

By the Committee on Education Pre-K - 12; and Senator Wise

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1 A bill to be entitled
2 An act relating to public school accountability;
3 amending s. 1001.20, F.S.; deleting a provision that
4 requires the Florida Virtual School to be
5 administratively housed within the Office of
6 Technology and Information Services within the
7 Department of Education; amending s. 1001.42, F.S.;
8 revising the powers and duties of district school
9 boards to require that students be provided with
10 access to Florida Virtual School courses; creating s.
11 1001.421, F.S.; prohibiting district school board
12 members from accepting gifts from vendors; amending s.
13 1002.37, F.S.; conforming provisions to changes made
14 by the act; amending s. 1002.38, F.S.; revising
15 provisions relating to the Opportunity Scholarship
16 Program to require that school grades for all schools
17 be based on statewide assessments; amending s.
18 1002.39, F.S.; providing that when a student who is
19 receiving the John M. McKay Scholarship enrolls in a
20 public school or public school program, the term of
21 the student's scholarship ends; providing an exception
22 for students who enter a Department of Juvenile
23 Justice detention center for a period of no more than
24 21 days; amending s. 1002.45, F.S.; revising
25 qualification requirements for virtual instruction
26 program providers; providing that an approved provider
27 retain its approved status for 3 school years after
28 approval; amending s. 1002.67, F.S.; requiring that
29 the State Board of Education periodically review and

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30 revise the performance standards for the statewide
31 kindergarten screening and align the standards to the
32 performance standards for statewide assessments;
33 requiring that a private prekindergarten provider or
34 public school be placed on probation immediately after
35 failing to meet minimum standards rather than after 2
36 consecutive years of such failure; amending s.
37 1002.69, F.S.; authorizing nonpublic schools to
38 administer the statewide kindergarten screening to
39 kindergarten students who were enrolled in the
40 Voluntary Prekindergarten Program; requiring that the
41 Department of Education adopt a statewide voluntary
42 prekindergarten enrollment screening; requiring that
43 each early learning coalition administer the
44 enrollment screening; requiring the Department of
45 Education to include the percentage of students who
46 meet all state readiness measures in its provider
47 rating methodology; requiring that each parent or
48 guardian enrolling his or her child in a voluntary
49 prekindergarten education program submit the child for
50 enrollment screening if required by the provider;
51 removing a limitation on the minimum kindergarten
52 readiness rate for private and public prekindergarten
53 providers; amending s. 1002.71, F.S.; providing that a
54 child may reenroll more than once in a prekindergarten
55 program if granted a good cause exemption; amending s.
56 1002.73, F.S.; requiring the department to adopt
57 procedures for annually reporting the percentage of
58 students who meet all state readiness measures;

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59 requiring that the Department of Education adopt
60 procedures for the statewide voluntary prekindergarten
61 enrollment screening, adopting the fee schedule,
62 determining learning gains of students who complete
63 the voluntary prekindergarten and kindergarten
64 screenings, and annually reporting the readiness of
65 kindergarten students; amending s. 1003.4156, F.S.;
66 revising the general requirements for middle grades
67 promotion; providing that a student with a disability
68 may have his or her end-of-course assessment results
69 waived under certain circumstances; providing that a
70 middle grades student is exempt from the reading
71 remediation requirements under certain circumstances;
72 amending s. 1003.428, F.S.; revising provisions
73 relating to the general requirements for high school
74 graduation; providing that a high school student may
75 be exempt from intensive reading under certain
76 circumstances; amending s. 1003.491, F.S.; revising
77 provisions relating to the Florida Career and
78 Professional Education Act; replacing references to
79 local workforce boards with regional workforce boards;
80 requiring that economic development agencies
81 collaborate with each district school board, regional
82 workforce boards, and postsecondary institutions to
83 develop a strategic 5-year plan that addresses local
84 and regional workforce demands; requiring that the
85 strategic plan include access to courses offered
86 through virtual education providers and a review of
87 career and professional academy courses; requiring

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that the strategic plan be reviewed, updated, and jointly approved; amending s. 1003.492, F.S.; revising provisions relating to industry-certified career education programs to conform to changes made by the act; requiring that rules adopted by the State Board of Education include an approval process for determining the funding weights of industry certifications; requiring that the performance factors for students participating in industry-certified career education programs include awards of postsecondary credit and state scholarships; amending s. 1003.493, F.S.; revising provisions relating to career and professional academies to conform to changes made by the act; requiring that career and professional academies discontinue enrollment of students for the following year if the passage rate on the industry certification exam falls below 50 percent; creating s. 1003.4935, F.S.; requiring that each district school board, in collaboration with regional workforce boards, economic development agencies, and state-approved postsecondary institutions, include a component in the strategic 5-year plan to implement a career and professional academy in at least one middle school in each district; providing requirements for the middle school career and professional academies; requiring that the Department of Education collect and report student achievement data for middle school career academy students; amending s. 1003.575, F.S.; revising

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provisions relating to assistive technology devices for young persons with disabilities to require that any school having an individualized education plan team arrange to complete an assistive technology assessment within a specified number of days after receiving a request for such assessment; amending s. 1008.22, F.S.; revising provisions relating to the student assessment program for public schools; requiring that the Commissioner of Education direct school districts to participate in the administration of the National Assessment of Educational Progress or similar national or international assessment program; providing for future expiration of the requirement that school districts participate in international assessment programs; authorizing the school principal to exempt certain students from the end-of-course assessment in civics education; amending s. 1008.33, F.S.; revising provisions relating to public school improvement; requiring that the Department of Education categorize public schools based on the portion of a school's grade that relies on statewide assessments; revising the categorization of the lowest-performing schools; amending s. 1008.331, F.S., relating to supplemental educational services in Title I schools; providing that a school board may include in its district contract with a provider a requirement to use a uniform standardized assessment if the Department of Education is notified of such intent before services are provided to the student; amending

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s. 1008.34, F.S.; revising provisions relating to the designation of school grades to conform to changes made by the act; providing for assigning achievement scores and learning gains for students who are hospital or homebound; requiring that a school that does not meet minimum proficiency standards established by the State Board of Education receive a school grade of "F"; amending ss. 1011.01 and 1011.03, F.S., relating to the annual operating budgets of district school boards and community college boards of trustees; deleting a requirement that the adopted budget be transmitted to the Department of Education for review and approval; creating s. 1011.035, F.S.; requiring each school district to post certain budgetary information on its website; requiring that each district school board's website contain certain specified links; amending s. 1011.61, F.S.; redefining the term "full-time equivalent student" as it relates to students in virtual instruction programs; amending s. 1011.62, F.S.; revising provisions relating to the calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs; requiring that the value of full-time equivalent membership be determined by weights adopted by the State Board of Education; conforming provisions; amending s. 1012.39, F.S.; requiring that each district school board establish qualifications for nondegreed teachers of career and

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technical education courses for program clusters
recognized in the state; authorizing district school
boards to establish alternative qualifications for
certain teachers; providing effective dates.

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

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

1001.20 Department under direction of state board.—

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

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

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

Section 2. Subsection (23) of section 1001.42, Florida

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Statutes, is amended to read:

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

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

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

1001.421 Gifts.—Notwithstanding ss. 112.3148 and 112.3149, or any other provision of law to the contrary, school board members and their relatives as defined in s. 112.312(21), may not solicit or accept, directly or indirectly, any gift as defined in s. 112.312(12), from any person, vendor, potential vendor, or other entity doing business with the school district.

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

1002.37 The Florida Virtual School.—

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

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233 The board of trustees of the Florida Virtual School shall
234 identify appropriate performance measures and standards based on
235 student achievement that reflect the school's statutory mission
236 and priorities, and shall implement an accountability system for
237 the school that includes assessment of its effectiveness and
238 efficiency in providing quality services that encourage high
239 student achievement, seamless articulation, and maximum access.

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

242 1002.38 Opportunity Scholarship Program.—

243 (3) SCHOOL DISTRICT OBLIGATIONS.—

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

247 Section 6. Paragraph (a) of subsection (4) of section
248 1002.39, Florida Statutes, is amended to read:

249 1002.39 The John M. McKay Scholarships for Students with
250 Disabilities Program.—There is established a program that is
251 separate and distinct from the Opportunity Scholarship Program
252 and is named the John M. McKay Scholarships for Students with
253 Disabilities Program.

254 (4) TERM OF JOHN M. MCKAY SCHOLARSHIP.—

255 (a) For purposes of continuity of educational choice, a
256 John M. McKay Scholarship shall remain in force until the
257 student returns to a public school, graduates from high school,
258 or reaches the age of 22, whichever occurs first. A scholarship
259 student who enrolls in a public school or public school program
260 has returned to a public school for purposes of determining the
261 end of the scholarship's term. However, if a student enters a

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Department of Juvenile Justice detention center for a period of
no more than 21 days, the student is not considered to have
returned to a public school for that purpose.

Section 7. 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 8. 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
Prekindergarten Education Program. The performance standards
must address the age-appropriate progress of students in the
development of:

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

2.(b) ~~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

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291 kindergarten screening administered under s. 1002.69 and align
292 the standards to those established by the board for the
293 expectations of student performance on the statewide assessments
294 administered pursuant to s. 1008.22.

295 (3)

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

304 2. If a private prekindergarten provider or public school
305 fails to meet the minimum rate adopted by the State Board of
306 Education as satisfactory under s. 1002.69(6) ~~for 2 consecutive~~
307 ~~years~~, the early learning coalition or school district, as
308 applicable, shall place the provider or school on probation and
309 must require the provider or school to take certain corrective
310 actions, including the use of a curriculum approved by the
311 department under paragraph (2)(c) and requiring newly admitted
312 voluntary prekindergarten program students to complete the
313 statewide voluntary prekindergarten enrollment screening for
314 which the provider must pay.

315 3. A private prekindergarten provider or public school that
316 is placed on probation must continue the corrective actions
317 required under subparagraph 2., including the use of a
318 curriculum approved by the department, until the provider or
319 school meets the minimum rate adopted by the State Board of

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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 9. Section 1002.69, Florida Statutes, is amended to read:

1002.69 Statewide kindergarten screening; kindergarten readiness rates; prekindergarten enrollment screening.—

(1)(a) The department shall adopt a statewide kindergarten screening that assesses the readiness of each student for kindergarten based upon the performance standards adopted by the department under s. 1002.67(1) for the Voluntary Prekindergarten Education Program. The department shall require that each school district administer the statewide kindergarten screening to each kindergarten student in the school district within the first 30 school days of each school year. Nonpublic schools may administer the statewide kindergarten screening to each kindergarten student in a nonpublic school who was enrolled in the Voluntary Prekindergarten Education Program.

(b) The department shall also adopt a statewide voluntary prekindergarten enrollment screening that assesses the readiness of each student for kindergarten upon entry into a voluntary

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349 prekindergarten program placed on probation under s.
350 1002.67(3)(c)2., for which the voluntary prekindergarten
351 provider must pay. The department shall require each early
352 learning coalition to administer the statewide voluntary
353 prekindergarten enrollment screening in accordance with this
354 section.

355 (2) The statewide voluntary prekindergarten enrollment
356 screening and the kindergarten screening shall provide objective
357 data concerning each student's readiness for kindergarten and
358 progress in attaining the performance standards adopted by the
359 department under s. 1002.67(1).

360 (3) The statewide voluntary prekindergarten enrollment
361 screening and the kindergarten screening shall incorporate
362 mechanisms for recognizing potential variations in kindergarten
363 readiness rates for students with disabilities.

364 (4) Each parent who enrolls his or her child in the
365 Voluntary Prekindergarten Education Program must submit the
366 child for the statewide kindergarten screening, regardless of
367 whether the child is admitted to kindergarten in a public school
368 or nonpublic school. Each parent who enrolls his or her child in
369 a voluntary prekindergarten education program must submit the
370 child for statewide voluntary prekindergarten enrollment
371 screening if required by the provider. Each school district
372 shall designate sites to administer the statewide kindergarten
373 screening for children admitted to kindergarten in a nonpublic
374 school.

375 (5) The State Board of Education shall adopt procedures for
376 the department to annually calculate each private
377 prekindergarten provider's and public school's kindergarten

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378 readiness rate, which must be expressed as the percentage of the
379 provider's or school's students who are assessed as ready for
380 kindergarten. The kindergarten readiness rates must be based
381 exclusively upon the results of the statewide kindergarten
382 screening for students completing the Voluntary Prekindergarten
383 Education Program, beginning with students completing the
384 program during the 2005-2006 school year who are administered
385 the statewide kindergarten screening during the 2006-2007 school
386 year. The methodology for calculating each provider's readiness
387 rate must include the percentage of students who meet all state
388 readiness measures. The rates must not include students who are
389 not administered the statewide kindergarten screening.

390 (6) ~~(a)~~ The State Board of Education shall periodically
391 adopt a minimum kindergarten readiness rate that, if achieved by
392 a private prekindergarten provider or public school, would
393 demonstrate the provider's or school's satisfactory delivery of
394 the Voluntary Prekindergarten Education Program.

395 ~~(b) The minimum rate must not exceed the rate at which more~~
396 ~~than 15 percent of the kindergarten readiness rates of all~~
397 ~~private prekindergarten providers and public schools delivering~~
398 ~~the Voluntary Prekindergarten Education Program in the state~~
399 ~~would fall below the minimum rate.~~

400 (7) (a) Notwithstanding s. 1002.67(3)(c)4., the State Board
401 of Education, upon the request of a private prekindergarten
402 provider or public school that remains on probation for 2
403 consecutive years or more and subsequently fails to meet the
404 minimum rate adopted under subsection (6) and for good cause
405 shown, may grant to the provider or school an exemption from
406 being determined ineligible to deliver the Voluntary

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Prekindergarten Education Program and receive state funds for the program. Such exemption is valid for 1 year and, upon the request of the private prekindergarten provider or public school and for good cause shown, may be renewed.

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

1. Submission of data by the private prekindergarten provider or public school which documents on a standardized assessment the achievement and progress of the children served.

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

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

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~~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.

(d) A good cause exemption may not be granted to any private prekindergarten provider that has any class I violations or two or more class II violations within the 2 years preceding the provider's or school's request for the exemption. For purposes of this paragraph, class I and class II violations have the same meaning as provided in s. 402.281(3).

(e) A private prekindergarten provider or public school granted a good cause exemption shall continue to implement its improvement plan and continue the corrective actions required under s. 1002.67(3)(c)2., including the use of a curriculum approved by the department, until the provider or school meets the minimum rate adopted under subsection (6).

(f) The State Board of Education shall notify the Agency for Workforce Innovation of any good cause exemption granted to a private prekindergarten provider under this subsection. If a good cause exemption is granted to a private prekindergarten provider who remains on probation for 2 consecutive years, the Agency for Workforce Innovation shall notify the early learning coalition of the good cause exemption and direct that the coalition, notwithstanding s. 1002.67(3)(c)4., not remove the provider from eligibility to deliver the Voluntary Prekindergarten Education Program or to receive state funds for

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the program, if the provider meets all other applicable requirements of this part.

Section 10. Subsection (4) of section 1002.71, Florida Statutes, is amended to read:

1002.71 Funding; financial and attendance reporting.—

(4) Notwithstanding s. 1002.53(3) and subsection (2):

(a) A child who, for any of the prekindergarten programs listed in s. 1002.53(3), has not completed more than 70 percent of the hours authorized to be reported for funding under subsection (2), or has not expended more than 70 percent of the funds authorized for the child under s. 1002.66, may withdraw from the program for good cause and reenroll in one of the programs. The total funding for a child who reenrolls in one of the programs for good cause may not exceed one full-time equivalent student. Funding for a child who withdraws and reenrolls in one of the programs for good cause shall be issued in accordance with the agency's uniform attendance policy adopted pursuant to paragraph (6)(d).

(b) A child who has not substantially completed any of the prekindergarten programs listed in s. 1002.53(3) may withdraw from the program due to an extreme hardship that is beyond the child's or parent's control, reenroll in one of the summer programs, and be reported for funding purposes as a full-time equivalent student in the summer program for which the child is reenrolled.

A child may reenroll only once in a prekindergarten program under this section, unless the child is granted a good cause exemption under this subsection. A child who reenrolls in a

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prekindergarten program under this subsection may not subsequently withdraw from the program and reenroll. The Agency for Workforce Innovation shall establish criteria specifying whether a good cause exists for a child to withdraw from a program under paragraph (a), whether a child has substantially completed a program under paragraph (b), and whether an extreme hardship exists which is beyond the child's or parent's control under paragraph (b).

Section 11. Subsection (2) of section 1002.73, Florida Statutes, is amended to read:

1002.73 Department of Education; powers and duties; accountability requirements.—

(2) The department shall adopt procedures for its:

(a) Approval of prekindergarten director credentials under ss. 1002.55 and 1002.57.

(b) Approval of emergent literacy training courses under ss. 1002.55 and 1002.59.

(c) Administration of the statewide kindergarten screening and calculation of kindergarten readiness rates under s. 1002.69.

(d) Adoption of the statewide voluntary prekindergarten enrollment screening, the associated fee schedule, and the process for determining learning gains of students who complete the statewide voluntary prekindergarten enrollment screening and the statewide kindergarten screening.

(e) ~~(d)~~ Approval of specialized instructional services providers under s. 1002.66.

(f) Annual reporting of the percentage of kindergarten students who meet all state readiness measures.

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523 (g)~~(e)~~ Granting of a private prekindergarten provider's or
524 public school's request for a good cause exemption under s.
525 1002.69(7).

526 Section 12. Subsection (1) of section 1003.4156, Florida
527 Statutes, is amended to read:

528 1003.4156 General requirements for middle grades
529 promotion.—

530 (1) Beginning with students entering grade 6 in the 2006-
531 2007 school year, promotion from a school composed of middle
532 grades 6, 7, and 8 requires that:

533 (a) The student must successfully complete academic courses
534 as follows:

535 1. Three middle school or higher courses in English. These
536 courses shall emphasize literature, composition, and technical
537 text.

538 2. Three middle school or higher courses in mathematics.
539 Each middle school must offer at least one high school level
540 mathematics course for which students may earn high school
541 credit. Successful completion of a high school level Algebra I
542 or geometry course is not contingent upon the student's
543 performance on the end-of-course assessment required under s.
544 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
545 school year, to earn high school credit for an Algebra I course,
546 a middle school student must pass the Algebra I end-of-course
547 assessment, and beginning with the 2012-2013 school year, to
548 earn high school credit for a geometry course, a middle school
549 student must pass the geometry end-of-course assessment.

550 3. Three middle school or higher courses in social studies,
551 one semester of which must include the study of state and

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552 federal government and civics education. Beginning with students
553 entering grade 6 in the 2012-2013 school year, one of these
554 courses must be at least a one-semester civics education course
555 that a student successfully completes in accordance with s.
556 1008.22(3)(c) and that includes the roles and responsibilities
557 of federal, state, and local governments; the structures and
558 functions of the legislative, executive, and judicial branches
559 of government; and the meaning and significance of historic
560 documents, such as the Articles of Confederation, the
561 Declaration of Independence, and the Constitution of the United
562 States.

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

570 5. One course in career and education planning to be
571 completed in 7th or 8th grade. The course may be taught by any
572 member of the instructional staff; must include career
573 exploration using Florida CHOICES or a comparable cost-effective
574 program; must include educational planning using the online
575 student advising system known as Florida Academic Counseling and
576 Tracking for Students at the Internet website FACTS.org; and
577 shall result in the completion of a personalized academic and
578 career plan. The required personalized academic and career plan
579 must inform students of high school graduation requirements,
580 high school assessment and college entrance test requirements,

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581 Florida Bright Futures Scholarship Program requirements, state
582 university and Florida college admission requirements, and
583 programs through which a high school student can earn college
584 credit, including Advanced Placement, International
585 Baccalaureate, Advanced International Certificate of Education,
586 dual enrollment, career academy opportunities, and courses that
587 lead to national industry certification.

588
589 A student with a disability, as defined in s. 1007.02(2), for
590 whom the individual education plan committee determines that the
591 end-of-course assessment cannot accurately measure the student's
592 abilities, taking into consideration all allowable
593 accommodations, shall have the end-of-course assessment results
594 waived for purposes of determining the student's course grade
595 and completing the requirements for middle grades promotion.

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

608 (b) For each year in which a student scores at Level 1 on
609 FCAT Reading, the student must be enrolled in and complete an

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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 the year before, may be granted an exemption from the reading remediation requirements. A student may be granted a 1-year exemption from intensive reading; however, the student must have an approved academic improvement plan already in place and signed by the school and a parent or guardian for the year that 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 13. Subsection (2) of section 1003.428, Florida Statutes, is amended to read:

1003.428 General requirements for high school graduation; revised.—

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

(a) Sixteen core curriculum credits:

1. Four credits in English, with major concentration in

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composition, reading for information, and literature.

2. Four credits in mathematics, one of which must be Algebra I, a series of courses equivalent to Algebra I, or a higher-level mathematics course. Beginning with students entering grade 9 in the 2010-2011 school year, in addition to the Algebra I credit requirement, one of the four credits in mathematics must be geometry or a series of courses equivalent to geometry as approved by the State Board of Education. Beginning with students entering grade 9 in the 2010-2011 school year, the end-of-course assessment requirements under s. 1008.22(3)(c)2.a.(I) must be met in order for a student to earn the required credit in Algebra I. Beginning with students entering grade 9 in the 2011-2012 school year, the end-of-course assessment requirements under s. 1008.22(3)(c)2.a.(I) must be met in order for a student to earn the required credit in geometry. Beginning with students entering grade 9 in the 2012-2013 school year, in addition to the Algebra I and geometry credit requirements, one of the four credits in mathematics must be Algebra II or a series of courses equivalent to Algebra II as approved by the State Board of Education.

3. Three credits in science, two of which must have a laboratory component. Beginning with students entering grade 9 in the 2011-2012 school year, one of the three credits in science must be Biology I or a series of courses equivalent to Biology I as approved by the State Board of Education. Beginning with students entering grade 9 in the 2011-2012 school year, the end-of-course assessment requirements under s. 1008.22(3)(c)2.a.(II) must be met in order for a student to earn the required credit in Biology I. Beginning with students

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entering grade 9 in the 2013-2014 school year, one of the three credits must be Biology I or a series of courses equivalent to Biology I as approved by the State Board of Education, one credit must be chemistry or physics or a series of courses equivalent to chemistry or physics as approved by the State Board of Education, and one credit must be an equally rigorous course, as determined by the State Board of Education.

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

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

6. One credit in physical education to include integration of health. Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons shall satisfy the one-credit requirement in physical education if the student passes a competency test on personal fitness with a score of "C" or better. The competency test on personal fitness must be developed by the Department of Education. A district school board may not require that the one credit in physical education be taken during the 9th grade year. Completion of one semester with a grade of "C" or better in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class shall satisfy one-half credit in physical education

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697 or one-half credit in performing arts. This credit may not be
698 used to satisfy the personal fitness requirement or the
699 requirement for adaptive physical education under an individual
700 education plan (IEP) or 504 plan. Completion of 2 years in a
701 Reserve Officer Training Corps (R.O.T.C.) class, a significant
702 component of which is drills, shall satisfy the one-credit
703 requirement in physical education and the one-credit requirement
704 in performing arts. This credit may not be used to satisfy the
705 personal fitness requirement or the requirement for adaptive
706 physical education under an individual education plan (IEP) or
707 504 plan.

708 (b) Eight credits in electives.

709 1. For each year in which a student scores at Level 1 on
710 FCAT Reading, the student must be enrolled in and complete an
711 intensive reading course the following year. Placement of Level
712 2 readers in either an intensive reading course or a content
713 area course in which reading strategies are delivered shall be
714 determined by diagnosis of reading needs. The department shall
715 provide guidance on appropriate strategies for diagnosing and
716 meeting the varying instructional needs of students reading
717 below grade level. Reading courses shall be designed and offered
718 pursuant to the comprehensive reading plan required by s.
719 1011.62(9).

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

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

Section 14. Subsections (2), (3), and (5) of section 1003.491, Florida Statutes, are amended to read:

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

(2) ~~Beginning with the 2007-2008 school year,~~ Each district school board shall develop, in collaboration with regional local workforce boards, economic development agencies, and postsecondary institutions approved to operate in the state, a strategic 5-year plan to address and meet local and regional workforce demands. If involvement of a regional ~~the local~~ workforce board or an economic development agency in the strategic plan development is not feasible, the local school board, with the approval of the Agency for Workforce Innovation, shall collaborate with the most appropriate regional local business leadership board. Two or more school districts may collaborate in the development of the strategic plan and offer a career and professional academy as a joint venture. The

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755 strategic plan ~~Such plans~~ must describe in detail provisions for
756 the efficient transportation of students, the maximum use of
757 shared resources, and access to courses aligned to state
758 curriculum standards through virtual education providers, and an
759 objective review of career and professional academy courses to
760 determine if the courses will lead to the attainment of industry
761 certifications included on the Industry Certified Funding List
762 pursuant to rules adopted by the State Board of Education ~~the~~
763 ~~Florida Virtual School when appropriate.~~ Each strategic plan
764 shall be reviewed, updated, and jointly approved every 5 years
765 by the local school district, regional workforce boards,
766 economic development agencies, and state-approved postsecondary
767 institutions ~~completed no later than June 30, 2008, and shall~~
768 ~~include provisions to have in place at least one operational~~
769 ~~career and professional academy, pursuant to s. 1003.492, no~~
770 ~~later than the beginning of the 2008-2009 school year.~~

771 (3) The strategic 5-year plan developed jointly between the
772 local school district, regional ~~local~~ workforce boards, economic
773 development agencies, and state-approved postsecondary
774 institutions shall be constructed and based on:

775 (a) Research conducted to objectively determine local and
776 regional workforce needs for the ensuing 5 years, using labor
777 projections of the United States Department of Labor and the
778 Agency for Workforce Innovation;

779 (b) Strategies to develop and implement career academies
780 based on those careers determined to be in high demand;

781 (c) Maximum use of private sector facilities and personnel;

782 (d) Strategies that ensure instruction by industry-
783 certified faculty and standards and strategies to maintain

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current industry credentials and for recruiting and retaining faculty to meet those standards;

(e) Alignment of ~~to~~ requirements for middle school career exploration, middle and high school career and professional academies leading to industry certification, and high school graduation requirements ~~redesign~~;

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

(g) Strategies to improve the passage rate for industry certification exams if the rate falls below 50 percent;

~~(h)-(g)~~ Establishment of student eligibility criteria in career and professional academies which include opportunities for students who have been unsuccessful in traditional classrooms but who show aptitude to participate in academies. School boards shall address the analysis of eighth grade student achievement data to provide opportunities for students who may be deemed as potential dropouts to participate in career and professional academies;

~~(i)-(h)~~ Strategies to provide sufficient space within academies to meet workforce needs and to provide access to all interested and qualified students;

~~(j)-(i)~~ Strategies to implement ~~engage Department of Juvenile Justice students in~~ career and professional academy training that leads to industry certification at Department of Juvenile Justice facilities;

~~(k)-(j)~~ Opportunities for high school students to earn

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813 weighted or dual enrollment credit for higher-level career and
814 technical courses;

815 (1) ~~(k)~~ Promotion of the benefits of the Gold Seal Bright
816 Futures Scholarship;

817 (m) ~~(l)~~ Strategies to ensure the review of district pupil-
818 progression plans and to amend such plans to include career and
819 professional courses and to include courses that may qualify as
820 substitute courses for core graduation requirements and those
821 that may be counted as elective courses; and

822 (n) ~~(m)~~ Strategies to provide professional development for
823 secondary guidance counselors on the benefits of career and
824 professional academies.

825 (5) The submission and review of newly proposed core
826 courses shall be conducted electronically, and each proposed
827 core course shall be approved or denied within 60 days. All
828 courses approved as core courses for purposes of middle school
829 promotion and high school graduation ~~purposes~~ shall be
830 immediately added to the Course Code Directory. Approved core
831 courses shall also be reviewed and considered for approval for
832 dual enrollment credit. The Board of Governors and the
833 Commissioner of Education shall jointly recommend an annual
834 deadline for approval of new core courses to be included for
835 purposes of postsecondary admissions and dual enrollment credit
836 the following academic year. The State Board of Education shall
837 establish an appeals process in the event that a proposed course
838 is denied which shall require a consensus ruling by the Agency
839 for Workforce Innovation and the Commissioner of Education
840 within 15 days. The curriculum review committee must be
841 established and operational no later than September 1, 2007.

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842 Section 15. Subsections (2) and (3) of section 1003.492,
843 Florida Statutes, are amended to read:

844 1003.492 Industry-certified career education programs.—

845 (2) The State Board of Education shall use the expertise of
846 Workforce Florida, Inc., and Enterprise Florida, Inc., to
847 develop and adopt rules pursuant to ss. 120.536(1) and 120.54
848 for implementing an industry certification process. These rules
849 shall include an approval process for determining the funding
850 weights of industry certifications based on the rigor of the
851 certification and the value of the certification to Florida
852 businesses and industry. Industry certification shall be defined
853 by the Agency for Workforce Innovation, based upon the highest
854 available national standards for specific industry
855 certification, to ensure student skill proficiency and to
856 address emerging labor market and industry trends. A regional
857 workforce board or a career and professional academy may apply
858 to Workforce Florida, Inc., to request additions to the approved
859 list of industry certifications based on high-demand job
860 requirements in the regional economy. The list of industry
861 certifications approved by Workforce Florida, Inc., and the
862 Department of Education shall be published and updated annually
863 by a date certain, to be included in the adopted rule.

864 (3) The Department of Education shall collect student
865 achievement and performance data in industry-certified career
866 education programs and shall work with Workforce Florida, Inc.,
867 and Enterprise Florida, Inc., in the analysis of collected data.
868 The data collection and analyses shall examine the performance
869 of participating students over time. Performance factors shall
870 include, but not be limited to, graduation rates, retention

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rates, awards of postsecondary credit and state scholarships
under chapter 1009 ~~Florida Bright Futures Scholarship awards~~,
additional educational attainment, employment records, earnings,
industry certification, and employer satisfaction. The
performance results and analyses ~~of this study~~ shall be
submitted to the President of the Senate and the Speaker of the
House of Representatives annually by December 31.

Section 16. Subsections (2), (4), (5), and (6) of section
1003.493, Florida Statutes, are amended to read:

1003.493 Career and professional academies.—

(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.~~

(e) ~~(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.

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

(4) Each career and professional academy must:

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(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.

(b) 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 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:

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

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

3. A postsecondary degree, diploma, or certificate.

4. The highest available level of industry certification.

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

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

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

(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.

(f) Provide instruction in careers designated as high growth, high demand, and high pay by the regional ~~local~~ workforce development board, the chamber of commerce, economic development agencies, or the Agency for Workforce Innovation.

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

(h) Offer applied courses that combine academic content with technical skills.

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

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

~~(k) Include an evaluation plan developed jointly with the Department of Education and the local workforce board. The~~

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evaluation plan must include an assessment tool based on national industry standards, such as the Career Academy National Standards of Practice, and outcome measures, including, but not limited to, achievement of national industry certifications identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of Education, graduation rates, enrollment in postsecondary education, business and industry satisfaction, employment and earnings, awards of postsecondary credit and scholarships, and student achievement levels and learning gains on statewide assessments administered under s. 1008.22(3)(c). The Department of Education shall use Workforce Florida, Inc., and Enterprise Florida, Inc., in identifying industry experts to participate in developing and implementing such assessments.

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

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

(5) All career courses offered in a career and professional academy must lead to industry certification or college credit linked directly to the career theme of the course. If the passage rate on the industry certification exam that is associated with the career and professional academy falls below 50 percent, the academy must discontinue enrollment of students the following school year. ~~At least 50 percent of students enrolled in a career course must achieve industry certifications or college credits during the second year the course is offered in order for the course to be offered a third year. At least 66 percent of students enrolled in such a course must achieve~~

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~~industry certifications or college credits during the third year
the course is offered in order for it to be offered a fourth
year and thereafter.~~

(6) Workforce Florida, Inc., through the secondary career
academies initiatives, The Okaloosa County School District
CHOICE Institutes shall serve in an advisory role and shall
offer technical assistance in the development and deployment of
newly established career and professional academies ~~for a 3-year
period beginning July 1, 2007.~~

Section 17. Section 1003.4935, Florida Statutes, is created
to read:

1003.4935 Middle school career and professional academy
courses.—

(1) Beginning with the 2011-2012 school year, each district
school board, in collaboration with regional workforce boards,
economic development agencies, and state-approved postsecondary
institutions, shall include plans to implement a career and
professional academy in at least one middle school in the
district as part of the strategic 5-year plan pursuant to s.
1003.491(2). The middle school career and professional academy
component of the strategic plan must ensure the transition of
middle school career and professional academy students to a high
school career and professional academy currently operating
within the school district. Students who complete a middle
school career and professional academy must have the opportunity
to earn an industry certificate and high school credit and
participate in career planning, job shadowing, and business
leadership development activities.

(2) Each middle school career and professional academy must

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be aligned with at least one high school career and professional academy offered in the district and maintain partnerships with local business and industry and economic development boards.

Middle school career and professional academies must:

(a) Provide instruction in courses leading to careers in occupations designated as high growth, high demand, and high pay in the Industry Certification Funding List approved under rules adopted by the State Board of Education;

(b) Offer career and professional academy courses that integrate content from core subject areas;

(c) Offer courses that integrate career and professional academy content with intensive reading and mathematics pursuant to s. 1003.428;

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

(e) Provide access to virtual instruction courses aligned to state curriculum standards for middle school career and professional academy students, with priority given to students who have required course deficits;

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

(g) Offer externships; and

(h) Provide personalized student advisement that includes a parent-participation component.

(3) Beginning with the 2012-2013 school year, the Department of Education shall collect and report student achievement data pursuant to performance factors identified

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1045 under s. 1003.492(3) for middle school career and professional
1046 academy students.

1047 Section 18. Section 1003.575, Florida Statutes, is amended
1048 to read:

1049 1003.575 Assistive technology devices; findings;
1050 interagency agreements.—Accessibility, utilization, and
1051 coordination of appropriate assistive technology devices and
1052 services are essential as a young person with disabilities moves
1053 from early intervention to preschool, from preschool to school,
1054 from one school to another, and from school to employment or
1055 independent living. Within 60 to 90 days after receiving a
1056 request for an assistive technology assessment, any school that
1057 has an individualized education plan team shall arrange to
1058 complete the assessment. To ensure that an assistive technology
1059 device issued to a young person as part of his or her
1060 individualized family support plan, individual support plan, or
1061 an individual education plan remains with the individual through
1062 such transitions, the following agencies shall enter into
1063 interagency agreements, as appropriate, to ensure the
1064 transaction of assistive technology devices:

1065 (1) The Florida Infants and Toddlers Early Intervention
1066 Program in the Division of Children's Medical Services of the
1067 Department of Health.

1068 (2) The Division of Blind Services, the Bureau of
1069 Exceptional Education and Student Services, and the Division of
1070 Vocational Rehabilitation of the Department of Education.

1071 (3) The Voluntary Prekindergarten Education Program
1072 administered by the Department of Education and the Agency for
1073 Workforce Innovation.

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

Section 19. Effective upon this act becoming a law, subsection (2) and paragraph (c) of subsection (3) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—It is Florida's intent to participate in the measurement of national educational goals. The Commissioner of Education shall direct Florida school districts to participate in the administration of the National Assessment of Educational Progress, or ~~a~~ similar national or international assessment program, both for the national sample and for any state-by-state comparison programs which may be initiated. The assessments must be conducted using the data collection procedures, the student surveys, the educator surveys, and other instruments included in the National Assessment of Educational Progress or similar national or international program being administered in Florida. The results of these assessments shall be included in the annual report of the Commissioner of Education specified in this section, as applicable. The administration of the National Assessment of

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1103 Educational Progress or similar national or international
1104 program shall be in addition to and separate from the
1105 administration of the statewide assessment program. The
1106 requirement that school districts participate in international
1107 assessment programs shall expire June 30, 2016.

1108 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
1109 design and implement a statewide program of educational
1110 assessment that provides information for the improvement of the
1111 operation and management of the public schools, including
1112 schools operating for the purpose of providing educational
1113 services to youth in Department of Juvenile Justice programs.
1114 The commissioner may enter into contracts for the continued
1115 administration of the assessment, testing, and evaluation
1116 programs authorized and funded by the Legislature. Contracts may
1117 be initiated in 1 fiscal year and continue into the next and may
1118 be paid from the appropriations of either or both fiscal years.
1119 The commissioner is authorized to negotiate for the sale or
1120 lease of tests, scoring protocols, test scoring services, and
1121 related materials developed pursuant to law. Pursuant to the
1122 statewide assessment program, the commissioner shall:

1123 (c) Develop and implement a student achievement testing
1124 program as follows:

1125 1. The Florida Comprehensive Assessment Test (FCAT)
1126 measures a student's content knowledge and skills in reading,
1127 writing, science, and mathematics. The content knowledge and
1128 skills assessed by the FCAT must be aligned to the core
1129 curricular content established in the Next Generation Sunshine
1130 State Standards. Other content areas may be included as directed
1131 by the commissioner. Comprehensive assessments of reading and

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1132 mathematics shall be administered annually in grades 3 through
1133 10 except, beginning with the 2010-2011 school year, the
1134 administration of grade 9 FCAT Mathematics shall be
1135 discontinued, and beginning with the 2011-2012 school year, the
1136 administration of grade 10 FCAT Mathematics shall be
1137 discontinued, except as required for students who have not
1138 attained minimum performance expectations for graduation as
1139 provided in paragraph (9)(c). FCAT Writing and FCAT Science
1140 shall be administered at least once at the elementary, middle,
1141 and high school levels except, beginning with the 2011-2012
1142 school year, the administration of FCAT Science at the high
1143 school level shall be discontinued.

1144 2.a. End-of-course assessments for a subject shall be
1145 administered in addition to the comprehensive assessments
1146 required under subparagraph 1. End-of-course assessments must be
1147 rigorous, statewide, standardized, and developed or approved by
1148 the department. The content knowledge and skills assessed by
1149 end-of-course assessments must be aligned to the core curricular
1150 content established in the Next Generation Sunshine State
1151 Standards.

1152 (I) Statewide, standardized end-of-course assessments in
1153 mathematics shall be administered according to this sub-sub-
1154 subparagraph. Beginning with the 2010-2011 school year, all
1155 students enrolled in Algebra I or an equivalent course must take
1156 the Algebra I end-of-course assessment. ~~Students who earned high~~
1157 ~~school credit in Algebra I while in grades 6 through 8 during~~
1158 ~~the 2007-2008 through 2009-2010 school years and who have not~~
1159 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~
1160 ~~course assessment during the 2010-2011 school year.~~ For students

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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

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1190 course credit.

1191 b. During the 2012-2013 school year, an end-of-course
1192 assessment in civics education shall be administered as a field
1193 test at the middle school level. During the 2013-2014 school
1194 year, each student's performance on the statewide, standardized
1195 end-of-course assessment in civics education shall constitute 30
1196 percent of the student's final course grade. Beginning with the
1197 2014-2015 school year, a student must earn a passing score on
1198 the end-of-course assessment in civics education in order to
1199 pass the course and be promoted from the middle grades ~~receive~~
1200 ~~course credit~~. The school principal of a middle school shall
1201 determine, in accordance with State Board of Education rule,
1202 whether a student who transfers to the middle school and who has
1203 successfully completed a civics education course at the
1204 student's previous school must take an end-of-course assessment
1205 in civics education.

1206 c. The commissioner may select one or more nationally
1207 developed comprehensive examinations, which may include, but
1208 need not be limited to, examinations for a College Board
1209 Advanced Placement course, International Baccalaureate course,
1210 or Advanced International Certificate of Education course, or
1211 industry-approved examinations to earn national industry
1212 certifications identified in the Industry Certification Funding
1213 List, pursuant to rules adopted by the State Board of Education,
1214 for use as end-of-course assessments under this paragraph, if
1215 the commissioner determines that the content knowledge and
1216 skills assessed by the examinations meet or exceed the grade
1217 level expectations for the core curricular content established
1218 for the course in the Next Generation Sunshine State Standards.

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1219 The commissioner may collaborate with the American Diploma
1220 Project in the adoption or development of rigorous end-of-course
1221 assessments that are aligned to the Next Generation Sunshine
1222 State Standards.

1223 d. Contingent upon funding provided in the General
1224 Appropriations Act, including the appropriation of funds
1225 received through federal grants, the Commissioner of Education
1226 shall establish an implementation schedule for the development
1227 and administration of additional statewide, standardized end-of-
1228 course assessments in English/Language Arts II, Algebra II,
1229 chemistry, physics, earth/space science, United States history,
1230 and world history. Priority shall be given to the development of
1231 end-of-course assessments in English/Language Arts II. The
1232 Commissioner of Education shall evaluate the feasibility and
1233 effect of transitioning from the grade 9 and grade 10 FCAT
1234 Reading and high school level FCAT Writing to an end-of-course
1235 assessment in English/Language Arts II. The commissioner shall
1236 report the results of the evaluation to the President of the
1237 Senate and the Speaker of the House of Representatives no later
1238 than July 1, 2011.

1239 3. The testing program shall measure student content
1240 knowledge and skills adopted by the State Board of Education as
1241 specified in paragraph (a) and measure and report student
1242 performance levels of all students assessed in reading, writing,
1243 mathematics, and science. The commissioner shall provide for the
1244 tests to be developed or obtained, as appropriate, through
1245 contracts and project agreements with private vendors, public
1246 vendors, public agencies, postsecondary educational
1247 institutions, or school districts. The commissioner shall obtain

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input with respect to the design and implementation of the testing program from state educators, assistive technology experts, and the public.

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

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

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

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1277 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a
1278 passing score on grade 10 FCAT Reading and grade 10 FCAT
1279 Mathematics or attain concordant scores as described in
1280 subsection (10) in order to qualify for a standard high school
1281 diploma.

1282 7. In addition to designating a passing score under
1283 subparagraph 6., the State Board of Education shall also
1284 designate, by rule, a score for each statewide, standardized
1285 end-of-course assessment which indicates that a student is high
1286 achieving and has the potential to meet college-readiness
1287 standards by the time the student graduates from high school.

1288 8. Participation in the testing program is mandatory for
1289 all students attending public school, including students served
1290 in Department of Juvenile Justice programs, except as otherwise
1291 prescribed by the commissioner. A student who has not earned
1292 passing scores on the grade 10 FCAT as provided in subparagraph
1293 6. must participate in each retake of the assessment until the
1294 student earns passing scores or achieves scores on a
1295 standardized assessment which are concordant with passing scores
1296 pursuant to subsection (10). If a student does not participate
1297 in the statewide assessment, the district must notify the
1298 student's parent and provide the parent with information
1299 regarding the implications of such nonparticipation. A parent
1300 must provide signed consent for a student to receive classroom
1301 instructional accommodations that would not be available or
1302 permitted on the statewide assessments and must acknowledge in
1303 writing that he or she understands the implications of such
1304 instructional accommodations. The State Board of Education shall
1305 adopt rules, based upon recommendations of the commissioner, for

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the provision of test accommodations for students in exceptional education programs and for students who have limited English proficiency. Accommodations that negate the validity of a statewide assessment are not allowable in the administration of the FCAT or an end-of-course assessment. However, instructional accommodations are allowable in the classroom if included in a student's individual education plan. Students using instructional accommodations in the classroom that are not allowable as accommodations on the FCAT or an end-of-course assessment may have the FCAT or an end-of-course assessment requirement waived pursuant to the requirements of s. 1003.428(8)(b) or s. 1003.43(11)(b).

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

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

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instructional programs.

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

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

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

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1364 districts of student test results which is feasible within
1365 available technology and specific appropriations; however, test
1366 results for the FCAT must be made available no later than the
1367 week of June 8. Student results for end-of-course assessments
1368 must be provided no later than 1 week after the school district
1369 completes testing for each course. The commissioner may extend
1370 the reporting schedule as he or she determines necessary.

1371 b. ~~Beginning with the 2010-2011 school year,~~ FCAT Writing
1372 may ~~is~~ not be administered earlier than the week of March 1 and
1373 a comprehensive statewide assessment of any other subject may ~~is~~
1374 not be administered earlier than the week of April 15, unless
1375 the commissioner determines otherwise.

1376 c. A statewide, standardized end-of-course assessment is
1377 administered ~~during a 3-week period~~ at the end of the course.
1378 The commissioner shall select an ~~a 3-week~~ administration period
1379 for assessments that meets the intent of end-of-course
1380 assessments and provides student results prior to the end of the
1381 course. School districts shall administer tests in accordance
1382 with the schedule determined by the commissioner ~~select 1~~
1383 ~~testing week within the 3-week administration period for each~~
1384 ~~end-of-course assessment.~~ For an end-of-course assessment
1385 administered at the end of the first semester, the commissioner
1386 shall determine the most appropriate testing dates based on a
1387 school district's academic calendar.

1388
1389 The commissioner may, based on collaboration and input from
1390 school districts, design and implement student testing programs,
1391 for any grade level and subject area, necessary to effectively
1392 monitor educational achievement in the state, including the

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measurement of educational achievement of the Next Generation Sunshine State Standards for students with disabilities. Development and refinement of assessments shall include universal design principles and accessibility standards that will prevent any unintended obstacles for students with disabilities while ensuring the validity and reliability of the test. These principles should be applicable to all technology platforms and assistive devices available for the assessments. The field testing process and psychometric analyses for the statewide assessment program must include an appropriate percentage of students with disabilities and an evaluation or determination of the effect of test items on such students.

Section 20. Paragraph (b) of subsection (3) and subsection (4) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.—

(3)

(b) For the purpose of determining whether a public school requires action to achieve a sufficient level of school improvement, 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 on statewide assessments administered pursuant to s. 1008.22; ~~school's grade, pursuant to s. 1008.34,~~ and

2. 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

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reflects intervention and support strategies to address the particular needs of schools in each category. For purposes of this subsection, a school's grade shall be calculated in accordance with paragraph (3)(b).

(a) Intervention and support strategies shall be applied to schools based upon the school categorization. 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) Beginning with the school grades calculated in accordance with paragraph (3)(b) for the 2010-2011 school year, the lowest-performing schools are schools that have received:

~~1. a grade of "F" in the most recent school year and in 2 4 of the last 4 6 years; or~~

~~2. A grade of "D" or "F" in the most recent school year 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 21. Paragraph (h) is added to subsection (2) of

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1451 section 1008.331, Florida Statutes, to read:

1452 1008.331 Supplemental educational services in Title I
1453 schools; school district, provider, and department
1454 responsibilities.—

1455 (2) RESPONSIBILITIES OF SCHOOL DISTRICT AND PROVIDER.—

1456 (h) Notwithstanding a provider's submission to the
1457 department regarding the premethods and postmethods to be used
1458 to determine student learning gains, beginning with the 2011-
1459 2012 school year, a school board may include in its district
1460 contract with a provider a requirement to use a uniform
1461 standardized assessment, if the department is notified of such
1462 intent before services are provided to the student.

1463 Section 22. Subsection (3) of section 1008.34, Florida
1464 Statutes, is amended to read:

1465 1008.34 School grading system; school report cards;
1466 district grade.—

1467 (3) DESIGNATION OF SCHOOL GRADES.—

1468 (a) Each school that has students who are tested and
1469 included in the school grading system shall receive a school
1470 grade, except as follows:

1471 1. A school shall not receive a school grade if the number
1472 of its students tested and included in the school grading system
1473 is less than the minimum sample size necessary, based on
1474 accepted professional practice, for statistical reliability and
1475 prevention of the unlawful release of personally identifiable
1476 student data under s. 1002.22 or 20 U.S.C. s. 1232g.

1477 2. An alternative school may choose to receive a school
1478 grade under this section or a school improvement rating under s.
1479 1008.341. For charter schools that meet the definition of an

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1480 alternative school pursuant to State Board of Education rule,
1481 the decision to receive a school grade is the decision of the
1482 charter school governing board.

1483 3. A school that serves any combination of students in
1484 kindergarten through grade 3 which does not receive a school
1485 grade because its students are not tested and included in the
1486 school grading system shall receive the school grade designation
1487 of a K-3 feeder pattern school identified by the Department of
1488 Education and verified by the school district. A school feeder
1489 pattern exists if at least 60 percent of the students in the
1490 school serving a combination of students in kindergarten through
1491 grade 3 are scheduled to be assigned to the graded school.

1492 (b)1. A school's grade shall be based on a combination of:

1493 a. Student achievement scores, including achievement on all
1494 FCAT assessments administered under s. 1008.22(3)(c)1., end-of-
1495 course assessments administered under s. 1008.22(3)(c)2.a., and
1496 achievement scores for students seeking a special diploma.

1497 b. Student learning gains in reading and mathematics as
1498 measured by FCAT and end-of-course assessments, as described in
1499 s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking
1500 a special diploma, as measured by an alternate assessment tool,
1501 shall be included not later than the 2009-2010 school year.

1502 c. Improvement of the lowest 25th percentile of students in
1503 the school in reading and mathematics on the FCAT or end-of-
1504 course assessments described in s. 1008.22(3)(c)2.a., unless
1505 these students are exhibiting satisfactory performance.

1506 2. Beginning with the 2011-2012 school year, for schools
1507 comprised of middle school grades 6 through 8 or grades 7 and 8,
1508 the school's grade shall include the performance of its students

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1509 in high school level courses with end-of-course assessments
1510 administered under s. 1008.22(3)(c)2.a., and as valid data
1511 becomes available, the students' attainment of national industry
1512 certification identified in the Industry Certification Funding
1513 List pursuant to rules adopted by the State Board of Education.

1514 3.2- Beginning with the 2009-2010 school year for schools
1515 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1516 11, and 12, 50 percent of the school grade shall be based on a
1517 combination of the factors listed in sub-subparagraphs 1.a.-c.
1518 and the remaining 50 percent on the following factors:

1519 a. The high school graduation rate of the school;

1520 b. As valid data becomes available, the performance and
1521 participation of the school's students in College Board Advanced
1522 Placement courses, International Baccalaureate courses, dual
1523 enrollment courses, and Advanced International Certificate of
1524 Education courses; and the students' achievement of national
1525 industry certification identified in the Industry Certification
1526 Funding List, pursuant to rules adopted by the State Board of
1527 Education;

1528 c. Postsecondary readiness of the school's students as
1529 measured by the SAT, ACT, or the common placement test;

1530 d. The high school graduation rate of at-risk students who
1531 scored at Level 2 or lower on the grade 8 FCAT Reading and
1532 Mathematics examinations;

1533 e. As valid data becomes available, the performance of the
1534 school's students on statewide standardized end-of-course
1535 assessments administered under s. 1008.22(3)(c)2.b. and c.; and

1536 f. The growth or decline in the components listed in sub-
1537 subparagraphs a.-e. from year to year.

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(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 Department of Juvenile Justice. The student performance data for eligible students identified in this subparagraph shall be

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1567 included in the calculation of the home school's grade. As used
1568 in this subparagraph ~~section~~ and s. 1008.341, the term "home
1569 school" means the school to which the student would be assigned
1570 if the student were not assigned to an alternative school. If an
1571 alternative school chooses to be graded under this section,
1572 student performance data for eligible students identified in
1573 this subparagraph shall not be included in the home school's
1574 grade but shall be included only in the calculation of the
1575 alternative school's grade. A school district that fails to
1576 assign the FCAT and end-of-course assessment as described in s.
1577 1008.22(3)(c)2.a. scores of each of its students to his or her
1578 home school or to the alternative school that receives a grade
1579 shall forfeit Florida School Recognition Program funds for 1
1580 fiscal year. School districts must require collaboration between
1581 the home school and the alternative school in order to promote
1582 student success. This collaboration must include an annual
1583 discussion between the principal of the alternative school and
1584 the principal of each student's home school concerning the most
1585 appropriate school assignment of the student.

1586 4. The achievement scores and learning gains of students
1587 designated as hospital or homebound. Student assessment data for
1588 students designated as hospital or homebound shall be assigned
1589 to their home school for the purposes of school grades. As used
1590 in this subparagraph, the term "home school" means the school to
1591 which a student would be assigned if the student were not
1592 assigned to a hospital or homebound program.

1593 5.4. For schools comprised of high school grades 9, 10, 11,
1594 and 12, or grades 10, 11, and 12, the data listed in
1595 subparagraphs 1.-3. and the following data as the Department of

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Education determines such data are valid and available:

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

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

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

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

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

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

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

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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.

(d) Notwithstanding the requirements in paragraphs (b) and
(c), beginning with the 2011-2012 school year, a school that
does not meet the minimum proficiency standards established by
the State Board of Education shall receive a school grade of
"F." A definition of minimum proficiency must include a minimum
percent of students proficient in reading and may include
significant gains from the prior year as a condition for waiving
this paragraph.

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

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students, as defined in this paragraph, in the school are making adequate progress.

Section 23. Paragraph (a) of subsection (3) of section 1011.01, Florida Statutes, is amended to read:

1011.01 Budget system established.—

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

Section 24. Subsection (4) of section 1011.03, Florida Statutes, is amended to read:

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

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

Section 25. Section 1011.035, Florida Statutes, is created to read:

1011.035 School district budget transparency.—

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(1) The Legislature finds that it is important for school districts to provide budgetary transparency to enable taxpayers, parents, and education advocates to obtain school district budgets and related information in a manner that is simply explained and easily understandable. The Legislature finds that financial transparency leads to more responsible spending, more citizen involvement, and improved accountability. The Legislature further finds that a budget that is not transparent, accessible, and accurate cannot be properly analyzed, its implementation thoroughly monitored, or its outcomes evaluated.

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

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

(a) Timely information as to when a budget hearing will be conducted;

(b) Each approved contract between the district school board and the teachers' union;

(c) Each approved contract between the district school board and noninstructional staff;

(d) Recommendations of the citizens' budget advisory committee; and

(e) Current and archived video recordings of each district school board meeting and workshop.

(4) Each district school board's website must contain

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1712 links:

1713 (a) Helping explain or providing background information on
1714 various budget items that are required by state or federal law;

1715 (b) Allowing users to navigate to related sites to view
1716 supporting detail; and

1717 (c) Enabling taxpayers, parents, and education advocates to
1718 send e-mails asking questions about the budget and to enable
1719 others to see the questions and responses.

1720 Section 26. Subsection (1) of section 1011.61, Florida
1721 Statutes, is amended to read:

1722 1011.61 Definitions.—Notwithstanding the provisions of s.
1723 1000.21, the following terms are defined as follows for the
1724 purposes of the Florida Education Finance Program:

1725 (1) A “full-time equivalent student” in each program of the
1726 district is defined in terms of full-time students and part-time
1727 students as follows:

1728 (a) A “full-time student” is one student on the membership
1729 roll of one school program or a combination of school programs
1730 listed in s. 1011.62(1)(c) for the school year or the equivalent
1731 for:

1732 1. Instruction in a standard school, comprising not less
1733 than 900 net hours for a student in or at the grade level of 4
1734 through 12, or not less than 720 net hours for a student in or
1735 at the grade level of kindergarten through grade 3 or in an
1736 authorized prekindergarten exceptional program;

1737 2. Instruction in a double-session school or a school
1738 utilizing an experimental school calendar approved by the
1739 Department of Education, comprising not less than the equivalent
1740 of 810 net hours in grades 4 through 12 or not less than 630 net

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1741 hours in kindergarten through grade 3; or

1742 3. Instruction comprising the appropriate number of net
1743 hours set forth in subparagraph 1. or subparagraph 2. for
1744 students who, within the past year, have moved with their
1745 parents for the purpose of engaging in the farm labor or fish
1746 industries, if a plan furnishing such an extended school day or
1747 week, or a combination thereof, has been approved by the
1748 commissioner. Such plan may be approved to accommodate the needs
1749 of migrant students only or may serve all students in schools
1750 having a high percentage of migrant students. The plan described
1751 in this subparagraph is optional for any school district and is
1752 not mandated by the state.

1753 (b) A "part-time student" is a student on the active
1754 membership roll of a school program or combination of school
1755 programs listed in s. 1011.62(1)(c) who is less than a full-time
1756 student.

1757 (c)1. A "full-time equivalent student" is:

1758 a. A full-time student in any one of the programs listed in
1759 s. 1011.62(1)(c); or

1760 b. A combination of full-time or part-time students in any
1761 one of the programs listed in s. 1011.62(1)(c) which is the
1762 equivalent of one full-time student based on the following
1763 calculations:

1764 (I) A full-time student, except a postsecondary or adult
1765 student or a senior high school student enrolled in adult
1766 education when such courses are required for high school
1767 graduation, in a combination of programs listed in s.
1768 1011.62(1)(c) shall be a fraction of a full-time equivalent
1769 membership in each special program equal to the number of net

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hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. or subparagraph (a)2. The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student's time not spent in such special education programs and shall be recorded as time in the appropriate basic program.

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

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

(IV) A full-time equivalent student for students in grades 6 through 8 ~~12~~ in a school district virtual instruction program under s. 1002.45(1)(b)1. ~~and 2.~~ shall consist of six full successful course ~~credit~~ completions in programs listed in s. 1011.62(1)(c)1.b. ~~or c. and 3.~~ A full-time equivalent student for students in grades 9 through 12 in a school district virtual instruction program under s. 1002.45(1)(b)1. and 2. shall consist of six full credit completions in programs listed in s. 1011.62(1)(c)1.c. or 3. Successful course ~~Credit~~ completions for students in grades 6 through 8 can be a combination of either successful semester or full course completions ~~full credits or half credits.~~ Successful credit completions for students in grades 9 through 12 can be a combination of either credits or

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1799 half credits.

1800 (V) A Florida Virtual School full-time equivalent student
1801 shall consist of six full successful course completions for
1802 students in grades 4 through 8 ~~credit completions~~ in the
1803 programs listed in s. 1011.62(1)(c)1.b. ~~for grades 6 through 8~~
1804 ~~and the programs listed in s. 1011.62(1)(c)1.c. for grades 9~~
1805 ~~through 12.~~ A Florida Virtual School full-time equivalent
1806 student shall consist of six full credit completions for grades
1807 9 through 12 in the programs listed in s. 1011.62(1)(c)1.c. and
1808 3. Credit or course completions can be a combination of either
1809 successful semester or full course completions for grades 6
1810 through 8 and full credits and half-credits for grades 9 through
1811 12 ~~full credits or half credits.~~

1812 (VI) Each successfully completed credit earned under the
1813 alternative high school course credit requirements authorized in
1814 s. 1002.375, which is not reported as a portion of the 900 net
1815 hours of instruction pursuant to subparagraph (1)(a)1., shall be
1816 calculated as 1/6 FTE.

1817 2. A student in membership in a program scheduled for more
1818 or less than 180 school days or the equivalent on an hourly
1819 basis as specified by rules of the State Board of Education is a
1820 fraction of a full-time equivalent membership equal to the
1821 number of instructional hours in membership divided by the
1822 appropriate number of hours set forth in subparagraph (a)1.;
1823 however, for the purposes of this subparagraph, membership in
1824 programs scheduled for more than 180 days is limited to students
1825 enrolled in juvenile justice education programs and the Florida
1826 Virtual School.

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

Section 27. Paragraph (p) of subsection (1) of section 1011.62, Florida Statutes, is amended to read:

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

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

(p) *Calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs pursuant to ss. 1003.491, 1003.492, ~~and~~ 1003.493, and 1003.4935 and identified in the Industry Certified Funding List pursuant to rules adopted by the State Board of Education.—A maximum value of 0.3 full-time equivalent student membership shall be calculated for each student who completes an industry-certified career and professional academy program under ss. 1003.491, 1003.492, ~~and~~ 1003.493, and 1003.4935 and who is issued the highest level of industry certification identified annually in the Industry Certification Funding List approved under rules*

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1857 adopted by the State Board of Education and a high school
1858 diploma. The value of full-time equivalent student membership
1859 shall be determined by weights adopted by the State Board of
1860 Education pursuant to s. 1003.492. Such value shall be added to
1861 the total full-time equivalent student membership in secondary
1862 career education programs for grades 9 through 12 in the
1863 subsequent year for courses that were not funded through dual
1864 enrollment. The additional full-time equivalent membership
1865 authorized under this paragraph may not exceed 0.3 per student.
1866 Allocated funds shall be proportionately prorated and
1867 distributed to middle school career and professional academies
1868 for those students who earned industry certifications. Each
1869 district must allocate at least 80 percent of the funds
1870 generated by student attainment of an ~~provided for~~ industry
1871 certification, in accordance with this paragraph, to the program
1872 in which the student earned the industry certification ~~that~~
1873 ~~generated the funds.~~ Unless a different amount is specified in
1874 the General Appropriations Act, the appropriation for this
1875 calculation is limited to \$15 million annually. If the
1876 appropriation is insufficient to fully fund the total
1877 calculation, the appropriation shall be prorated.

1878 Section 28. Subsection (1) of section 1012.39, Florida
1879 Statutes, is amended to read:

1880 1012.39 Employment of substitute teachers, teachers of
1881 adult education, nondegreed teachers of career education, and
1882 career specialists; students performing clinical field
1883 experience.—

1884 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and
1885 1012.57, or any other provision of law or rule to the contrary,

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each district school board shall establish the minimal qualifications for:

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

(b) Part-time and full-time teachers in adult education programs. The qualifications shall require 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.

(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 this state ~~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.

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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. The district school board may establish alternative qualifications for teachers who hold industry certificates in the career areas in which they teach. ~~Alternate means of determining successful occupational experience may be established by the district school board.~~

c. Industry certification if state or national industry certifications are available and applicable.

~~d.e.~~ Completion of career education training conducted through the local school district inservice master plan.

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

~~f.e.~~ Demonstration of successful teaching performance.

Section 29. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2011.