remediation the following year. These courses may be taught
 511 through applied, integrated, or combined courses and are subject
 512 to approval by the department for inclusion in the Course Code
 513 Directory.

514
 515 A high school student who scores at Level 1 or Level 2 on FCAT
 516 Reading but who did not score below Level 3 in the previous 3
 517 years may be granted an exemption from the intensive reading
 518 requirement. A student may be granted a 1-year exemption from
 519 intensive reading; however, the student must have an approved
 520 academic improvement plan already in place and signed by the
 521 school and a parent or guardian for the year the exemption is
 522 granted.

523 Section 12. Section 1003.493, Florida Statutes, is amended
 524 to read:

525 1003.493 Career and professional academies.—

526 (1) A "career and professional academy" is a research-
 527 based program that integrates a rigorous academic curriculum
 528 with an industry-specific curriculum aligned directly to
 529 priority workforce needs established by the regional workforce
 530 board. High school career and professional academies shall, and
 531 middle school career and professional academies may be offered

532 by public schools and school districts. The Florida Virtual
533 School is encouraged to develop and offer rigorous career and
534 professional courses as appropriate. Students completing high
535 school career and professional academy programs must receive a
536 standard high school diploma, the highest available industry
537 certification, and opportunities to earn postsecondary credit if
538 the academy partners with a postsecondary institution approved
539 to operate in the state. Students completing a middle school
540 career and professional academy program must have the
541 opportunity to earn an industry certification, earn high school
542 credit, and participate in career planning, job shadowing, and
543 leadership-development opportunities.

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

545 (a) Increase student academic achievement and graduation
546 rates through integrated academic and career curricula.

547 (b) Prepare graduating high school students to make
548 appropriate choices relative to employment and future
549 educational experiences.

550 (c) Focus on career preparation through rigorous academics
551 and industry certification.

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

554 (e) Support graduation requirements pursuant to s.
555 1003.428 by providing creative, applied major areas of interest.

556 (f) Promote acceleration mechanisms, such as dual
557 enrollment, articulated credit, or occupational completion
558 points, so that students may earn postsecondary credit while in
559 high school.

560 (g) Support the state's economy by meeting industry needs
 561 for skilled employees in high-demand occupations.

562 (3) Existing career education courses may serve as a
 563 foundation for the creation of a career and professional
 564 academy. A career and professional academy may be offered as one
 565 of the following small learning communities:

566 (a) A school-within-a-school career academy, as part of an
 567 existing middle school or high school, that provides courses in
 568 one occupational cluster. Students in the middle school or high
 569 school are not required to be students in the academy.

570 (b) A total school configuration providing multiple
 571 academies, each structured around an occupational cluster. Every
 572 student in the school is in an academy.

573 (4) Each middle school or high school career and
 574 professional academy must:

575 ~~(a)~~ provide a rigorous standards-based academic curriculum
 576 integrated with a career curriculum. The curriculum must take
 577 into consideration multiple styles of student learning; promote
 578 learning by doing through application and adaptation; maximize
 579 relevance of the subject matter; enhance each student's capacity
 580 to excel; and include an emphasis on work habits and work
 581 ethics.

582 (5)-(b) Each middle school or high school career and
 583 professional academy must include one or more partnerships with
 584 postsecondary institutions, businesses, industry, employers,
 585 economic development organizations, or other appropriate
 586 partners from the local community. Such partnerships shall be
 587 delineated in articulation agreements to provide for career-

588 based courses that earn postsecondary credit. Such agreements
 589 may include articulation between the academy and public or
 590 private 2-year and 4-year postsecondary institutions and
 591 technical centers. The Department of Education, in consultation
 592 with the Board of Governors, shall establish a mechanism to
 593 ensure articulation and transfer of credits to postsecondary
 594 institutions in this state. Such partnerships must provide
 595 opportunities for:

596 (a)~~1.~~ Instruction from highly skilled professionals who
 597 possess industry-certification credentials for courses they are
 598 teaching.

599 (b)~~2.~~ Internships, externships, and on-the-job training.

600 (c)~~3.~~ A postsecondary degree, diploma, or certificate.

601 (d)~~4.~~ The highest available level of industry
 602 certification.

603 (e)~~5.~~ Maximum articulation of credits pursuant to s.
 604 1007.23 upon program completion.

605 (6)~~(e)~~ Each middle school or high school career and
 606 professional academy must:

607 (a) Provide shared, maximum use of private sector
 608 facilities and personnel.

609 (b)~~(d)~~ Provide personalized student advisement, including
 610 a parent-participation component, and coordination with middle
 611 schools to promote and support career exploration and education
 612 planning as required under s. 1003.4156. Coordination with
 613 middle schools must provide information to middle school
 614 students about secondary and postsecondary career education
 615 programs and academies.

PCS FOR HB 1255

ORIGINAL

2011

616 (c)~~(e)~~ Promote and provide opportunities for career and
617 professional academy students to attain, at minimum, the Florida
618 Gold Seal Vocational Scholars award pursuant to s. 1009.536.

619 (d)~~(f)~~ Provide instruction in careers designated as high
620 growth, high demand, and high pay by the local workforce
621 development board, the chamber of commerce, or the Agency for
622 Workforce Innovation.

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

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

629 (g)~~(i)~~ Provide instruction resulting in competency,
630 certification, or credentials in workplace skills, including,
631 but not limited to, communication skills, interpersonal skills,
632 decisionmaking skills, the importance of attendance and
633 timeliness in the work environment, and work ethics.

634 (h)~~(j)~~ Provide opportunities for students to obtain the
635 Florida Ready to Work Certification pursuant to s. 1004.99, if
636 available.

637 (i)~~(k)~~ Include an evaluation plan developed jointly with
638 the Department of Education and the local workforce board. The
639 evaluation plan must include an assessment tool based on
640 national industry standards, such as the Career Academy National
641 Standards of Practice, and outcome measures, including, but not
642 limited to, achievement of national industry certifications
643 identified in the Industry Certification Funding List, pursuant

644 to rules adopted by the State Board of Education, graduation
 645 rates, enrollment in postsecondary education, business and
 646 industry satisfaction, employment and earnings, awards of
 647 postsecondary credit and scholarships, and student achievement
 648 levels and learning gains on statewide assessments administered
 649 under s. 1008.22(3)(c). The Department of Education shall use
 650 Workforce Florida, Inc., and Enterprise Florida, Inc., in
 651 identifying industry experts to participate in developing and
 652 implementing such assessments.

653 (j)~~(l)~~ Include a plan to sustain career and professional
 654 academies.

655 (k)~~(m)~~ Redirect appropriated career funding to career and
 656 professional academies.

657 (7)~~(5)~~ All high school career courses offered in a career
 658 and professional academy must lead to industry certification or
 659 college credit linked directly to the career theme of the
 660 course. Fifty ~~At least 50~~ percent of students enrolled in a
 661 career course must achieve industry certifications or college
 662 credits during the second year the course is offered in order
 663 for the course to be offered a third year. At least 66 percent
 664 of students enrolled in such a course must achieve industry
 665 certifications or college credits during the third year the
 666 course is offered in order for it to be offered a fourth year
 667 and thereafter.

668 (8) Each middle school career and professional academy's
 669 curriculum and coursework must be aligned with that of high
 670 school career and professional academies in the school district
 671 and include one or more partnerships with high schools,

PCS FOR HB 1255

ORIGINAL

2011

672 businesses, industry, employers, economic development
673 organizations, or other appropriate partners from the local
674 community. Such partnerships must provide opportunities for:
675 (a) Instruction from highly skilled professionals who
676 possess industry-certification credentials for courses they are
677 teaching.
678 (b) Internships and externships.
679 (c) Maximum articulation of high school dual enrollment
680 credits upon program completion.
681 (d) Personalized student advisement, including a parent-
682 participation component, and coordination with high schools to
683 promote accelerated course credit
684 (e) Instruction in careers designated as high growth, high
685 demand, and high pay by the local workforce development board,
686 the chamber of commerce, or the Agency for Workforce Innovation.
687 (f) The delivery of academic content through instruction
688 that is relevant to a career, including intensive reading and
689 mathematics intervention required by s. 1003.428, along with an
690 emphasis on strengthening reading for information skills.
691 (g) Applied courses that combine academic content with
692 technical skills.
693 (h) Instruction resulting in competency, including, but
694 not limited to, communication skills, interpersonal skills,
695 decisionmaking skills, the importance of attendance and
696 timeliness in the work environment, and work ethics.
697 (i) An evaluation plan developed jointly with the
698 Department of Education and the local workforce board. The
699 Department of Education shall use Workforce Florida, Inc., and

700 Enterprise Florida, Inc., in identifying industry experts to
 701 participate in developing and implementing such assessments.

702 ~~(6) The Okaloosa County School District CHOICE Institutes~~
 703 ~~shall serve in an advisory role and shall offer technical~~
 704 ~~assistance in the development of newly established career and~~
 705 ~~professional academies for a 3-year period beginning July 1,~~
 706 ~~2007.~~

707 Section 13. Section 1003.575, Florida Statutes, is amended
 708 to read:

709 1003.575 Assistive technology devices; findings;
 710 interagency agreements.—Accessibility, utilization, and
 711 coordination of appropriate assistive technology devices and
 712 services are essential as a young person with disabilities moves
 713 from early intervention to preschool, from preschool to school,
 714 from one school to another, and from school to employment or
 715 independent living. Within 60 days of receiving a request for an
 716 assistive technology assessment, any school that has an
 717 individualized education plan team shall arrange to complete the
 718 assessment. To ensure that an assistive technology device issued
 719 to a young person as part of his or her individualized family
 720 support plan, individual support plan, or an individual
 721 education plan remains with the individual through such
 722 transitions, the following agencies shall enter into interagency
 723 agreements, as appropriate, to ensure the transaction of
 724 assistive technology devices:

725 (1) The Florida Infants and Toddlers Early Intervention
 726 Program in the Division of Children's Medical Services of the
 727 Department of Health.

728 (2) The Division of Blind Services, the Bureau of
 729 Exceptional Education and Student Services, and the Division of
 730 Vocational Rehabilitation of the Department of Education.

731 (3) The Voluntary Prekindergarten Education Program
 732 administered by the Department of Education and the Agency for
 733 Workforce Innovation.

734
 735 Interagency agreements entered into pursuant to this section
 736 shall provide a framework for ensuring that young persons with
 737 disabilities and their families, educators, and employers are
 738 informed about the utilization and coordination of assistive
 739 technology devices and services that may assist in meeting
 740 transition needs, and shall establish a mechanism by which a
 741 young person or his or her parent may request that an assistive
 742 technology device remain with the young person as he or she
 743 moves through the continuum from home to school to postschool.

744 Section 14. Effective upon this act becoming a law,
 745 subsection (2) and paragraph (c) of subsection (3) of section
 746 1008.22, Florida Statutes, are amended to read:

747 1008.22 Student assessment program for public schools.—

748 (2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—It
 749 is Florida's intent to participate in the measurement of
 750 national educational goals. The Commissioner of Education shall
 751 direct Florida school districts to participate in the
 752 administration of the National Assessment of Educational
 753 Progress, or ~~a~~ similar national or international assessment
 754 program, both for the national sample and for any state-by-state
 755 comparison programs which may be initiated. The assessments must

PCS FOR HB 1255

ORIGINAL

2011

756 be conducted using the data collection procedures, the student
757 surveys, the educator surveys, and other instruments included in
758 the National Assessment of Educational Progress or similar
759 national or international program being administered in Florida.
760 The results of these assessments shall be included in the annual
761 report of the Commissioner of Education specified in this
762 section, as applicable. The administration of the National
763 Assessment of Educational Progress or similar national or
764 international program shall be in addition to and separate from
765 the administration of the statewide assessment program.

766 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
767 design and implement a statewide program of educational
768 assessment that provides information for the improvement of the
769 operation and management of the public schools, including
770 schools operating for the purpose of providing educational
771 services to youth in Department of Juvenile Justice programs.
772 The commissioner may enter into contracts for the continued
773 administration of the assessment, testing, and evaluation
774 programs authorized and funded by the Legislature. Contracts may
775 be initiated in 1 fiscal year and continue into the next and may
776 be paid from the appropriations of either or both fiscal years.
777 The commissioner is authorized to negotiate for the sale or
778 lease of tests, scoring protocols, test scoring services, and
779 related materials developed pursuant to law. Pursuant to the
780 statewide assessment program, the commissioner shall:

781 (c) Develop and implement a student achievement testing
782 program as follows:

783 1. The Florida Comprehensive Assessment Test (FCAT)

784 measures a student's content knowledge and skills in reading,
785 writing, science, and mathematics. The content knowledge and
786 skills assessed by the FCAT must be aligned to the core
787 curricular content established in the Next Generation Sunshine
788 State Standards. Other content areas may be included as directed
789 by the commissioner. Comprehensive assessments of reading and
790 mathematics shall be administered annually in grades 3 through
791 10 except, beginning with the 2010-2011 school year, the
792 administration of grade 9 FCAT Mathematics shall be
793 discontinued, and beginning with the 2011-2012 school year, the
794 administration of grade 10 FCAT Mathematics shall be
795 discontinued, except as required for students who have not
796 attained minimum performance expectations for graduation as
797 provided in paragraph (9)(c). FCAT Writing and FCAT Science
798 shall be administered at least once at the elementary, middle,
799 and high school levels except, beginning with the 2011-2012
800 school year, the administration of FCAT Science at the high
801 school level shall be discontinued.

802 2.a. End-of-course assessments for a subject shall be
803 administered in addition to the comprehensive assessments
804 required under subparagraph 1. End-of-course assessments must be
805 rigorous, statewide, standardized, and developed or approved by
806 the department. The content knowledge and skills assessed by
807 end-of-course assessments must be aligned to the core curricular
808 content established in the Next Generation Sunshine State
809 Standards.

810 (I) Statewide, standardized end-of-course assessments in
811 mathematics shall be administered according to this sub-sub-

812 subparagraph. Beginning with the 2010-2011 school year, all
 813 students enrolled in Algebra I or an equivalent course must take
 814 the Algebra I end-of-course assessment. ~~Students who earned high~~
 815 ~~school credit in Algebra I while in grades 6 through 8 during~~
 816 ~~the 2007-2008 through 2009-2010 school years and who have not~~
 817 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~
 818 ~~course assessment during the 2010-2011 school year.~~ For students
 819 entering grade 9 during the 2010-2011 school year and who are
 820 enrolled in Algebra I or an equivalent, each student's
 821 performance on the end-of-course assessment in Algebra I shall
 822 constitute 30 percent of the student's final course grade.
 823 Beginning with students entering grade 9 in the 2011-2012 school
 824 year, a student who is enrolled in Algebra I or an equivalent
 825 must earn a passing score on the end-of-course assessment in
 826 Algebra I or attain an equivalent score as described in
 827 subsection (11) in order to earn course credit. Beginning with
 828 the 2011-2012 school year, all students enrolled in geometry or
 829 an equivalent course must take the geometry end-of-course
 830 assessment. For students entering grade 9 during the 2011-2012
 831 school year, each student's performance on the end-of-course
 832 assessment in geometry shall constitute 30 percent of the
 833 student's final course grade. Beginning with students entering
 834 grade 9 during the 2012-2013 school year, a student must earn a
 835 passing score on the end-of-course assessment in geometry or
 836 attain an equivalent score as described in subsection (11) in
 837 order to earn course credit.

838 (II) Statewide, standardized end-of-course assessments in
 839 science shall be administered according to this sub-sub-

840 subparagraph. Beginning with the 2011-2012 school year, all
 841 students enrolled in Biology I or an equivalent course must take
 842 the Biology I end-of-course assessment. For the 2011-2012 school
 843 year, each student's performance on the end-of-course assessment
 844 in Biology I shall constitute 30 percent of the student's final
 845 course grade. Beginning with students entering grade 9 during
 846 the 2012-2013 school year, a student must earn a passing score
 847 on the end-of-course assessment in Biology I in order to earn
 848 course credit.

849 b. During the 2012-2013 school year, an end-of-course
 850 assessment in civics education shall be administered as a field
 851 test at the middle school level. During the 2013-2014 school
 852 year, each student's performance on the statewide, standardized
 853 end-of-course assessment in civics education shall constitute 30
 854 percent of the student's final course grade. Beginning with the
 855 2014-2015 school year, a student must earn a passing score on
 856 the end-of-course assessment in civics education in order to
 857 pass the course and be promoted from the middle grades ~~receive~~
 858 ~~course credit~~. The school principal of a middle school shall
 859 determine, in accordance with State Board of Education rule,
 860 whether a student who transfers to the middle school and who has
 861 successfully completed a civics education course at the
 862 student's previous school must take an end-of-course assessment
 863 in civics education.

864 c. The commissioner may select one or more nationally
 865 developed comprehensive examinations, which may include, but
 866 need not be limited to, examinations for a College Board
 867 Advanced Placement course, International Baccalaureate course,

PCS FOR HB 1255

ORIGINAL

2011

868 | or Advanced International Certificate of Education course, or
869 | industry-approved examinations to earn national industry
870 | certifications identified in the Industry Certification Funding
871 | List, pursuant to rules adopted by the State Board of Education,
872 | for use as end-of-course assessments under this paragraph, if
873 | the commissioner determines that the content knowledge and
874 | skills assessed by the examinations meet or exceed the grade
875 | level expectations for the core curricular content established
876 | for the course in the Next Generation Sunshine State Standards.
877 | The commissioner may collaborate with the American Diploma
878 | Project in the adoption or development of rigorous end-of-course
879 | assessments that are aligned to the Next Generation Sunshine
880 | State Standards.

881 | d. Contingent upon funding provided in the General
882 | Appropriations Act, including the appropriation of funds
883 | received through federal grants, the Commissioner of Education
884 | shall establish an implementation schedule for the development
885 | and administration of additional statewide, standardized end-of-
886 | course assessments in English/Language Arts II, Algebra II,
887 | chemistry, physics, earth/space science, United States history,
888 | and world history. Priority shall be given to the development of
889 | end-of-course assessments in English/Language Arts II. The
890 | Commissioner of Education shall evaluate the feasibility and
891 | effect of transitioning from the grade 9 and grade 10 FCAT
892 | Reading and high school level FCAT Writing to an end-of-course
893 | assessment in English/Language Arts II. The commissioner shall
894 | report the results of the evaluation to the President of the
895 | Senate and the Speaker of the House of Representatives no later

896 than July 1, 2011.

897 3. The testing program shall measure student content
898 knowledge and skills adopted by the State Board of Education as
899 specified in paragraph (a) and measure and report student
900 performance levels of all students assessed in reading, writing,
901 mathematics, and science. The commissioner shall provide for the
902 tests to be developed or obtained, as appropriate, through
903 contracts and project agreements with private vendors, public
904 vendors, public agencies, postsecondary educational
905 institutions, or school districts. The commissioner shall obtain
906 input with respect to the design and implementation of the
907 testing program from state educators, assistive technology
908 experts, and the public.

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

914 5. FCAT Reading, Mathematics, and Science and all
915 statewide, standardized end-of-course assessments shall measure
916 the content knowledge and skills a student has attained on the
917 assessment by the use of scaled scores and achievement levels.
918 Achievement levels shall range from 1 through 5, with level 1
919 being the lowest achievement level, level 5 being the highest
920 achievement level, and level 3 indicating satisfactory
921 performance on an assessment. For purposes of FCAT Writing,
922 student achievement shall be scored using a scale of 1 through 6
923 and the score earned shall be used in calculating school grades.

PCS FOR HB 1255

ORIGINAL

2011

924 A score shall be designated for each subject area tested, below
925 which score a student's performance is deemed inadequate. The
926 school districts shall provide appropriate remedial instruction
927 to students who score below these levels.

928 6. The State Board of Education shall, by rule, designate
929 a passing score for each part of the grade 10 assessment test
930 and end-of-course assessments. Any rule that has the effect of
931 raising the required passing scores may apply only to students
932 taking the assessment for the first time after the rule is
933 adopted by the State Board of Education. Except as otherwise
934 provided in this subparagraph and as provided in s.

935 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a
936 passing score on grade 10 FCAT Reading and grade 10 FCAT
937 Mathematics or attain concordant scores as described in
938 subsection (10) in order to qualify for a standard high school
939 diploma.

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

946 8. Participation in the testing program is mandatory for
947 all students attending public school, including students served
948 in Department of Juvenile Justice programs, except as otherwise
949 prescribed by the commissioner. A student who has not earned
950 passing scores on the grade 10 FCAT as provided in subparagraph
951 6. must participate in each retake of the assessment until the

PCS FOR HB 1255

ORIGINAL

2011

952 student earns passing scores or achieves scores on a
953 standardized assessment which are concordant with passing scores
954 pursuant to subsection (10). If a student does not participate
955 in the statewide assessment, the district must notify the
956 student's parent and provide the parent with information
957 regarding the implications of such nonparticipation. A parent
958 must provide signed consent for a student to receive classroom
959 instructional accommodations that would not be available or
960 permitted on the statewide assessments and must acknowledge in
961 writing that he or she understands the implications of such
962 instructional accommodations. The State Board of Education shall
963 adopt rules, based upon recommendations of the commissioner, for
964 the provision of test accommodations for students in exceptional
965 education programs and for students who have limited English
966 proficiency. Accommodations that negate the validity of a
967 statewide assessment are not allowable in the administration of
968 the FCAT or an end-of-course assessment. However, instructional
969 accommodations are allowable in the classroom if included in a
970 student's individual education plan. Students using
971 instructional accommodations in the classroom that are not
972 allowable as accommodations on the FCAT or an end-of-course
973 assessment may have the FCAT or an end-of-course assessment
974 requirement waived pursuant to the requirements of s.
975 1003.428(8)(b) or s. 1003.43(11)(b).

976 9. A student seeking an adult high school diploma must
977 meet the same testing requirements that a regular high school
978 student must meet.

979 10. District school boards must provide instruction to

PCS FOR HB 1255

ORIGINAL

2011

980 | prepare students in the core curricular content established in
981 | the Next Generation Sunshine State Standards adopted under s.
982 | 1003.41, including the core content knowledge and skills
983 | necessary for successful grade-to-grade progression and high
984 | school graduation. If a student is provided with instructional
985 | accommodations in the classroom that are not allowable as
986 | accommodations in the statewide assessment program, as described
987 | in the test manuals, the district must inform the parent in
988 | writing and must provide the parent with information regarding
989 | the impact on the student's ability to meet expected performance
990 | levels in reading, writing, mathematics, and science. The
991 | commissioner shall conduct studies as necessary to verify that
992 | the required core curricular content is part of the district
993 | instructional programs.

994 | 11. District school boards must provide opportunities for
995 | students to demonstrate an acceptable performance level on an
996 | alternative standardized assessment approved by the State Board
997 | of Education following enrollment in summer academies.

998 | 12. The Department of Education must develop, or select,
999 | and implement a common battery of assessment tools that will be
1000 | used in all juvenile justice programs in the state. These tools
1001 | must accurately measure the core curricular content established
1002 | in the Next Generation Sunshine State Standards.

1003 | 13. For students seeking a special diploma pursuant to s.
1004 | 1003.438, the Department of Education must develop or select and
1005 | implement an alternate assessment tool that accurately measures
1006 | the core curricular content established in the Next Generation
1007 | Sunshine State Standards for students with disabilities under s.

1008 1003.438.

1009 14. The Commissioner of Education shall establish
 1010 schedules for the administration of statewide assessments and
 1011 the reporting of student test results. When establishing the
 1012 schedules for the administration of statewide assessments, the
 1013 commissioner shall consider the observance of religious and
 1014 school holidays. The commissioner shall, by August 1 of each
 1015 year, notify each school district in writing and publish on the
 1016 department's Internet website the testing and reporting
 1017 schedules for, at a minimum, the school year following the
 1018 upcoming school year. The testing and reporting schedules shall
 1019 require that:

1020 a. There is the latest possible administration of
 1021 statewide assessments and the earliest possible reporting to the
 1022 school districts of student test results which is feasible
 1023 within available technology and specific appropriations;
 1024 however, test results for the FCAT must be made available no
 1025 later than the week of June 8. Student results for end-of-course
 1026 assessments must be provided no later than 1 week after the
 1027 school district completes testing for each course. The
 1028 commissioner may extend the reporting schedule under exigent
 1029 circumstances.

1030 b. ~~Beginning with the 2010-2011 school year,~~ FCAT Writing
 1031 may ~~is~~ not be administered earlier than the week of March 1 and
 1032 a comprehensive statewide assessment of any other subject may ~~is~~
 1033 not be administered earlier than the week of April 15.

1034 c. A statewide, standardized end-of-course assessment is
 1035 administered during a 3-week period at the end of the course.

PCS FOR HB 1255

ORIGINAL

2011

1036 The commissioner shall select a 3-week administration period for
 1037 assessments that meets the intent of end-of-course assessments
 1038 and provides student results prior to the end of the course.
 1039 School districts shall select 1 testing week within the 3-week
 1040 administration period for each end-of-course assessment. For an
 1041 end-of-course assessment administered at the end of the first
 1042 semester, the commissioner shall determine the most appropriate
 1043 testing dates based on a school district's academic calendar.

1044
 1045 The commissioner may, based on collaboration and input from
 1046 school districts, design and implement student testing programs,
 1047 for any grade level and subject area, necessary to effectively
 1048 monitor educational achievement in the state, including the
 1049 measurement of educational achievement of the Next Generation
 1050 Sunshine State Standards for students with disabilities.
 1051 Development and refinement of assessments shall include
 1052 universal design principles and accessibility standards that
 1053 will prevent any unintended obstacles for students with
 1054 disabilities while ensuring the validity and reliability of the
 1055 test. These principles should be applicable to all technology
 1056 platforms and assistive devices available for the assessments.
 1057 The field testing process and psychometric analyses for the
 1058 statewide assessment program must include an appropriate
 1059 percentage of students with disabilities and an evaluation or
 1060 determination of the effect of test items on such students.

1061 Section 15. Paragraph (b) of subsection (3) and subsection
 1062 (4) of section 1008.33, Florida Statutes, are amended to read:
 1063 1008.33 Authority to enforce public school improvement.—

1064 (3)
 1065 (b) For the purpose of determining whether a public school
 1066 requires action to achieve a sufficient level of school
 1067 improvement, the Department of Education shall annually
 1068 categorize a public school in one of six categories based on the
 1069 following:

1070 1. The portion of a school's grade based upon statewide
 1071 assessments administered pursuant to s. 1008.22; and

1072 2. school's grade, pursuant to s. 1008.34, and The level
 1073 and rate of change in student performance in the areas of
 1074 reading and mathematics, disaggregated into student subgroups as
 1075 described in the federal Elementary and Secondary Education Act,
 1076 20 U.S.C. s. 6311(b)(2)(C)(v)(II).

1077 (4) The Department of Education shall create a matrix that
 1078 reflects intervention and support strategies to address the
 1079 particular needs of schools in each category. For purposes of
 1080 this subsection, a school's grade shall be calculated in
 1081 accordance with paragraph (3)(b).

1082 (a) Intervention and support strategies shall be applied
 1083 to schools based upon the school categorization. The Department
 1084 of Education shall apply the most intense intervention
 1085 strategies to the lowest-performing schools. For all but the
 1086 lowest category and "F" schools in the second lowest category,
 1087 the intervention and support strategies shall be administered
 1088 solely by the districts and the schools.

1089 (b) Beginning with the school grades calculated in
 1090 accordance with paragraph (3)(b) for the 2010-2011 school year,
 1091 the lowest-performing schools are schools that have received÷

PCS FOR HB 1255

ORIGINAL

2011

1092 1. A grade of "F" in the most recent school year and in 4
 1093 of the last 6 years; or

1094 2. A grade of "D" or "F" in the most recent school year
 1095 and meet at least three of the following criteria:

1096 a. The percentage of students who are not proficient in
 1097 reading has increased when compared to measurements taken 5
 1098 years previously;

1099 b. The percentage of students who are not proficient in
 1100 mathematics has increased when compared to measurements taken 5
 1101 years previously;

1102 c. At least 65 percent of the school's students are not
 1103 proficient in reading; or

1104 d. At least 65 percent of the school's students are not
 1105 proficient in mathematics.

1106 Section 16. Subsection (3) of section 1008.34, Florida
 1107 Statutes, is amended to read:

1108 1008.34 School grading system; school report cards;
 1109 district grade.—

1110 (3) DESIGNATION OF SCHOOL GRADES.—

1111 (a) Each school that has students who are tested and
 1112 included in the school grading system shall receive a school
 1113 grade, except as follows:

1114 1. A school shall not receive a school grade if the number
 1115 of its students tested and included in the school grading system
 1116 is less than the minimum sample size necessary, based on
 1117 accepted professional practice, for statistical reliability and
 1118 prevention of the unlawful release of personally identifiable
 1119 student data under s. 1002.22 or 20 U.S.C. s. 1232g.

PCS FOR HB 1255

ORIGINAL

2011

1120 2. An alternative school may choose to receive a school
1121 grade under this section or a school improvement rating under s.
1122 1008.341. For charter schools that meet the definition of an
1123 alternative school pursuant to State Board of Education rule,
1124 the decision to receive a school grade is the decision of the
1125 charter school governing board.

1126 3. A school that serves any combination of students in
1127 kindergarten through grade 3 which does not receive a school
1128 grade because its students are not tested and included in the
1129 school grading system shall receive the school grade designation
1130 of a K-3 feeder pattern school identified by the Department of
1131 Education and verified by the school district. A school feeder
1132 pattern exists if at least 60 percent of the students in the
1133 school serving a combination of students in kindergarten through
1134 grade 3 are scheduled to be assigned to the graded school.

1135 (b)1. A school's grade shall be based on a combination of:

1136 a. Student achievement scores, including achievement on
1137 all FCAT assessments administered under s. 1008.22(3)(c)1., end-
1138 of-course assessments administered under s. 1008.22(3)(c)2.a.,
1139 and achievement scores for students seeking a special diploma.

1140 b. Student learning gains in reading and mathematics as
1141 measured by FCAT and end-of-course assessments, as described in
1142 s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking
1143 a special diploma, as measured by an alternate assessment tool,
1144 shall be included not later than the 2009-2010 school year.

1145 c. Improvement of the lowest 25th percentile of students
1146 in the school in reading and mathematics on the FCAT or end-of-
1147 course assessments described in s. 1008.22(3)(c)2.a., unless

1148 | these students are exhibiting satisfactory performance.

1149 | 2. Beginning with the 2011-2012 school year, for schools
 1150 | comprised of middle school grades 6 through 8 or grades 7 and 8,
 1151 | the schools' grade shall include the performance and
 1152 | participation of its students enrolled in high school level
 1153 | courses with end-of-course assessments administered under s.
 1154 | 1008.22(3)(c)2.a. Performance and participation must be weighted
 1155 | equally.

1156 | ~~3.2.~~ Beginning with the 2009-2010 school year for schools
 1157 | comprised of high school grades 9, 10, 11, and 12, or grades 10,
 1158 | 11, and 12, 50 percent of the school grade shall be based on a
 1159 | combination of the factors listed in sub-subparagraphs 1.a.-c.
 1160 | and the remaining 50 percent on the following factors:

- 1161 | a. The high school graduation rate of the school;
- 1162 | b. As valid data becomes available, the performance and
 1163 | participation of the school's students in College Board Advanced
 1164 | Placement courses, International Baccalaureate courses, dual
 1165 | enrollment courses, and Advanced International Certificate of
 1166 | Education courses; and the students' achievement of national
 1167 | industry certification identified in the Industry Certification
 1168 | Funding List, pursuant to rules adopted by the State Board of
 1169 | Education;
- 1170 | c. Postsecondary readiness of the school's students as
 1171 | measured by the SAT, ACT, or the common placement test;
- 1172 | d. The high school graduation rate of at-risk students who
 1173 | scored at Level 2 or lower on the grade 8 FCAT Reading and
 1174 | Mathematics examinations;
- 1175 | e. As valid data becomes available, the performance of the

1176 school's students on statewide standardized end-of-course
 1177 assessments administered under s. 1008.22(3)(c)2.b. and c.; and
 1178 f. The growth or decline in the components listed in sub-
 1179 subparagraphs a.-e. from year to year.

1180 (c) Student assessment data used in determining school
 1181 grades shall include:

1182 1. The aggregate scores of all eligible students enrolled
 1183 in the school who have been assessed on the FCAT and statewide,
 1184 standardized end-of-course assessments in courses required for
 1185 high school graduation, including, beginning with the 2010-2011
 1186 school year, the end-of-course assessment in Algebra I; and
 1187 beginning with the 2011-2012 school year, the end-of-course
 1188 assessments in geometry and Biology; and beginning with the
 1189 2013-2014 school year, on the statewide, standardized end-of-
 1190 course assessment in civics education at the middle school
 1191 level.

1192 2. The aggregate scores of all eligible students enrolled
 1193 in the school who have been assessed on the FCAT and end-of-
 1194 course assessments as described in s. 1008.22(3)(c)2.a., and who
 1195 have scored at or in the lowest 25th percentile of students in
 1196 the school in reading and mathematics, unless these students are
 1197 exhibiting satisfactory performance.

1198 3. The achievement scores and learning gains of eligible
 1199 students attending alternative schools that provide dropout
 1200 prevention and academic intervention services pursuant to s.
 1201 1003.53. The term "eligible students" in this subparagraph does
 1202 not include students attending an alternative school who are
 1203 subject to district school board policies for expulsion for

PCS FOR HB 1255

ORIGINAL

2011

1204 repeated or serious offenses, who are in dropout retrieval
1205 programs serving students who have officially been designated as
1206 dropouts, or who are in programs operated or contracted by the
1207 Department of Juvenile Justice. The student performance data for
1208 eligible students identified in this subparagraph shall be
1209 included in the calculation of the home school's grade. As used
1210 in this subparagraph ~~section~~ and s. 1008.341, the term "home
1211 school" means the school to which the student would be assigned
1212 if the student were not assigned to an alternative school. If an
1213 alternative school chooses to be graded under this section,
1214 student performance data for eligible students identified in
1215 this subparagraph shall not be included in the home school's
1216 grade but shall be included only in the calculation of the
1217 alternative school's grade. A school district that fails to
1218 assign the FCAT and end-of-course assessment as described in s.
1219 1008.22(3)(c)2.a. scores of each of its students to his or her
1220 home school or to the alternative school that receives a grade
1221 shall forfeit Florida School Recognition Program funds for 1
1222 fiscal year. School districts must require collaboration between
1223 the home school and the alternative school in order to promote
1224 student success. This collaboration must include an annual
1225 discussion between the principal of the alternative school and
1226 the principal of each student's home school concerning the most
1227 appropriate school assignment of the student.

1228 4. The achievement scores and learning gains of students
1229 designated as hospital or homebound. Student assessment data for
1230 students designated as hospital or homebound shall be assigned
1231 to their home school for the purposes of school grades. As used

1232 in this subparagraph, the term "home school" means the school to
 1233 which a student would be assigned if the student were not
 1234 assigned to a hospital or homebound program.

1235 ~~5.4.~~ For schools comprised of high school grades 9, 10,
 1236 11, and 12, or grades 10, 11, and 12, the data listed in
 1237 subparagraphs 1.-3. and the following data as the Department of
 1238 Education determines such data are valid and available:

1239 a. The high school graduation rate of the school as
 1240 calculated by the Department of Education;

1241 b. The participation rate of all eligible students
 1242 enrolled in the school and enrolled in College Board Advanced
 1243 Placement courses; International Baccalaureate courses; dual
 1244 enrollment courses; Advanced International Certificate of
 1245 Education courses; and courses or sequence of courses leading to
 1246 national industry certification identified in the Industry
 1247 Certification Funding List, pursuant to rules adopted by the
 1248 State Board of Education;

1249 c. The aggregate scores of all eligible students enrolled
 1250 in the school in College Board Advanced Placement courses,
 1251 International Baccalaureate courses, and Advanced International
 1252 Certificate of Education courses;

1253 d. Earning of college credit by all eligible students
 1254 enrolled in the school in dual enrollment programs under s.
 1255 1007.271;

1256 e. Earning of a national industry certification identified
 1257 in the Industry Certification Funding List, pursuant to rules
 1258 adopted by the State Board of Education;

1259 f. The aggregate scores of all eligible students enrolled

PCS FOR HB 1255

ORIGINAL

2011

1260 in the school in reading, mathematics, and other subjects as
1261 measured by the SAT, the ACT, and the common placement test for
1262 postsecondary readiness;

1263 g. The high school graduation rate of all eligible at-risk
1264 students enrolled in the school who scored at Level 2 or lower
1265 on the grade 8 FCAT Reading and Mathematics examinations;

1266 h. The performance of the school's students on statewide
1267 standardized end-of-course assessments administered under s.
1268 1008.22(3)(c)2.b. and c.; and

1269 i. The growth or decline in the data components listed in
1270 sub-subparagraphs a.-h. from year to year.

1271 (d) Notwithstanding the requirements in paragraphs (b) and
1272 (c), beginning with the 2011-2012 school year, a school that
1273 does not meet the minimum percentage of students proficient in
1274 reading, established by rule of the State Board of Education
1275 pursuant to s. 120.54, shall receive a school grade of "F,"
1276 unless granted an exception by the department based upon
1277 significant gains in reading proficiency from the prior year, as
1278 defined by rule. The State Board of Education shall adopt rules
1279 pursuant to s. 120.54 to establish the minimum percentage and
1280 define the exception.

1281
1282 The State Board of Education shall adopt appropriate criteria
1283 for each school grade. The criteria must also give added weight
1284 to student achievement in reading. Schools designated with a
1285 grade of "C," making satisfactory progress, shall be required to
1286 demonstrate that adequate progress has been made by students in
1287 the school who are in the lowest 25th percentile in reading and

PCS FOR HB 1255

ORIGINAL

2011

1288 mathematics on the FCAT and end-of-course assessments as
 1289 described in s. 1008.22(3)(c)2.a., unless these students are
 1290 exhibiting satisfactory performance. Beginning with the 2009-
 1291 2010 school year for schools comprised of high school grades 9,
 1292 10, 11, and 12, or grades 10, 11, and 12, the criteria for
 1293 school grades must also give added weight to the graduation rate
 1294 of all eligible at-risk students, as defined in this paragraph.
 1295 Beginning in the 2009-2010 school year, in order for a high
 1296 school to be designated as having a grade of "A," making
 1297 excellent progress, the school must demonstrate that at-risk
 1298 students, as defined in this paragraph, in the school are making
 1299 adequate progress.

1300 Section 17. Paragraph (a) of subsection (3) of section
 1301 1011.01, Florida Statutes, is amended to read:

1302 1011.01 Budget system established.—

1303 (3)(a) Each district school board and each community
 1304 college board of trustees shall prepare, adopt, and submit to
 1305 the Commissioner of Education ~~for review~~ an annual operating
 1306 budget. Operating budgets shall be prepared and submitted in
 1307 accordance with the provisions of law, rules of the State Board
 1308 of Education, the General Appropriations Act, and for district
 1309 school boards in accordance with the provisions of ss. 200.065
 1310 and 1011.64.

1311 Section 18. Subsection (4) of section 1011.03, Florida
 1312 Statutes, is amended to read:

1313 1011.03 Public hearings; budget to be submitted to
 1314 Department of Education.—

1315 (4) The board shall hold public hearings to adopt

PCS FOR HB 1255

ORIGINAL

2011

1316 tentative and final budgets pursuant to s. 200.065. The hearings
1317 shall be primarily for the purpose of hearing requests and
1318 complaints from the public regarding the budgets and the
1319 proposed tax levies and for explaining the budget and proposed
1320 or adopted amendments thereto, if any. The district school board
1321 shall then require the superintendent to transmit forthwith two
1322 copies of the adopted budget to the Department of Education ~~for~~
1323 ~~approval~~ as prescribed by law and rules of the State Board of
1324 Education.

1325 Section 19. Section 1011.035, Florida Statutes, is created
1326 to read:

1327 1011.035—School district budget transparency.—

1328 (1) It is important for school districts to provide
1329 budgetary transparency to enable taxpayers, parents, and
1330 education advocates to obtain school district budget and related
1331 information in a manner that is simply explained and easily
1332 understandable. Financial transparency leads to more responsible
1333 spending, more citizen involvement, and improved accountability.
1334 A budget that is not transparent, accessible, and accurate
1335 cannot be properly analyzed, its implementation thoroughly
1336 monitored, or its outcomes evaluated.

1337 (2) Each district school board shall post on its website
1338 its plain language version of each proposed, tentative, and
1339 official budget that describes each budget item in terms that
1340 are easily understandable to the public. This information must
1341 be prominently posted on the school district's website in a
1342 manner that is readily accessible to the public.

1343 (3) Each district school board is encouraged to post the

PCS FOR HB 1255

ORIGINAL

2011

1344 following information on its website:

1345 (a) Timely information as to when a budget hearing will be
1346 conducted.

1347 (b) Each contract between the district school board and
1348 the teachers' union.

1349 (c) Each contract between the district school board and
1350 noninstructional staff.

1351 (d) Each contract exceeding \$35,000 between the school
1352 board and a vendor of services, supplies, or programs; or a
1353 contract for the purchase or lease of lands, facilities, or
1354 properties.

1355 (e) Each contract over \$35,000 that was an emergency
1356 procurement or a contract with a single source as authorized
1357 under s. 287.057(3).

1358 (f) Recommendations of the citizens' budget advisory
1359 committee.

1360 (g) Current and archived video recordings of each district
1361 school board meeting and workshop.

1362 (4) The website should contain links:

1363 (a) To help explain or provide background information on
1364 various budget items that are required by state or federal law.

1365 (b) To allow users to navigate to related sites to view
1366 supporting detail.

1367 (c) To enable taxpayers, parents, and education advocates
1368 to send e-mails asking questions about the budget and to enable
1369 others to see the questions and responses.

1370 Section 20. Subsection (1) of section 1012.39, Florida
1371 Statutes, is amended to read:

1372 1012.39 Employment of substitute teachers, teachers of
 1373 adult education, nondegreed teachers of career education, and
 1374 career specialists; students performing clinical field
 1375 experience.—

1376 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and
 1377 1012.57, or any other provision of law or rule to the contrary,
 1378 each district school board shall establish the minimal
 1379 qualifications for:

1380 (a) Substitute teachers to be employed pursuant to s.
 1381 1012.35. The qualifications shall require the filing of a
 1382 complete set of fingerprints in the same manner as required by
 1383 s. 1012.32; documentation of a minimum education level of a high
 1384 school diploma or equivalent; and completion of an initial
 1385 orientation and training program in district policies and
 1386 procedures addressing school safety and security procedures,
 1387 educational liability laws, professional responsibilities, and
 1388 ethics.

1389 (b) Part-time and full-time teachers in adult education
 1390 programs. The qualifications shall require the filing of a
 1391 complete set of fingerprints in the same manner as required by
 1392 s. 1012.32. Faculty employed solely to conduct postsecondary
 1393 instruction may be exempted from this requirement.

1394 (c) Part-time and full-time nondegreed teachers of career
 1395 programs. Qualifications shall be established for nondegreed
 1396 teachers of career and technical education courses for program
 1397 clusters that are recognized in the state and ~~agriculture,~~
 1398 ~~business, health occupations, family and consumer sciences,~~
 1399 ~~industrial, marketing, career specialist, and public service~~

1400 ~~education teachers,~~ based primarily on successful occupational
 1401 experience rather than academic training. The qualifications for
 1402 such teachers shall require:

1403 1. The filing of a complete set of fingerprints in the
 1404 same manner as required by s. 1012.32. Faculty employed solely
 1405 to conduct postsecondary instruction may be exempted from this
 1406 requirement.

1407 2. Documentation of education and successful occupational
 1408 experience including documentation of:

1409 a. A high school diploma or the equivalent.

1410 b. Completion of 6 years of full-time successful
 1411 occupational experience or the equivalent of part-time
 1412 experience in the teaching specialization area. Alternate means
 1413 of determining successful occupational experience may be
 1414 established by the district school board.

1415 c. Completion of career education training conducted
 1416 through the local school district inservice master plan.

1417 d. For full-time teachers, completion of professional
 1418 education training in teaching methods, course construction,
 1419 lesson planning and evaluation, and teaching special needs
 1420 students. This training may be completed through coursework from
 1421 an accredited or approved institution or an approved district
 1422 teacher education program.

1423 e. Demonstration of successful teaching performance.

1424 f. Documentation of industry certification when state or
 1425 national industry certifications are available and applicable.

1426 Section 21. Except as otherwise expressly provided in this
 1427 act and except for this section, which shall take effect upon

PCS FOR HB 1255

ORIGINAL

2011

1428 | becoming a law, this act shall take effect July 1, 2011. |