

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 Office of the Commissioner of Education;
7 amending s. 1001.42, F.S.; revising the powers and duties
8 of district school boards relating to student access to
9 Florida Virtual School courses; creating s. 1001.421,
10 F.S.; prohibiting district school board members and their
11 relatives from accepting certain gifts; amending s.
12 1002.37, F.S.; conforming provisions to changes made by
13 the act; amending s. 1002.38, F.S.; limiting the basis for
14 designation of school grades for purposes of the
15 Opportunity Scholarship Program; amending s. 1002.45,
16 F.S.; revising provisions relating to virtual instruction
17 program provider qualifications; amending s. 1002.67,
18 F.S.; requiring that the State Board of Education
19 periodically review and revise the performance standards
20 for the statewide kindergarten screening; amending s.
21 1002.69, F.S.; revising provisions relating to the minimum
22 kindergarten readiness rate and criteria for good cause
23 exemptions from meeting the requirement; amending s.
24 1003.4156, F.S.; revising the general requirements for
25 middle grades promotion; providing that a student with a
26 disability may have end-of-course assessment results
27 waived under certain circumstances; providing that a
28 middle grades student may be exempt from reading

29 remediation requirements under certain circumstances;
30 creating s. 1003.4203, F.S.; authorizing each district
31 school board to develop and implement a digital curriculum
32 for students in grades 6 through 12; requiring the
33 Department of Education to develop a model digital
34 curriculum; authorizing partnerships with private
35 businesses and consultants; amending s. 1003.428, F.S.;
36 revising provisions relating to the general requirements
37 for high school graduation; providing that a high school
38 student may be exempt from reading remediation
39 requirements under certain circumstances; amending s.
40 1003.493, F.S.; revising provisions relating to career and
41 professional academies to include middle schools;
42 requiring that the middle school career and professional
43 academy curriculum align with that of high school career
44 and professional academies; requiring partnerships with
45 high schools or other entities; amending s. 1003.575,
46 F.S.; providing requirements for completion of an
47 assistive technology assessment; amending s. 1008.22,
48 F.S.; revising provisions relating to the student
49 assessment program for public schools; requiring that the
50 Commissioner of Education direct school districts to
51 participate in certain international assessment programs;
52 authorizing a school principal to exempt certain students
53 from the end-of-course assessment in civics education;
54 amending s. 1008.33, F.S.; revising provisions relating to
55 public school improvement; requiring the Department of
56 Education to categorize public schools based on the

57 portion of a school's grade that relies on statewide
58 assessments; amending s. 1008.34, F.S.; revising the basis
59 for the designation of school grades; including
60 achievement scores and learning gains for students who are
61 hospital or homebound; requiring a school that does not
62 meet minimal proficiency standards to receive a specified
63 school grade; amending s. 1011.01, F.S.; revising
64 provisions relating to the annual operating budgets of
65 district school boards and Florida College System
66 institution boards of trustees; amending s. 1011.03, F.S.;
67 revising provisions relating to adopted district school
68 board budgets; creating s. 1011.035, F.S.; requiring each
69 school district to post budgetary information its website;
70 amending s. 1012.39, F.S.; revising provisions relating to
71 the qualifications for nondegreed teachers of career
72 education; providing effective dates.

73
74 Be It Enacted by the Legislature of the State of Florida:

75
76 Section 1. Paragraph (a) of subsection (4) of section
77 1001.20, Florida Statutes, is amended to read:

78 1001.20 Department under direction of state board.—

79 (4) The Department of Education shall establish the
80 following offices within the Office of the Commissioner of
81 Education which shall coordinate their activities with all other
82 divisions and offices:

83 (a) Office of Technology and Information Services.—

84 Responsible for developing a systemwide technology plan, making

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85 budget recommendations to the commissioner, providing data
86 collection and management for the system, assisting school
87 districts in securing Internet access and telecommunications
88 services, including those eligible for funding under the Schools
89 and Libraries Program of the federal Universal Service Fund, and
90 coordinating services with other state, local, and private
91 agencies. The office shall develop a method to address the need
92 for a statewide approach to planning and operations of library
93 and information services to achieve a single K-20 education
94 system library information portal and a unified higher education
95 library management system. ~~The Florida Virtual School shall be~~
96 ~~administratively housed within the office.~~

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

99 1001.42 Powers and duties of district school board.—The
100 district school board, acting as a board, shall exercise all
101 powers and perform all duties listed below:

102 (23) FLORIDA VIRTUAL SCHOOL.—Provide students with access
103 to ~~enroll in~~ courses available through the Florida Virtual
104 School and award credit for successful completion of such
105 courses. Access shall be available to students during and ~~or~~
106 after the normal school day and through summer school
107 enrollment.

108 Section 3. Section 1001.421, Florida Statutes, is created
109 to read:

110 1001.421 Gifts.—Notwithstanding ss. 112.3148 and 112.3149
111 or any other provision of law to the contrary, district school
112 board members and their relatives, as defined in s. 112.312(21),

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113 may not directly or indirectly solicit or accept any gift, as
114 defined in s. 112.312(12), from any person, vendor, potential
115 vendor, or other entity doing business with the school district.

116 Section 4. Paragraph (a) of subsection (1) of section
117 1002.37, Florida Statutes, is amended to read:

118 1002.37 The Florida Virtual School.—

119 (1)(a) The Florida Virtual School is established for the
120 development and delivery of online and distance learning
121 education ~~and shall be administratively housed within the~~
122 ~~Commissioner of Education's Office of Technology and Information~~
123 ~~Services.~~ The Commissioner of Education shall monitor the
124 school's performance and report its performance to the State
125 Board of Education and the Legislature.

126
127 The board of trustees of the Florida Virtual School shall
128 identify appropriate performance measures and standards based on
129 student achievement that reflect the school's statutory mission
130 and priorities, and shall implement an accountability system for
131 the school that includes assessment of its effectiveness and
132 efficiency in providing quality services that encourage high
133 student achievement, seamless articulation, and maximum access.

134 Section 5. Subsection (2) of section 1002.38, Florida
135 Statutes, is amended to read:

136 1002.38 Opportunity Scholarship Program.—

137 (2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.—For purposes of
138 this section, eligibility requirements relating to a school's
139 grade, pursuant to s. 1008.34, shall be determined only by that
140 portion of the school grade which is based on statewide

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141 assessments administered pursuant to s. 1008.22. A public school
142 student's parent may request and receive from the state an
143 opportunity scholarship for the student to enroll in and attend
144 a private school in accordance with the provisions of this
145 section if:

146 (a)1. By assigned school attendance area or by special
147 assignment, the student has spent the prior school year in
148 attendance at a public school that has been designated pursuant
149 to s. 1008.34 as performance grade category "F," failing to make
150 adequate progress, and that has had 2 school years in a 4-year
151 period of such low performance, and the student's attendance
152 occurred during a school year in which such designation was in
153 effect;

154 2. The student has been in attendance elsewhere in the
155 public school system and has been assigned to such school for
156 the next school year; or

157 3. The student is entering kindergarten or first grade and
158 has been notified that the student has been assigned to such
159 school for the next school year.

160 (b) The parent has obtained acceptance for admission of
161 the student to a private school eligible for the program
162 pursuant to subsection (4), and has notified the Department of
163 Education and the school district of the request for an
164 opportunity scholarship no later than July 1 of the first year
165 in which the student intends to use the scholarship.

166
167 The provisions of this section shall not apply to a student who
168 is enrolled in a school operating for the purpose of providing

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educational services to youth in Department of Juvenile Justice commitment programs. For purposes of continuity of educational choice, the opportunity scholarship shall remain in force until the student returns to a public school or, if the student chooses to attend a private school the highest grade of which is grade 8, until the student matriculates to high school and the public high school to which the student is assigned is an accredited school with a performance grade category designation of "C" or better. However, at any time upon reasonable notice to the Department of Education and the school district, the student's parent may remove the student from the private school and place the student in a public school, as provided in subparagraph (3)(a)2.

Section 6. Paragraph (b) of subsection (2) of section 1002.45, Florida Statutes, is amended to read:

1002.45 School district virtual instruction programs.—

(2) PROVIDER QUALIFICATIONS.—

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

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

1002.67 Performance standards; curricula and accountability.—

(1) (a) By April 1, 2005, the department shall develop and adopt performance standards for students in the Voluntary

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Prekindergarten Education Program. The performance standards must address the age-appropriate progress of students in the development of:

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

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

(b) The State Board of Education shall periodically review and revise the performance standards for the statewide kindergarten screening administered under s. 1002.69 and align the standards to the standards established by the state board for student performance on the statewide assessments administered pursuant to s. 1008.22.

(3)

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

2. If a private prekindergarten provider or public school fails to meet the minimum rate adopted by the State Board of Education as satisfactory under s. 1002.69(6) ~~for 2 consecutive years~~, the early learning coalition or school district, as

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applicable, shall place the provider or school on probation and must require the provider or school to take certain corrective actions, including the use of a curriculum approved by the department under paragraph (2)(c).

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

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

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

1002.69 Statewide kindergarten screening; kindergarten readiness rates.—

(6) ~~(a)~~ The State Board of Education shall periodically adopt a minimum kindergarten readiness rate that, if achieved by a private prekindergarten provider or public school, would

253 demonstrate the provider's or school's satisfactory delivery of
254 the Voluntary Prekindergarten Education Program.

255 ~~(b) The minimum rate must not exceed the rate at which~~
256 ~~more than 15 percent of the kindergarten readiness rates of all~~
257 ~~private prekindergarten providers and public schools delivering~~
258 ~~the Voluntary Prekindergarten Education Program in the state~~
259 ~~would fall below the minimum rate.~~

260 (7)

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

266 1. Submission of data by the private prekindergarten
267 provider or public school which documents ~~on a standardized~~
268 ~~assessment~~ the achievement and progress of the children served
269 as measured by a standardized pre-assessment and a standardized
270 post-assessment approved by the department pursuant to paragraph

271 (c) 1.

272 2. Submission and review of data available from the
273 respective early learning coalition or district school board,
274 the Department of Children and Family Services, local licensing
275 authority, or an accrediting association, as applicable,
276 relating to the private prekindergarten provider's or public
277 school's compliance with state and local health and safety
278 standards.

279 3. Submission and review of data available to the
280 department on the performance of the children served and the

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calculation of the private prekindergarten provider's or public school's kindergarten readiness rate.

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

1. Learning gains of children served in the Voluntary Prekindergarten Education Program by the private prekindergarten provider or public school. A provider seeking a good cause exemption shall have the early learning coalition or a department-approved second party administer a department-approved standardized assessment to each child in the prekindergarten provider's program within the first 30 days of each school year for which a good cause exemption is sought, and the provider shall administer a department-approved standardized followup assessment to measure the student's learning gains for the year or summer, as appropriate. All data must be submitted to the department within 30 days after the administration of each assessment.

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

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

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

1003.4156 General requirements for middle grades

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309 promotion.—

310 ~~(1) Beginning with students entering grade 6 in the 2006-~~
311 ~~2007 school year,~~ Promotion from a school composed of middle
312 grades 6, 7, and 8 requires that:

313 (a) The student must successfully complete academic
314 courses as follows:

315 1. Three middle school or higher courses in English. These
316 courses shall emphasize literature, composition, and technical
317 text.

318 2. Three middle school or higher courses in mathematics.
319 Each middle school must offer at least one high school level
320 mathematics course for which students may earn high school
321 credit. Successful completion of a high school level Algebra I
322 or geometry course is not contingent upon the student's
323 performance on the end-of-course assessment required under s.
324 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
325 school year, to earn high school credit for an Algebra I course,
326 a middle school student must pass the Algebra I end-of-course
327 assessment, and beginning with the 2012-2013 school year, to
328 earn high school credit for a geometry course, a middle school
329 student must pass the geometry end-of-course assessment.

330 3. Three middle school or higher courses in social
331 studies, one semester of which must include the study of state
332 and federal government and civics education. Beginning with
333 students entering grade 6 in the 2012-2013 school year, one of
334 these courses must be at least a one-semester civics education
335 course that a student successfully completes in accordance with
336 s. 1008.22(3)(c) and that includes the roles and

responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States.

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

5. One course in career and education planning to be completed in 7th or 8th grade. The course may be taught by any member of the instructional staff; must include career exploration using Florida CHOICES or a comparable cost-effective program; must include educational planning using the online student advising system known as Florida Academic Counseling and Tracking for Students at the Internet website FACTS.org; and shall result in the completion of a personalized academic and career plan. The required personalized academic and career plan must inform students of high school graduation requirements, high school assessment and college entrance test requirements, Florida Bright Futures Scholarship Program requirements, state university and Florida college admission requirements, and programs through which a high school student can earn college credit, including Advanced Placement, International

Baccalaureate, Advanced International Certificate of Education, dual enrollment, career academy opportunities, and courses that lead to national industry certification.

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

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

(b) For each year in which a student scores at Level 1 on FCAT Reading, the student must be enrolled in and complete an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which reading strategies are delivered shall be

determined by diagnosis of reading needs. The department shall provide guidance on appropriate strategies for diagnosing and meeting the varying instructional needs of students reading below grade level. Reading courses shall be designed and offered pursuant to the comprehensive reading plan required by s.

1011.62(9). A middle grades student who scores at Level 1 or Level 2 on FCAT Reading but who did not score below Level 3 in the previous 3 years may be granted a 1-year exemption from the reading remediation requirement; however, the student must have an approved academic improvement plan already in place, signed by the appropriate school staff and the student's parent for the year for which the exemption is granted.

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

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

1003.4203 Digital curriculum.—

(1) Each district school board, in consultation with the district school superintendent, may develop and implement a digital curriculum for students in grades 6 through 12 to enable students to attain competencies in web communications and web design. A digital curriculum may include web-based skills, web-based core technologies, web design, use of digital technologies and markup language to evidence competency in computer skills, and use of web-based core technologies to design creative, informational, and content standards for web-based digital

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421 products that demonstrate proficiency in creating, publishing,
422 testing, monitoring, and maintaining a website.

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

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

429 (4) A district school board may seek partnerships with
430 private businesses and consultants to offer classes and
431 instruction to teachers and students to assist the school
432 district in providing digital curriculum instruction.

433 Section 11. Paragraph (b) of subsection (2) of section
434 1003.428, Florida Statutes, is amended to read:

435 1003.428 General requirements for high school graduation;
436 revised.—

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

440 (b) Eight credits in electives.

441 1. For each year in which a student scores at Level 1 on
442 FCAT Reading, the student must be enrolled in and complete an
443 intensive reading course the following year. Placement of Level
444 2 readers in either an intensive reading course or a content
445 area course in which reading strategies are delivered shall be
446 determined by diagnosis of reading needs. The department shall
447 provide guidance on appropriate strategies for diagnosing and
448 meeting the varying instructional needs of students reading

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below grade level. Reading courses shall be designed and offered pursuant to the comprehensive reading plan required by s. 1011.62(9). A high school student who scores at Level 1 or Level 2 on FCAT Reading but who did not score below Level 3 in the previous 3 years may be granted a 1-year exemption from the reading remediation requirement; however, the student must have an approved academic improvement plan already in place, signed by the appropriate school staff and the student's parent for the year for which the exemption is granted.

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

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

1003.493 Career and professional academies.—

(1) A "career and professional academy" is a research-based program that integrates a rigorous academic curriculum with an industry-specific curriculum aligned directly to priority workforce needs established by the regional workforce board. High school career and professional academies shall, and middle school career and professional academies may, be offered by public schools and school districts. The Florida Virtual School is encouraged to develop and offer rigorous career and professional courses as appropriate. Students completing high school career and professional academy programs must receive a

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standard high school diploma, the highest available industry certification, and opportunities to earn postsecondary credit if the academy partners with a postsecondary institution approved to operate in the state. Students completing a middle school career and professional academy program must have the opportunity to earn an industry certification, earn high school credit, and participate in career planning, job shadowing, and leadership-development opportunities.

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

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

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

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

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

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

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

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

(3) Existing career education courses may serve as a foundation for the creation of a career and professional

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academy. A career and professional academy may be offered as one of the following small learning communities:

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

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

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

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

(5) ~~(b)~~ Each middle school or high school career and professional academy must include one or more partnerships with postsecondary institutions, businesses, industry, employers, economic development organizations, or other appropriate partners from the local community. Such partnerships shall be delineated in articulation agreements to provide for career-based courses that earn postsecondary credit. Such agreements may include articulation between the academy and public or private 2-year and 4-year postsecondary institutions and technical centers. The Department of Education, in consultation

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with the Board of Governors, shall establish a mechanism to ensure articulation and transfer of credits to postsecondary institutions in this state. Such partnerships must provide opportunities for:

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

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

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

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

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

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

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

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

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

(d)~~(f)~~ Provide instruction in careers designated as high

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561 growth, high demand, and high pay by the local workforce
562 development board, the chamber of commerce, or the Agency for
563 Workforce Innovation.

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

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

570 (g)~~(i)~~ Provide instruction resulting in competency,
571 certification, or credentials in workplace skills, including,
572 but not limited to, communication skills, interpersonal skills,
573 decisionmaking skills, the importance of attendance and
574 timeliness in the work environment, and work ethics.

575 (h)~~(j)~~ Provide opportunities for students to obtain the
576 Florida Ready to Work Certification pursuant to s. 1004.99.

577 (i)~~(k)~~ Include an evaluation plan developed jointly with
578 the Department of Education and the local workforce board. The
579 evaluation plan must include an assessment tool based on
580 national industry standards, such as the Career Academy National
581 Standards of Practice, and outcome measures, including, but not
582 limited to, achievement of national industry certifications
583 identified in the Industry Certification Funding List, pursuant
584 to rules adopted by the State Board of Education, graduation
585 rates, enrollment in postsecondary education, business and
586 industry satisfaction, employment and earnings, awards of
587 postsecondary credit and scholarships, and student achievement
588 levels and learning gains on statewide assessments administered

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589 under s. 1008.22(3)(c). The Department of Education shall use
590 Workforce Florida, Inc., and Enterprise Florida, Inc., in
591 identifying industry experts to participate in developing and
592 implementing such assessments.

593 ~~(j)(1)~~ Include a plan to sustain career and professional
594 academies.

595 ~~(k)(m)~~ Redirect appropriated career funding to career and
596 professional academies.

597 ~~(7)(5)~~ All high school career courses offered in a career
598 and professional academy must lead to industry certification or
599 college credit linked directly to the career theme of the
600 course. At least 50 percent of students enrolled in a career
601 course must achieve industry certifications or college credits
602 during the second year the course is offered in order for the
603 course to be offered a third year. At least 66 percent of
604 students enrolled in such a course must achieve industry
605 certifications or college credits during the third year the
606 course is offered in order for it to be offered a fourth year
607 and thereafter.

608 (8) Each middle school career and professional academy's
609 curriculum and coursework must be aligned with that of high
610 school career and professional academies in the school district
611 and include one or more partnerships with high schools,
612 businesses, industry, employers, economic development
613 organizations, or other appropriate partners from the local
614 community. Such partnerships must provide opportunities for:

615 (a) Instruction from highly skilled professionals who
616 possess industry-certification credentials for courses they are

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617 teaching.

618 (b) Internships and externships.

619 (c) Maximum articulation of high school dual enrollment
620 credits upon program completion.

621 (d) Personalized student advisement, including a parent-
622 participation component, and coordination with high schools to
623 promote accelerated course credit.

624 (e) Instruction in careers designated as high growth, high
625 demand, and high pay by the local workforce development board,
626 the chamber of commerce, or the Agency for Workforce Innovation.

627 (f) The delivery of academic content through instruction
628 that is relevant to a career, including intensive reading and
629 mathematics intervention required by ss. 1003.4156 and 1003.428,
630 along with an emphasis on strengthening reading for information
631 skills.

632 (g) Applied courses that combine academic content with
633 technical skills.

634 (h) Instruction resulting in competency, including, but
635 not limited to, communication skills, interpersonal skills,
636 decisionmaking skills, the importance of attendance and
637 timeliness in the work environment, and work ethics.

638 (i) An evaluation plan developed jointly with the
639 Department of Education and the local workforce board. The
640 department shall consult with Workforce Florida, Inc., and
641 Enterprise Florida, Inc., in identifying industry experts to
642 participate in developing and implementing evaluation
643 assessments.

644 ~~(6) The Okaloosa County School District CHOICE Institutes~~

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~~shall serve in an advisory role and shall offer technical assistance in the development of newly established career and professional academies for a 3-year period beginning July 1, 2007.~~

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

1003.575 Assistive technology devices; findings; interagency agreements.—Accessibility, utilization, and coordination of appropriate assistive technology devices and services are essential as a young person with disabilities moves from early intervention to preschool, from preschool to school, from one school to another, and from school to employment or independent living. Within 60 school days after receiving a request for an assistive technology assessment for a student with a disability as defined in s. 1003.01(3), the individual education plan team shall seek consent from the parent and, if consent is granted, the school district shall complete the assessment. To ensure that an assistive technology device issued to a young person as part of his or her individualized family support plan, individual support plan, or an individual education plan remains with the individual through such transitions, the following agencies shall enter into interagency agreements, as appropriate, to ensure the transaction of assistive technology devices:

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

(2) The Division of Blind Services, the Bureau of

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673 Exceptional Education and Student Services, and the Division of
674 Vocational Rehabilitation of the Department of Education.

675 (3) The Voluntary Prekindergarten Education Program
676 administered by the Department of Education and the Agency for
677 Workforce Innovation.

678
679 Interagency agreements entered into pursuant to this section
680 shall provide a framework for ensuring that young persons with
681 disabilities and their families, educators, and employers are
682 informed about the utilization and coordination of assistive
683 technology devices and services that may assist in meeting
684 transition needs, and shall establish a mechanism by which a
685 young person or his or her parent may request that an assistive
686 technology device remain with the young person as he or she
687 moves through the continuum from home to school to postschool.

688 Section 14. Effective upon this act becoming a law,
689 subsection (2) and paragraph (c) of subsection (3) of section
690 1008.22, Florida Statutes, are amended to read:

691 1008.22 Student assessment program for public schools.—

692 (2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—It
693 is Florida's intent to participate in the measurement of
694 national educational goals. The Commissioner of Education shall
695 direct Florida school districts to participate in the
696 administration of the National Assessment of Educational
697 Progress, or ~~a~~ similar national or international assessment
698 program, both for the national sample and for any state-by-state
699 comparison programs which may be initiated. The assessments must
700 be conducted using the data collection procedures, the student

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701 surveys, the educator surveys, and other instruments included in
702 the National Assessment of Educational Progress or similar
703 national or international assessment program being administered
704 in Florida. The results of these assessments shall be included
705 in the annual report of the Commissioner of Education specified
706 in this section, as applicable. The administration of the
707 National Assessment of Educational Progress or similar national
708 or international assessment program shall be in addition to and
709 separate from the administration of the statewide assessment
710 program.

711 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
712 design and implement a statewide program of educational
713 assessment that provides information for the improvement of the
714 operation and management of the public schools, including
715 schools operating for the purpose of providing educational
716 services to youth in Department of Juvenile Justice programs.
717 The commissioner may enter into contracts for the continued
718 administration of the assessment, testing, and evaluation
719 programs authorized and funded by the Legislature. Contracts may
720 be initiated in 1 fiscal year and continue into the next and may
721 be paid from the appropriations of either or both fiscal years.
722 The commissioner is authorized to negotiate for the sale or
723 lease of tests, scoring protocols, test scoring services, and
724 related materials developed pursuant to law. Pursuant to the
725 statewide assessment program, the commissioner shall:

726 (c) Develop and implement a student achievement testing
727 program as follows:

728 1. The Florida Comprehensive Assessment Test (FCAT)

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

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

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

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subparagraph. Beginning with the 2010-2011 school year, all students enrolled in Algebra I or an equivalent course must take the Algebra I end-of-course assessment. ~~Students who earned high school credit in Algebra I while in grades 6 through 8 during the 2007-2008 through 2009-2010 school years and who have not taken Grade 10 FCAT Mathematics must take the Algebra I end-of-course assessment during the 2010-2011 school year.~~ For students entering grade 9 during the 2010-2011 school year and who are enrolled in Algebra I or an equivalent, each student's performance on the end-of-course assessment in Algebra I shall constitute 30 percent of the student's final course grade. Beginning with students entering grade 9 in the 2011-2012 school year, a student who is enrolled in Algebra I or an equivalent must earn a passing score on the end-of-course assessment in Algebra I or attain an equivalent score as described in subsection (11) in order to earn course credit. Beginning with the 2011-2012 school year, all students enrolled in geometry or an equivalent course must take the geometry end-of-course assessment. For students entering grade 9 during the 2011-2012 school year, each student's performance on the end-of-course assessment in geometry shall constitute 30 percent of the student's final course grade. Beginning with students entering grade 9 during the 2012-2013 school year, a student must earn a passing score on the end-of-course assessment in geometry or attain an equivalent score as described in subsection (11) in order to earn course credit.

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

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

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

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

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813 or Advanced International Certificate of Education course, or
814 industry-approved examinations to earn national industry
815 certifications identified in the Industry Certification Funding
816 List, pursuant to rules adopted by the State Board of Education,
817 for use as end-of-course assessments under this paragraph, if
818 the commissioner determines that the content knowledge and
819 skills assessed by the examinations meet or exceed the grade
820 level expectations for the core curricular content established
821 for the course in the Next Generation Sunshine State Standards.
822 The commissioner may collaborate with the American Diploma
823 Project in the adoption or development of rigorous end-of-course
824 assessments that are aligned to the Next Generation Sunshine
825 State Standards.

826 d. Contingent upon funding provided in the General
827 Appropriations Act, including the appropriation of funds
828 received through federal grants, the Commissioner of Education
829 shall establish an implementation schedule for the development
830 and administration of additional statewide, standardized end-of-
831 course assessments in English/Language Arts II, Algebra II,
832 chemistry, physics, earth/space science, United States history,
833 and world history. Priority shall be given to the development of
834 end-of-course assessments in English/Language Arts II. The
835 Commissioner of Education shall evaluate the feasibility and
836 effect of transitioning from the grade 9 and grade 10 FCAT
837 Reading and high school level FCAT Writing to an end-of-course
838 assessment in English/Language Arts II. The commissioner shall
839 report the results of the evaluation to the President of the
840 Senate and the Speaker of the House of Representatives no later

841 than July 1, 2011.

842 3. The testing program shall measure student content
843 knowledge and skills adopted by the State Board of Education as
844 specified in paragraph (a) and measure and report student
845 performance levels of all students assessed in reading, writing,
846 mathematics, and science. The commissioner shall provide for the
847 tests to be developed or obtained, as appropriate, through
848 contracts and project agreements with private vendors, public
849 vendors, public agencies, postsecondary educational
850 institutions, or school districts. The commissioner shall obtain
851 input with respect to the design and implementation of the
852 testing program from state educators, assistive technology
853 experts, and the public.

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

859 5. FCAT Reading, Mathematics, and Science and all
860 statewide, standardized end-of-course assessments shall measure
861 the content knowledge and skills a student has attained on the
862 assessment by the use of scaled scores and achievement levels.
863 Achievement levels shall range from 1 through 5, with level 1
864 being the lowest achievement level, level 5 being the highest
865 achievement level, and level 3 indicating satisfactory
866 performance on an assessment. For purposes of FCAT Writing,
867 student achievement shall be scored using a scale of 1 through 6
868 and the score earned shall be used in calculating school grades.

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

873 6. The State Board of Education shall, by rule, designate
874 a passing score for each part of the grade 10 assessment test
875 and end-of-course assessments. Any rule that has the effect of
876 raising the required passing scores may apply only to students
877 taking the assessment for the first time after the rule is
878 adopted by the State Board of Education. Except as otherwise
879 provided in this subparagraph and as provided in s.

880 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a
881 passing score on grade 10 FCAT Reading and grade 10 FCAT
882 Mathematics or attain concordant scores as described in
883 subsection (10) in order to qualify for a standard high school
884 diploma.

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

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

897 student earns passing scores or achieves scores on a
898 standardized assessment which are concordant with passing scores
899 pursuant to subsection (10). If a student does not participate
900 in the statewide assessment, the district must notify the
901 student's parent and provide the parent with information
902 regarding the implications of such nonparticipation. A parent
903 must provide signed consent for a student to receive classroom
904 instructional accommodations that would not be available or
905 permitted on the statewide assessments and must acknowledge in
906 writing that he or she understands the implications of such
907 instructional accommodations. The State Board of Education shall
908 adopt rules, based upon recommendations of the commissioner, for
909 the provision of test accommodations for students in exceptional
910 education programs and for students who have limited English
911 proficiency. Accommodations that negate the validity of a
912 statewide assessment are not allowable in the administration of
913 the FCAT or an end-of-course assessment. However, instructional
914 accommodations are allowable in the classroom if included in a
915 student's individual education plan. Students using
916 instructional accommodations in the classroom that are not
917 allowable as accommodations on the FCAT or an end-of-course
918 assessment may have the FCAT or an end-of-course assessment
919 requirement waived pursuant to the requirements of s.
920 1003.428(8)(b) or s. 1003.43(11)(b).

921 9. A student seeking an adult high school diploma must
922 meet the same testing requirements that a regular high school
923 student must meet.

924 10. District school boards must provide instruction to

925 prepare students in the core curricular content established in
926 the Next Generation Sunshine State Standards adopted under s.
927 1003.41, including the core content knowledge and skills
928 necessary for successful grade-to-grade progression and high
929 school graduation. If a student is provided with instructional
930 accommodations in the classroom that are not allowable as
931 accommodations in the statewide assessment program, as described
932 in the test manuals, the district must inform the parent in
933 writing and must provide the parent with information regarding
934 the impact on the student's ability to meet expected performance
935 levels in reading, writing, mathematics, and science. The
936 commissioner shall conduct studies as necessary to verify that
937 the required core curricular content is part of the district
938 instructional programs.

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

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

948 13. For students seeking a special diploma pursuant to s.
949 1003.438, the Department of Education must develop or select and
950 implement an alternate assessment tool that accurately measures
951 the core curricular content established in the Next Generation
952 Sunshine State Standards for students with disabilities under s.

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1003.438.

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

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

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

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

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981 The commissioner shall select a 3-week administration period for
982 assessments that meets the intent of end-of-course assessments
983 and provides student results prior to the end of the course.

984 School districts shall select 1 testing week within the 3-week
985 administration period for each end-of-course assessment. For an
986 end-of-course assessment administered at the end of the first
987 semester, the commissioner shall determine the most appropriate
988 testing dates based on a school district's academic calendar.
989

990 The commissioner may, based on collaboration and input from
991 school districts, design and implement student testing programs,
992 for any grade level and subject area, necessary to effectively
993 monitor educational achievement in the state, including the
994 measurement of educational achievement of the Next Generation
995 Sunshine State Standards for students with disabilities.

996 Development and refinement of assessments shall include
997 universal design principles and accessibility standards that
998 will prevent any unintended obstacles for students with
999 disabilities while ensuring the validity and reliability of the
1000 test. These principles should be applicable to all technology
1001 platforms and assistive devices available for the assessments.
1002 The field testing process and psychometric analyses for the
1003 statewide assessment program must include an appropriate
1004 percentage of students with disabilities and an evaluation or
1005 determination of the effect of test items on such students.

1006 Section 15. Paragraph (b) of subsection (3) and subsection
1007 (4) of section 1008.33, Florida Statutes, are amended to read:
1008 1008.33 Authority to enforce public school improvement.—

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(3)

(b) For the purpose of determining whether a public school requires action to achieve a sufficient level of school improvement, beginning with the 2010-2011 school year, the Department of Education shall annually categorize a public school in one of six categories based on the following:

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

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

(4) The Department of Education shall create a matrix that reflects intervention and support strategies to address the particular needs of schools in each category.

(a) Intervention and support strategies shall be applied to schools based upon the school categorization pursuant to paragraph (3) (b). The Department of Education shall apply the most intense intervention strategies to the lowest-performing schools. For all but the lowest category and "F" schools in the second lowest category, the intervention and support strategies shall be administered solely by the districts and the schools.

(b) The lowest-performing schools are schools that are categorized pursuant to paragraph (3) (b) and have received:

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

2. A grade of "D" or "F" in the most recent school year

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and meet at least three of the following criteria:

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

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

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

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

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

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

(3) DESIGNATION OF SCHOOL GRADES.—

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

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

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

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1065 alternative school pursuant to State Board of Education rule,
1066 the decision to receive a school grade is the decision of the
1067 charter school governing board.

1068 3. A school that serves any combination of students in
1069 kindergarten through grade 3 which does not receive a school
1070 grade because its students are not tested and included in the
1071 school grading system shall receive the school grade designation
1072 of a K-3 feeder pattern school identified by the Department of
1073 Education and verified by the school district. A school feeder
1074 pattern exists if at least 60 percent of the students in the
1075 school serving a combination of students in kindergarten through
1076 grade 3 are scheduled to be assigned to the graded school.

1077 (b)1. A school's grade shall be based on a combination of:

1078 a. Student achievement scores, including achievement on
1079 all FCAT assessments administered under s. 1008.22(3)(c)1., end-
1080 of-course assessments administered under s. 1008.22(3)(c)2.a.,
1081 and achievement scores for students seeking a special diploma.

1082 b. Student learning gains in reading and mathematics as
1083 measured by FCAT and end-of-course assessments, as described in
1084 s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking
1085 a special diploma, as measured by an alternate assessment tool,
1086 shall be included not later than the 2009-2010 school year.

1087 c. Improvement of the lowest 25th percentile of students
1088 in the school in reading and mathematics on the FCAT or end-of-
1089 course assessments described in s. 1008.22(3)(c)2.a., unless
1090 these students are exhibiting satisfactory performance.

1091 2. Beginning with the 2011-2012 school year, for schools
1092 comprised of middle school grades 6 through 8 or grades 7 and 8,

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1093 the school's grade shall include the performance and
1094 participation of its students enrolled in high school level
1095 courses with end-of-course assessments administered under s.
1096 1008.22(3)(c)2.a. Performance and participation must be weighted
1097 equally.

1098 ~~3.2.~~ Beginning with the 2009-2010 school year for schools
1099 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1100 11, and 12, 50 percent of the school grade shall be based on a
1101 combination of the factors listed in sub-subparagraphs 1.a.-c.
1102 and the remaining 50 percent on the following factors:

1103 a. The high school graduation rate of the school;

1104 b. As valid data becomes available, the performance and
1105 participation of the school's students in College Board Advanced
1106 Placement courses, International Baccalaureate courses, dual
1107 enrollment courses, and Advanced International Certificate of
1108 Education courses; and the students' achievement of national
1109 industry certification identified in the Industry Certification
1110 Funding List, pursuant to rules adopted by the State Board of
1111 Education;

1112 c. Postsecondary readiness of the school's students as
1113 measured by the SAT, ACT, or the common placement test;

1114 d. The high school graduation rate of at-risk students who
1115 scored at Level 2 or lower on the grade 8 FCAT Reading and
1116 Mathematics examinations;

1117 e. As valid data becomes available, the performance of the
1118 school's students on statewide standardized end-of-course
1119 assessments administered under s. 1008.22(3)(c)2.b. and c.; and

1120 f. The growth or decline in the components listed in sub-

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subparagraphs a.-e. from year to year.

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

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

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

3. The achievement scores and learning gains of eligible students attending alternative schools that provide dropout prevention and academic intervention services pursuant to s. 1003.53. The term "eligible students" in this subparagraph does not include students attending an alternative school who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the

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

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

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1177 ~~5.4.~~ For schools comprised of high school grades 9, 10,
1178 11, and 12, or grades 10, 11, and 12, the data listed in
1179 subparagraphs 1.-3. and the following data as the Department of
1180 Education determines such data are valid and available:

1181 a. The high school graduation rate of the school as
1182 calculated by the Department of Education;

1183 b. The participation rate of all eligible students
1184 enrolled in the school and enrolled in College Board Advanced
1185 Placement courses; International Baccalaureate courses; dual
1186 enrollment courses; Advanced International Certificate of
1187 Education courses; and courses or sequence of courses leading to
1188 national industry certification identified in the Industry
1189 Certification Funding List, pursuant to rules adopted by the
1190 State Board of Education;

1191 c. The aggregate scores of all eligible students enrolled
1192 in the school in College Board Advanced Placement courses,
1193 International Baccalaureate courses, and Advanced International
1194 Certificate of Education courses;

1195 d. Earning of college credit by all eligible students
1196 enrolled in the school in dual enrollment programs under s.
1197 1007.271;

1198 e. Earning of a national industry certification identified
1199 in the Industry Certification Funding List, pursuant to rules
1200 adopted by the State Board of Education;

1201 f. The aggregate scores of all eligible students enrolled
1202 in the school in reading, mathematics, and other subjects as
1203 measured by the SAT, the ACT, and the common placement test for
1204 postsecondary readiness;

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

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

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

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

(d) Notwithstanding the requirements in paragraphs (b) and

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1233 (c), beginning with the 2011-2012 school year, a school that
1234 does not meet the minimum percentage of students proficient in
1235 reading, established by rule of the State Board of Education,
1236 shall receive a school grade of "F" unless granted an exception
1237 by the department based upon significant gains in reading
1238 proficiency from the prior year, as defined by rule. The state
1239 board shall adopt rules to establish the minimum percentage and
1240 define the exception.

1241 Section 17. Paragraph (a) of subsection (3) of section
1242 1011.01, Florida Statutes, is amended to read:

1243 1011.01 Budget system established.—

1244 (3)(a) Each district school board and each community
1245 college board of trustees shall prepare, adopt, and submit to
1246 the Commissioner of Education ~~for review~~ an annual operating
1247 budget. Operating budgets shall be prepared and submitted in
1248 accordance with the provisions of law, rules of the State Board
1249 of Education, the General Appropriations Act, and for district
1250 school boards in accordance with the provisions of ss. 200.065
1251 and 1011.64.

1252 Section 18. Subsection (4) of section 1011.03, Florida
1253 Statutes, is amended to read:

1254 1011.03 Public hearings; budget to be submitted to
1255 Department of Education.—

1256 (4) The board shall hold public hearings to adopt
1257 tentative and final budgets pursuant to s. 200.065. The hearings
1258 shall be primarily for the purpose of hearing requests and
1259 complaints from the public regarding the budgets and the
1260 proposed tax levies and for explaining the budget and proposed

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1261 or adopted amendments thereto, if any. The district school board
1262 shall then require the superintendent to transmit forthwith two
1263 copies of the adopted budget to the Department of Education ~~for~~
1264 ~~approval~~ as prescribed by law and rules of the State Board of
1265 Education.

1266 Section 19. Section 1011.035, Florida Statutes, is created
1267 to read:

1268 1011.035 School district budget transparency.-

1269 (1) It is important for school districts to provide
1270 budgetary transparency to enable taxpayers, parents, and
1271 education advocates to obtain school district budget and related
1272 information in a manner that is simply explained and easily
1273 understandable. Budgetary transparency leads to more responsible
1274 spending, more citizen involvement, and improved accountability.
1275 A budget that is not transparent, accessible, and accurate
1276 cannot be properly analyzed, its implementation thoroughly
1277 monitored, or its outcomes evaluated.

1278 (2) Each district school board shall post on its website a
1279 plain language version of each proposed, tentative, and official
1280 budget which describes each budget item in terms that are easily
1281 understandable to the public. This information must be
1282 prominently posted on the school district's website in a manner
1283 that is readily accessible to the public.

1284 (3) Each district school board is encouraged to post the
1285 following information on its website:

1286 (a) Timely information as to when a budget hearing will be
1287 conducted.

1288 (b) Each contract between the district school board and

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1289 the teachers' union.

1290 (c) Each contract between the district school board and
1291 noninstructional staff.

1292 (d) Each contract exceeding \$35,000 between the school
1293 board and a vendor of services, supplies, or programs or for the
1294 purchase or lease of lands, facilities, or properties.

1295 (e) Each contract exceeding \$35,000 that is an emergency
1296 procurement or is with a single source as authorized under s.
1297 287.057(3).

1298 (f) Recommendations of the citizens' budget advisory
1299 committee.

1300 (g) Current and archived video recordings of each district
1301 school board meeting and workshop.

1302 (4) The website should contain links to:

1303 (a) Help explain or provide background information on
1304 various budget items that are required by state or federal law.

1305 (b) Allow users to navigate to related sites to view
1306 supporting details.

1307 (c) Enable taxpayers, parents, and education advocates to
1308 send e-mails asking questions about the budget and enable others
1309 to view the questions and responses.

1310 Section 20. Paragraph (c) of subsection (1) of section
1311 1012.39, Florida Statutes, is amended to read:

1312 1012.39 Employment of substitute teachers, teachers of
1313 adult education, nondegreed teachers of career education, and
1314 career specialists; students performing clinical field
1315 experience.—

1316 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and

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1012.57, or any other provision of law or rule to the contrary, each district school board shall establish the minimal qualifications for:

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

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

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

a. A high school diploma or the equivalent.

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

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

d. For full-time teachers, completion of professional education training in teaching methods, course construction,

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1345 lesson planning and evaluation, and teaching special needs
1346 students. This training may be completed through coursework from
1347 an accredited or approved institution or an approved district
1348 teacher education program.

1349 e. Demonstration of successful teaching performance.

1350 f. Documentation of industry certification when state or
1351 national industry certifications are available and applicable.

1352 Section 21. Except as otherwise expressly provided in this
1353 act and except for this section, which shall take effect upon
1354 this act becoming a law, this act shall take effect July 1,
1355 2011.