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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/14/2011	.	
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The Committee on Budget Subcommittee on Education Pre-K - 12 Appropriations (Wise) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

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.*—



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

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

28 1001.42 Powers and duties of district school board.—The  
29 district school board, acting as a board, shall exercise all  
30 powers and perform all duties listed below:

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

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

39 1001.421 Gifts.—Notwithstanding any other provision of law  
40 to the contrary, district school board members and their  
41 relatives, as defined in s. 112.312(21), may not directly or



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42 indirectly solicit any gift, or directly or indirectly accept  
43 any gift in excess of \$50, from any person, vendor, potential  
44 vendor, or other entity doing business with the school district.

45 The term "gift" has the same meaning as in s. 112.312(12).

46 Section 4. Paragraph (a) of subsection (1) of section  
47 1002.37, Florida Statutes, is amended to read:

48 1002.37 The Florida Virtual School.—

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

56  
57 The board of trustees of the Florida Virtual School shall  
58 identify appropriate performance measures and standards based on  
59 student achievement that reflect the school's statutory mission  
60 and priorities, and shall implement an accountability system for  
61 the school that includes assessment of its effectiveness and  
62 efficiency in providing quality services that encourage high  
63 student achievement, seamless articulation, and maximum access.

64 Section 5. Subsection (2) and paragraph (a) of subsection  
65 (3) of section 1002.38, Florida Statutes, are amended to read:

66 1002.38 Opportunity Scholarship Program.—

67 (2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.—For purposes of  
68 this section, a school's grade shall be based upon statewide  
69 assessments administered pursuant to s. 1008.22. A public school  
70 student's parent may request and receive from the state an



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71 opportunity scholarship for the student to enroll in and attend  
72 a private school in accordance with the provisions of this  
73 section if:

74 (a)1. By assigned school attendance area or by special  
75 assignment, the student has spent the prior school year in  
76 attendance at a public school that has been designated pursuant  
77 to ~~s. 1008.34~~ as performance grade category "F," failing to make  
78 adequate progress, and that has had 2 school years in a 4-year  
79 period of such low performance, and the student's attendance  
80 occurred during a school year in which such designation was in  
81 effect;

82 2. The student has been in attendance elsewhere in the  
83 public school system and has been assigned to such school for  
84 the next school year; or

85 3. The student is entering kindergarten or first grade and  
86 has been notified that the student has been assigned to such  
87 school for the next school year.

88 (b) The parent has obtained acceptance for admission of the  
89 student to a private school eligible for the program pursuant to  
90 subsection (4), and has notified the Department of Education and  
91 the school district of the request for an opportunity  
92 scholarship no later than July 1 of the first year in which the  
93 student intends to use the scholarship.

94  
95 The provisions of this section ~~do shall~~ not apply to a student  
96 who is enrolled in a school operating for the purpose of  
97 providing educational services to youth in Department of  
98 Juvenile Justice commitment programs. For purposes of continuity  
99 of educational choice, the opportunity scholarship shall remain



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100 in force until the student returns to a public school or, if the  
101 student chooses to attend a private school the highest grade of  
102 which is grade 8, until the student matriculates to high school  
103 and the public high school to which the student is assigned is  
104 an accredited school with a performance grade category  
105 designation of "C" or better. However, at any time upon  
106 reasonable notice to the Department of Education and the school  
107 district, the student's parent may remove the student from the  
108 private school and place the student in a public school, as  
109 provided in subparagraph (3)(a)2.

110 (3) SCHOOL DISTRICT OBLIGATIONS.—

111 (a) A school district shall, for each student enrolled in  
112 or assigned to a school that has been designated as performance  
113 grade category "F" for 2 school years in a 4-year period:

114 1. Timely notify the parent of the student as soon as such  
115 designation is made of all options available pursuant to this  
116 section.

117 2. Offer that student's parent an opportunity to enroll the  
118 student in the public school within the district that has been  
119 designated by the state ~~pursuant to s. 1008.34~~ as a school  
120 performing higher than that in which the student is currently  
121 enrolled or to which the student has been assigned, but not less  
122 than performance grade category "C." The parent is not required  
123 to accept this offer in lieu of requesting a state opportunity  
124 scholarship to a private school. The opportunity to continue  
125 attending the higher performing public school shall remain in  
126 force until the student graduates from high school.

127 Section 6. Paragraph (a) of subsection (4) of section  
128 1002.39, Florida Statutes, is amended to read:



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129           1002.39 The John M. McKay Scholarships for Students with  
130 Disabilities Program.—There is established a program that is  
131 separate and distinct from the Opportunity Scholarship Program  
132 and is named the John M. McKay Scholarships for Students with  
133 Disabilities Program.

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

135           (a) For purposes of continuity of educational choice, a  
136 John M. McKay Scholarship shall remain in force until the  
137 student returns to a public school, graduates from high school,  
138 or reaches the age of 22, whichever occurs first. A scholarship  
139 student who enrolls in a public school or public school program  
140 is considered to have returned to a public school for the  
141 purpose of determining the end of the scholarship's term.  
142 However, if a student enters a Department of Juvenile Justice  
143 detention center for a period of no more than 21 days, the  
144 student is not considered to have returned to a public school  
145 for that purpose.

146           Section 7. Paragraph (b) of subsection (2) of section  
147 1002.45, Florida Statutes, is amended to read:

148           1002.45 School district virtual instruction programs.—

149           (2) PROVIDER QUALIFICATIONS.—

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

155           Section 8. Paragraph (e) is added to subsection (2) of  
156 section 1002.66, Florida Statutes, to read:

157           1002.66 Specialized instructional services for children



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158 with disabilities.-

159 (2) The parent of a child who is eligible for the  
160 prekindergarten program for children with disabilities may  
161 select one or more specialized instructional services that are  
162 consistent with the child's individual educational plan. These  
163 specialized instructional services may include, but are not  
164 limited to:

165 (e) Listening and Spoken Language specialists for any child  
166 who is deaf or hard of hearing and who has received an implant  
167 or assistive hearing device.

168 Section 9. Subsection (1) and paragraph (c) of subsection  
169 (3) of section 1002.67, Florida Statutes, are amended to read:  
170 1002.67 Performance standards; curricula and  
171 accountability.-

172 (1) (a) By April 1, 2005, the department shall develop and  
173 adopt performance standards for students in the Voluntary  
174 Prekindergarten Education Program. The performance standards  
175 must address the age-appropriate progress of students in the  
176 development of:

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

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

183 (b) The State Board of Education shall periodically review  
184 and revise the performance standards for the statewide  
185 kindergarten screening administered under s. 1002.69 and align  
186 the standards to the standards established by the state board



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187 for student performance on the statewide assessments  
188 administered pursuant to s. 1008.22.

189 (3)

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

198 2. If a private prekindergarten provider or public school  
199 fails to meet the minimum rate adopted by the State Board of  
200 Education as satisfactory under s. 1002.69(6) ~~for 2 consecutive~~  
201 ~~years~~, the early learning coalition or school district, as  
202 applicable, shall place the provider or school on probation and  
203 must require the provider or school to take certain corrective  
204 actions, including the use of a curriculum approved by the  
205 department under paragraph (2) (c).

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

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





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216 exemption by the department pursuant to s. 1002.69(7), the  
217 Agency for Workforce Innovation shall require the early learning  
218 coalition or the Department of Education shall require the  
219 school district to remove, as applicable, the provider or school  
220 from eligibility to deliver the Voluntary Prekindergarten  
221 Education Program and receive state funds for the program.

222 Section 10. Subsections (1), (5), and (6) and paragraphs  
223 (b) and (c) of subsection (7) of section 1002.69, Florida  
224 Statutes, are amended to read:

225 1002.69 Statewide kindergarten screening; kindergarten  
226 readiness rates; state-approved prekindergarten enrollment  
227 screening; good cause exemption.-

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

239 (5) The State Board of Education shall adopt procedures for  
240 the department to annually calculate each private  
241 prekindergarten provider's and public school's kindergarten  
242 readiness rate, which must be expressed as the percentage of the  
243 provider's or school's students who are assessed as ready for  
244 kindergarten. The kindergarten readiness rates must be based



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245 exclusively upon the results of the statewide kindergarten  
246 screening for students completing the Voluntary Prekindergarten  
247 Education Program, beginning with students completing the  
248 program during the 2005-2006 school year who are administered  
249 the statewide kindergarten screening during the 2006-2007 school  
250 year. The methodology for calculating each provider's  
251 kindergarten readiness rate must include the percentage of  
252 students who meet all state readiness measures. The rates must  
253 not include students who are not administered the statewide  
254 kindergarten screening.

255 (6) ~~(a)~~ The State Board of Education shall periodically  
256 adopt a minimum kindergarten readiness rate that, if achieved by  
257 a private prekindergarten provider or public school, would  
258 demonstrate the provider's or school's satisfactory delivery of  
259 the Voluntary Prekindergarten Education Program.

260 ~~(b) The minimum rate must not exceed the rate at which more~~  
261 ~~than 15 percent of the kindergarten readiness rates of all~~  
262 ~~private prekindergarten providers and public schools delivering~~  
263 ~~the Voluntary Prekindergarten Education Program in the state~~  
264 ~~would fall below the minimum rate.~~

265 (7)

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

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



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274 as measured by the state-approved prekindergarten enrollment  
275 screening and the standardized post-assessment approved by the  
276 department pursuant to subparagraph (c)1.

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

284 3. Submission and review of data available to the  
285 department on the performance of the children served and the  
286 calculation of the private prekindergarten provider's or public  
287 school's kindergarten readiness rate.

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

291 1. Learning gains of children served in the Voluntary  
292 Prekindergarten Education Program by the private prekindergarten  
293 provider or public school. A provider seeking a good cause  
294 exemption shall have the early learning coalition or a  
295 department-approved second party administer the state-approved  
296 prekindergarten enrollment screening to each child in the  
297 prekindergarten provider's program within the first 30 days of  
298 each school year for which a good cause exemption is sought, and  
299 the provider shall administer the standardized post-assessment  
300 approved by the department to measure the student's learning  
301 gains for the year or summer, as appropriate. All data must be  
302 submitted to the department within 30 days after the



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303 administration of each assessment. Each parent who enrolls his  
304 or her child in a Voluntary Prekindergarten Education Program  
305 offered by a provider seeking a good cause exemption must submit  
306 the child for the state-approved prekindergarten enrollment  
307 screening.

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

313 ~~2.3.~~ Verification that local and state health and safety  
314 requirements are met.

315 Section 11. Subsection (4) of section 1002.71, Florida  
316 Statutes, is amended to read:

317 1002.71 Funding; financial and attendance reporting.—

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

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

331 (b) A child who has not substantially completed any of the



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332 prekindergarten programs listed in s. 1002.53(3) may withdraw  
333 from the program due to an extreme hardship that is beyond the  
334 child's or parent's control, reenroll in one of the summer  
335 programs, and be reported for funding purposes as a full-time  
336 equivalent student in the summer program for which the child is  
337 reenrolled.

338  
339 A child may reenroll only once in a prekindergarten program  
340 under this section. A child who reenrolls in a prekindergarten  
341 program under this subsection may not subsequently withdraw from  
342 the program and reenroll, unless the child is granted a good  
343 cause exemption under this subsection. The Agency for Workforce  
344 Innovation shall establish criteria specifying whether a good  
345 cause exists for a child to withdraw from a program under  
346 paragraph (a), whether a child has substantially completed a  
347 program under paragraph (b), and whether an extreme hardship  
348 exists which is beyond the child's or parent's control under  
349 paragraph (b).

350 Section 12. Subsection (2) of section 1002.73, Florida  
351 Statutes, is amended to read:

352 1002.73 Department of Education; powers and duties;  
353 accountability requirements.-

354 (2) The department shall adopt procedures for its:

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

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

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



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361 1002.69.

362 (d) Implementation of, and determination of costs  
363 associated with, the state-approved prekindergarten enrollment  
364 screening and the standardized post-assessment approved by the  
365 department, and determination of the learning gains of students  
366 who complete the state-approved prekindergarten enrollment  
367 screening and the standardized post-assessment approved by the  
368 department.

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

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

373 (g) ~~(e)~~ Granting of a private prekindergarten provider's or  
374 public school's request for a good cause exemption under s.  
375 1002.69(7).

376 Section 13. Paragraph (b) of subsection (3) of section  
377 1003.01, Florida Statutes, is amended to read:

378 1003.01 Definitions.—As used in this chapter, the term:

379 (3)

380 (b) "Special education services" means specially designed  
381 instruction and such related services as are necessary for an  
382 exceptional student to benefit from education. Such services may  
383 include: transportation; diagnostic and evaluation services;  
384 social services; physical and occupational therapy; speech and  
385 language pathology services; job placement; orientation and  
386 mobility training; braillists, typists, and readers for the  
387 blind; interpreters and auditory amplification; services  
388 provided by a certified Listening and Spoken Language  
389 specialist; rehabilitation counseling; transition services;



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390 mental health services; guidance and career counseling;  
391 specified materials, assistive technology devices, and other  
392 specialized equipment; and other such services as approved by  
393 rules of the state board.

394 Section 14. Subsection (1) of section 1003.4156, Florida  
395 Statutes, is amended to read:

396 1003.4156 General requirements for middle grades  
397 promotion.—

398 ~~(1) Beginning with students entering grade 6 in the 2006-~~  
399 ~~2007 school year,~~ Promotion from a school composed of middle  
400 grades 6, 7, and 8 requires that:

401 (a) The student must successfully complete academic courses  
402 as follows:

403 1. Three middle school or higher courses in English. These  
404 courses shall emphasize literature, composition, and technical  
405 text.

406 2. Three middle school or higher courses in mathematics.  
407 Each middle school must offer at least one high school level  
408 mathematics course for which students may earn high school  
409 credit. Successful completion of a high school level Algebra I  
410 or geometry course is not contingent upon the student's  
411 performance on the end-of-course assessment required under s.  
412 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012  
413 school year, to earn high school credit for an Algebra I course,  
414 a middle school student must pass the Algebra I end-of-course  
415 assessment, and beginning with the 2012-2013 school year, to  
416 earn high school credit for a geometry course, a middle school  
417 student must pass the geometry end-of-course assessment.

418 3. Three middle school or higher courses in social studies,



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419 one semester of which must include the study of state and  
420 federal government and civics education. Beginning with students  
421 entering grade 6 in the 2012-2013 school year, one of these  
422 courses must be at least a one-semester civics education course  
423 that a student successfully completes in accordance with s.  
424 1008.22(3)(c) and that includes the roles and responsibilities  
425 of federal, state, and local governments; the structures and  
426 functions of the legislative, executive, and judicial branches  
427 of government; and the meaning and significance of historic  
428 documents, such as the Articles of Confederation, the  
429 Declaration of Independence, and the Constitution of the United  
430 States.

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

438 5. One course in career and education planning to be  
439 completed in 7th or 8th grade. The course may be taught by any  
440 member of the instructional staff; must include career  
441 exploration using Florida CHOICES or a comparable cost-effective  
442 program; must include educational planning using the online  
443 student advising system known as Florida Academic Counseling and  
444 Tracking for Students at the Internet website FACTS.org; and  
445 shall result in the completion of a personalized academic and  
446 career plan. The required personalized academic and career plan  
447 must inform students of high school graduation requirements,





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448 high school assessment and college entrance test requirements,  
449 Florida Bright Futures Scholarship Program requirements, state  
450 university and Florida college admission requirements, and  
451 programs through which a high school student can earn college  
452 credit, including Advanced Placement, International  
453 Baccalaureate, Advanced International Certificate of Education,  
454 dual enrollment, career academy opportunities, and courses that  
455 lead to national industry certification.

456  
457 A student with a disability, as defined in s. 1007.02(2), for  
458 whom the individual education plan team determines that an end-  
459 of-course assessment cannot accurately measure the student's  
460 abilities, taking into consideration all allowable  
461 accommodations, shall have the end-of-course assessment results  
462 waived for purposes of determining the student's course grade  
463 and completing the requirements for middle grades promotion.

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

476 (b) For each year in which a student scores at Level 1 on



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477 FCAT Reading, the student must be enrolled in and complete an  
478 intensive reading course the following year. Placement of Level  
479 2 readers in either an intensive reading course or a content  
480 area course in which reading strategies are delivered shall be  
481 determined by diagnosis of reading needs. The department shall  
482 provide guidance on appropriate strategies for diagnosing and  
483 meeting the varying instructional needs of students reading  
484 below grade level. Reading courses shall be designed and offered  
485 pursuant to the comprehensive reading plan required by s.  
486 1011.62(9). A middle grades student who scores at Level 1 or  
487 Level 2 on FCAT Reading but who did not score below Level 3 in  
488 the previous 3 years may be granted a 1-year exemption from the  
489 reading remediation requirement; however, the student must have  
490 an approved academic improvement plan already in place, signed  
491 by the appropriate school staff and the student's parent, for  
492 the year for which the exemption is granted.

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

497 Section 15. Section 1003.4203, Florida Statutes, is created  
498 to read:

499 1003.4203 Digital curriculum.-

500 (1) Each district school board, in consultation with the  
501 district school superintendent, may develop and implement a  
502 digital curriculum for students in grades 6 through 12 in order  
503 to enable students to attain competencies in web communications  
504 and web design. A digital curriculum may include web-based  
505 skills, web-based core technologies, web design, use of digital



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506 technologies and markup language to show competency in computer  
507 skills, and use of web-based core technologies to design  
508 creative, informational, and content standards for web-based  
509 digital products that demonstrate proficiency in creating,  
510 publishing, testing, monitoring, and maintaining a website.

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

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

517 (4) A district school board may seek partnerships with  
518 private businesses and consultants to offer classes and  
519 instruction to teachers and students to assist the school  
520 district in providing digital curriculum instruction.

521 Section 16. Paragraph (b) of subsection (2) of section  
522 1003.428, Florida Statutes, is amended to read:

523 1003.428 General requirements for high school graduation;  
524 revised.—

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

528 (b) Eight credits in electives.

529 1. For each year in which a student scores at Level 1 on  
530 FCAT Reading, the student must be enrolled in and complete an  
531 intensive reading course the following year. Placement of Level  
532 2 readers in either an intensive reading course or a content  
533 area course in which reading strategies are delivered shall be  
534 determined by diagnosis of reading needs. The department shall



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535 provide guidance on appropriate strategies for diagnosing and  
536 meeting the varying instructional needs of students reading  
537 below grade level. Reading courses shall be designed and offered  
538 pursuant to the comprehensive reading plan required by s.  
539 1011.62(9). A high school student who scores at Level 1 or Level  
540 2 on FCAT Reading but who did not score below Level 3 in the  
541 previous 3 years may be granted a 1-year exemption from the  
542 reading remediation requirement; however, the student must have  
543 an approved academic improvement plan already in place, signed  
544 by the appropriate school staff and the student's parent, for  
545 the year for which the exemption is granted.

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

552 Section 17. Subsections (2), (3), and (5) of section  
553 1003.491, Florida Statutes, are amended to read:

554 1003.491 Florida Career and Professional Education Act.—The  
555 Florida Career and Professional Education Act is created to  
556 provide a statewide planning partnership between the business  
557 and education communities in order to attract, expand, and  
558 retain targeted, high-value industry and to sustain a strong,  
559 knowledge-based economy.

560 (2) ~~Beginning with the 2007-2008 school year,~~ Each district  
561 school board shall develop, in collaboration with regional local  
562 workforce boards, economic development agencies, and  
563 postsecondary institutions approved to operate in the state, a



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564 strategic 5-year plan to address and meet local and regional  
565 workforce demands. If involvement of a regional ~~the local~~  
566 workforce board or an economic development agency in the  
567 strategic plan development is not feasible, the local school  
568 board, with the approval of the Agency for Workforce Innovation,  
569 shall collaborate with the most appropriate regional ~~local~~  
570 business leadership board. Two or more school districts may  
571 collaborate in the development of the strategic plan and offer a  
572 career and professional academy as a joint venture. The  
573 strategic plan ~~Such plans~~ must describe in detail provisions for  
574 the efficient transportation of students, the maximum use of  
575 shared resources, and access to courses aligned to state  
576 curriculum standards through virtual education providers  
577 legislatively authorized to provide part-time instruction to  
578 middle school students, and an objective review of career and  
579 professional academy courses to determine if the courses will  
580 lead to the attainment of industry certifications included on  
581 the Industry Certified Funding List pursuant to rules adopted by  
582 the State Board of Education ~~the Florida Virtual School when~~  
583 ~~appropriate~~. Each strategic plan shall be reviewed, updated, and  
584 jointly approved every 5 years by the local school district,  
585 regional workforce boards, economic development agencies, and  
586 state-approved postsecondary institutions ~~completed no later~~  
587 ~~than June 30, 2008, and shall include provisions to have in~~  
588 ~~place at least one operational career and professional academy,~~  
589 ~~pursuant to s. 1003.492, no later than the beginning of the~~  
590 ~~2008-2009 school year.~~

591 (3) The strategic 5-year plan developed jointly by ~~between~~  
592 the local school district, regional ~~local~~ workforce boards,



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593 economic development agencies, and state-approved postsecondary  
594 institutions shall be constructed and based on:

595 (a) Research conducted to objectively determine local and  
596 regional workforce needs for the ensuing 5 years, using labor  
597 projections of the United States Department of Labor and the  
598 Agency for Workforce Innovation;

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

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

602 (d) Strategies that ensure instruction by industry-  
603 certified faculty and standards and strategies to maintain  
604 current industry credentials and for recruiting and retaining  
605 faculty to meet those standards;

606 (e) Alignment of the requirements for middle school career  
607 exploration, middle and high school career and professional  
608 academies leading to industry certification, and high school  
609 graduation requirements redesign;

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

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

617 (h) ~~(g)~~ Establishment of student eligibility criteria in  
618 career and professional academies which include opportunities  
619 for students who have been unsuccessful in traditional  
620 classrooms but who show aptitude to participate in academies.  
621 School boards shall address the analysis of eighth grade student



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622 achievement data to provide opportunities for students who may  
623 be deemed as potential dropouts to participate in career and  
624 professional academies;

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

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

632 (k)~~(j)~~ Opportunities for high school students to earn  
633 weighted or dual enrollment credit for higher-level career and  
634 technical courses;

635 (l)~~(k)~~ Promotion of the benefits of the Gold Seal Bright  
636 Futures Scholarship;

637 (m)~~(l)~~ Strategies to ensure the review of district pupil-  
638 progression plans and to amend such plans to include career and  
639 professional courses and to include courses that may qualify as  
640 substitute courses for core graduation requirements and those  
641 that may be counted as elective courses; and

642 (n)~~(m)~~ Strategies to provide professional development for  
643 secondary guidance counselors on the benefits of career and  
644 professional academies.

645 (5) The submission and review of newly proposed core  
646 courses shall be conducted electronically, and each proposed  
647 core course shall be approved or denied within 60 days. All  
648 courses approved as core courses for purposes of middle school  
649 promotion and high school graduation ~~purposes~~ shall be  
650 immediately added to the Course Code Directory. Approved core



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651 courses shall also be reviewed and considered for approval for  
652 dual enrollment credit. The Board of Governors and the  
653 Commissioner of Education shall jointly recommend an annual  
654 deadline for approval of new core courses to be included for  
655 purposes of postsecondary admissions and dual enrollment credit  
656 the following academic year. The State Board of Education shall  
657 establish an appeals process in the event that a proposed course  
658 is denied which shall require a consensus ruling by the Agency  
659 for Workforce Innovation and the Commissioner of Education  
660 within 15 days. The curriculum review committee must be  
661 established and operational no later than September 1, 2007.

662 Section 18. Subsections (2), (4), (5), and (6) of section  
663 1003.493, Florida Statutes, are amended to read:

664 1003.493 Career and professional academies.—

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

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

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

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

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

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

677 (e) ~~(f)~~ Promote acceleration mechanisms, such as dual  
678 enrollment, articulated credit, or occupational completion  
679 points, so that students may earn postsecondary credit while in





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680 high school.

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

683 (4) Each career and professional academy must:

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

691 (b) Include one or more partnerships with postsecondary  
692 institutions, businesses, industry, employers, economic  
693 development organizations, or other appropriate partners from  
694 the local community. Such partnerships shall be delineated in  
695 articulation agreements to provide for career-based courses that  
696 earn postsecondary credit. Such agreements may include  
697 articulation between the academy and public or private 2-year  
698 and 4-year postsecondary institutions and technical centers. The  
699 Department of Education, in consultation with the Board of  
700 Governors, shall establish a mechanism to ensure articulation  
701 and transfer of credits to postsecondary institutions in this  
702 state. Such partnerships must provide opportunities for:

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

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

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

708 4. The highest available level of industry certification.



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

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

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

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

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

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

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

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



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738           (j) Include a plan to sustain career and professional  
739 academies ~~Provide opportunities for students to obtain the~~  
740 ~~Florida Ready to Work Certification pursuant to s. 1004.99.~~

741           (k) ~~Include an evaluation plan developed jointly with the~~  
742 ~~Department of Education and the local workforce board. The~~  
743 ~~evaluation plan must include an assessment tool based on~~  
744 ~~national industry standards, such as the Career Academy National~~  
745 ~~Standards of Practice, and outcome measures, including, but not~~  
746 ~~limited to, achievement of national industry certifications~~  
747 ~~identified in the Industry Certification Funding List, pursuant~~  
748 ~~to rules adopted by the State Board of Education, graduation~~  
749 ~~rates, enrollment in postsecondary education, business and~~  
750 ~~industry satisfaction, employment and earnings, awards of~~  
751 ~~postsecondary credit and scholarships, and student achievement~~  
752 ~~levels and learning gains on statewide assessments administered~~  
753 ~~under s. 1008.22(3)(c). The Department of Education shall use~~  
754 ~~Workforce Florida, Inc., and Enterprise Florida, Inc., in~~  
755 ~~identifying industry experts to participate in developing and~~  
756 ~~implementing such assessments.~~

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

759           (5) All career courses offered in a career and professional  
760 academy must lead to industry certification or college credit  
761 linked directly to the career theme of the course. If the  
762 passage rate on an industry certification examination that is  
763 associated with the career and professional academy falls below  
764 50 percent, the academy must discontinue enrollment of new  
765 students the following school year and each year thereafter  
766 until such time as the passage rate is above 50 percent or the



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767 ~~academy is discontinued. At least 50 percent of students~~  
768 ~~enrolled in a career course must achieve industry certifications~~  
769 ~~or college credits during the second year the course is offered~~  
770 ~~in order for the course to be offered a third year. At least 66~~  
771 ~~percent of students enrolled in such a course must achieve~~  
772 ~~industry certifications or college credits during the third year~~  
773 ~~the course is offered in order for it to be offered a fourth~~  
774 ~~year and thereafter.~~

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

781 Section 19. Section 1003.4935, Florida Statutes, is created  
782 to read:

783 1003.4935 Middle school career and professional academy  
784 courses.-

785 (1) Beginning with the 2011-2012 school year, each district  
786 school board, in collaboration with regional workforce boards,  
787 economic development agencies, and state-approved postsecondary  
788 institutions, shall include plans to implement a career and  
789 professional academy in at least one middle school in the  
790 district as part of the strategic 5-year plan pursuant to s.  
791 1003.491(2). The middle school career and professional academy  
792 component of the strategic plan must ensure the transition of  
793 middle school career and professional academy students to a high  
794 school career and professional academy currently operating  
795 within the school district. Students who complete a middle



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796 school career and professional academy must have the opportunity  
797 to earn an industry certificate and high school credit and  
798 participate in career planning, job shadowing, and business  
799 leadership development activities.

800 (2) Each middle school career and professional academy must  
801 be aligned with at least one high school career and professional  
802 academy offered in the district and maintain partnerships with  
803 local business and industry and economic development boards.

804 Middle school career and professional academies must:

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

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

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

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

817 (e) Provide access to virtual instruction courses provided  
818 by virtual education providers legislatively authorized to  
819 provide part-time instruction to middle school students which  
820 are aligned to state curriculum standards for middle school  
821 career and professional academy students, with priority given to  
822 students who have required course deficits;

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



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825 teach;  
826 (g) Offer externships; and  
827 (h) Provide personalized student advisement that includes a  
828 parent-participation component.

829 (3) Beginning with the 2012-2013 school year, if a school  
830 district implements a middle school career and professional  
831 academy, the Department of Education shall collect and report  
832 student achievement data pursuant to performance factors  
833 identified under s. 1003.492(3) for academy students.

834 Section 20. Section 1003.575, Florida Statutes, is amended  
835 to read:

836 1003.575 Assistive technology devices; findings;  
837 interagency agreements.—Accessibility, utilization, and  
838 coordination of appropriate assistive technology devices and  
839 services are essential as a young person with disabilities moves  
840 from early intervention to preschool, from preschool to school,  
841 from one school to another, and from school to employment or  
842 independent living. If an individual education plan team makes a  
843 recommendation in accordance with State Board of Education rule  
844 for a student with a disability, as defined in s. 1003.01(3), to  
845 receive an assistive technology assessment, that assessment must  
846 be completed within 60 school days after the team's  
847 recommendation. To ensure that an assistive technology device  
848 issued to a young person as part of his or her individualized  
849 family support plan, individual support plan, or an individual  
850 education plan remains with the individual through such  
851 transitions, the following agencies shall enter into interagency  
852 agreements, as appropriate, to ensure the transaction of  
853 assistive technology devices:



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

857 (2) The Division of Blind Services, the Bureau of  
858 Exceptional Education and Student Services, and the Division of  
859 Vocational Rehabilitation of the Department of Education.

860 (3) The Voluntary Prekindergarten Education Program  
861 administered by the Department of Education and the Agency for  
862 Workforce Innovation.

863  
864 Interagency agreements entered into pursuant to this section  
865 shall provide a framework for ensuring that young persons with  
866 disabilities and their families, educators, and employers are  
867 informed about the utilization and coordination of assistive  
868 technology devices and services that may assist in meeting  
869 transition needs, and shall establish a mechanism by which a  
870 young person or his or her parent may request that an assistive  
871 technology device remain with the young person as he or she  
872 moves through the continuum from home to school to postschool.

873 Section 21. Effective upon this act becoming a law,  
874 subsection (2) and paragraph (c) of subsection (3) of section  
875 1008.22, Florida Statutes, are amended to read:

876 1008.22 Student assessment program for public schools.—

877 (2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—It is  
878 Florida's intent to participate in the measurement of national  
879 educational goals. The Commissioner of Education shall direct  
880 Florida school districts to participate in the administration of  
881 the National Assessment of Educational Progress, or a similar  
882 national or international assessment program, both for the



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883 national sample and for any state-by-state comparison programs  
884 which may be initiated. The assessments must be conducted using  
885 the data collection procedures, the student surveys, the  
886 educator surveys, and other instruments included in the National  
887 Assessment of Educational Progress or similar national or  
888 international assessment program being administered in Florida.  
889 The results of these assessments shall be included in the annual  
890 report of the Commissioner of Education specified in this  
891 section, as applicable. The administration of the National  
892 Assessment of Educational Progress or similar national or  
893 international assessment program shall be in addition to and  
894 separate from the administration of the statewide assessment  
895 program.

896 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
897 design and implement a statewide program of educational  
898 assessment that provides information for the improvement of the  
899 operation and management of the public schools, including  
900 schools operating for the purpose of providing educational  
901 services to youth in Department of Juvenile Justice programs.  
902 The commissioner may enter into contracts for the continued  
903 administration of the assessment, testing, and evaluation  
904 programs authorized and funded by the Legislature. Contracts may  
905 be initiated in 1 fiscal year and continue into the next and may  
906 be paid from the appropriations of either or both fiscal years.  
907 The commissioner is authorized to negotiate for the sale or  
908 lease of tests, scoring protocols, test scoring services, and  
909 related materials developed pursuant to law. Pursuant to the  
910 statewide assessment program, the commissioner shall:

911 (c) Develop and implement a student achievement testing





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912 program as follows:

913 1. The Florida Comprehensive Assessment Test (FCAT)  
914 measures a student's content knowledge and skills in reading,  
915 writing, science, and mathematics. The content knowledge and  
916 skills assessed by the FCAT must be aligned to the core  
917 curricular content established in the Next Generation Sunshine  
918 State Standards. Other content areas may be included as directed  
919 by the commissioner. Comprehensive assessments of reading and  
920 mathematics shall be administered annually in grades 3 through  
921 10 except, beginning with the 2010-2011 school year, the  
922 administration of grade 9 FCAT Mathematics shall be  
923 discontinued, and beginning with the 2011-2012 school year, the  
924 administration of grade 10 FCAT Mathematics shall be  
925 discontinued, except as required for students who have not  
926 attained minimum performance expectations for graduation as  
927 provided in paragraph (9) (c). FCAT Writing and FCAT Science  
928 shall be administered at least once at the elementary, middle,  
929 and high school levels except, beginning with the 2011-2012  
930 school year, the administration of FCAT Science at the high  
931 school level shall be discontinued.

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

940 (I) Statewide, standardized end-of-course assessments in



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941 mathematics shall be administered according to this sub-sub-  
942 subparagraph. Beginning with the 2010-2011 school year, all  
943 students enrolled in Algebra I or an equivalent course must take  
944 the Algebra I end-of-course assessment. ~~Students who earned high~~  
945 ~~school credit in Algebra I while in grades 6 through 8 during~~  
946 ~~the 2007-2008 through 2009-2010 school years and who have not~~  
947 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~  
948 ~~course assessment during the 2010-2011 school year.~~ For students  
949 entering grade 9 during the 2010-2011 school year and who are  
950 enrolled in Algebra I or an equivalent, each student's  
951 performance on the end-of-course assessment in Algebra I shall  
952 constitute 30 percent of the student's final course grade.  
953 Beginning with students entering grade 9 in the 2011-2012 school  
954 year, a student who is enrolled in Algebra I or an equivalent  
955 must earn a passing score on the end-of-course assessment in  
956 Algebra I or attain an equivalent score as described in  
957 subsection (11) in order to earn course credit. Beginning with  
958 the 2011-2012 school year, all students enrolled in geometry or  
959 an equivalent course must take the geometry end-of-course  
960 assessment. For students entering grade 9 during the 2011-2012  
961 school year, each student's performance on the end-of-course  
962 assessment in geometry shall constitute 30 percent of the  
963 student's final course grade. Beginning with students entering  
964 grade 9 during the 2012-2013 school year, a student must earn a  
965 passing score on the end-of-course assessment in geometry or  
966 attain an equivalent score as described in subsection (11) in  
967 order to earn course credit.

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



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

979       b. During the 2012-2013 school year, an end-of-course  
980 assessment in civics education shall be administered as a field  
981 test at the middle school level. During the 2013-2014 school  
982 year, each student's performance on the statewide, standardized  
983 end-of-course assessment in civics education shall constitute 30  
984 percent of the student's final course grade. Beginning with the  
985 2014-2015 school year, a student must earn a passing score on  
986 the end-of-course assessment in civics education in order to  
987 pass the course and be promoted from the middle grades ~~receive~~  
988 ~~course credit~~. The school principal of a middle school shall  
989 determine, in accordance with State Board of Education rule,  
990 whether a student who transfers to the middle school and who has  
991 successfully completed a civics education course at the  
992 student's previous school must take an end-of-course assessment  
993 in civics education.

994       c. The commissioner may select one or more nationally  
995 developed comprehensive examinations, which may include, but  
996 need not be limited to, examinations for a College Board  
997 Advanced Placement course, International Baccalaureate course,  
998 or Advanced International Certificate of Education course, or



999 industry-approved examinations to earn national industry  
1000 certifications identified in the Industry Certification Funding  
1001 List, pursuant to rules adopted by the State Board of Education,  
1002 for use as end-of-course assessments under this paragraph, if  
1003 the commissioner determines that the content knowledge and  
1004 skills assessed by the examinations meet or exceed the grade  
1005 level expectations for the core curricular content established  
1006 for the course in the Next Generation Sunshine State Standards.  
1007 The commissioner may collaborate with the American Diploma  
1008 Project in the adoption or development of rigorous end-of-course  
1009 assessments that are aligned to the Next Generation Sunshine  
1010 State Standards.

1011 d. Contingent upon funding provided in the General  
1012 Appropriations Act, including the appropriation of funds  
1013 received through federal grants, the Commissioner of Education  
1014 shall establish an implementation schedule for the development  
1015 and administration of additional statewide, standardized end-of-  
1016 course assessments in English/Language Arts II, Algebra II,  
1017 chemistry, physics, earth/space science, United States history,  
1018 and world history. Priority shall be given to the development of  
1019 end-of-course assessments in English/Language Arts II. The  
1020 Commissioner of Education shall evaluate the feasibility and  
1021 effect of transitioning from the grade 9 and grade 10 FCAT  
1022 Reading and high school level FCAT Writing to an end-of-course  
1023 assessment in English/Language Arts II. The commissioner shall  
1024 report the results of the evaluation to the President of the  
1025 Senate and the Speaker of the House of Representatives no later  
1026 than July 1, 2011.

1027 3. The testing program shall measure student content



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1028 knowledge and skills adopted by the State Board of Education as  
1029 specified in paragraph (a) and measure and report student  
1030 performance levels of all students assessed in reading, writing,  
1031 mathematics, and science. The commissioner shall provide for the  
1032 tests to be developed or obtained, as appropriate, through  
1033 contracts and project agreements with private vendors, public  
1034 vendors, public agencies, postsecondary educational  
1035 institutions, or school districts. The commissioner shall obtain  
1036 input with respect to the design and implementation of the  
1037 testing program from state educators, assistive technology  
1038 experts, and the public.

1039 4. The testing program shall be composed of criterion-  
1040 referenced tests that shall, to the extent determined by the  
1041 commissioner, include test items that require the student to  
1042 produce information or perform tasks in such a way that the core  
1043 content knowledge and skills he or she uses can be measured.

1044 5. FCAT Reading, Mathematics, and Science and all  
1045 statewide, standardized end-of-course assessments shall measure  
1046 the content knowledge and skills a student has attained on the  
1047 assessment by the use of scaled scores and achievement levels.  
1048 Achievement levels shall range from 1 through 5, with level 1  
1049 being the lowest achievement level, level 5 being the highest  
1050 achievement level, and level 3 indicating satisfactory  
1051 performance on an assessment. For purposes of FCAT Writing,  
1052 student achievement shall be scored using a scale of 1 through 6  
1053 and the score earned shall be used in calculating school grades.  
1054 A score shall be designated for each subject area tested, below  
1055 which score a student's performance is deemed inadequate. The  
1056 school districts shall provide appropriate remedial instruction



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1057 to students who score below these levels.

1058         6. The State Board of Education shall, by rule, designate a  
1059 passing score for each part of the grade 10 assessment test and  
1060 end-of-course assessments. Any rule that has the effect of  
1061 raising the required passing scores may apply only to students  
1062 taking the assessment for the first time after the rule is  
1063 adopted by the State Board of Education. Except as otherwise  
1064 provided in this subparagraph and as provided in s.  
1065 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a  
1066 passing score on grade 10 FCAT Reading and grade 10 FCAT  
1067 Mathematics or attain concordant scores as described in  
1068 subsection (10) in order to qualify for a standard high school  
1069 diploma.

1070         7. In addition to designating a passing score under  
1071 subparagraph 6., the State Board of Education shall also  
1072 designate, by rule, a score for each statewide, standardized  
1073 end-of-course assessment which indicates that a student is high  
1074 achieving and has the potential to meet college-readiness  
1075 standards by the time the student graduates from high school.

1076         8. Participation in the testing program is mandatory for  
1077 all students attending public school, including students served  
1078 in Department of Juvenile Justice programs, except as otherwise  
1079 prescribed by the commissioner. A student who has not earned  
1080 passing scores on the grade 10 FCAT as provided in subparagraph  
1081 6. must participate in each retake of the assessment until the  
1082 student earns passing scores or achieves scores on a  
1083 standardized assessment which are concordant with passing scores  
1084 pursuant to subsection (10). If a student does not participate  
1085 in the statewide assessment, the district must notify the



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1086 student's parent and provide the parent with information  
1087 regarding the implications of such nonparticipation. A parent  
1088 must provide signed consent for a student to receive classroom  
1089 instructional accommodations that would not be available or  
1090 permitted on the statewide assessments and must acknowledge in  
1091 writing that he or she understands the implications of such  
1092 instructional accommodations. The State Board of Education shall  
1093 adopt rules, based upon recommendations of the commissioner, for  
1094 the provision of test accommodations for students in exceptional  
1095 education programs and for students who have limited English  
1096 proficiency. Accommodations that negate the validity of a  
1097 statewide assessment are not allowable in the administration of  
1098 the FCAT or an end-of-course assessment. However, instructional  
1099 accommodations are allowable in the classroom if included in a  
1100 student's individual education plan. Students using  
1101 instructional accommodations in the classroom that are not  
1102 allowable as accommodations on the FCAT or an end-of-course  
1103 assessment may have the FCAT or an end-of-course assessment  
1104 requirement waived pursuant to the requirements of s.  
1105 1003.428(8)(b) or s. 1003.43(11)(b).

1106 9. A student seeking an adult high school diploma must meet  
1107 the same testing requirements that a regular high school student  
1108 must meet.

1109 10. District school boards must provide instruction to  
1110 prepare students in the core curricular content established in  
1111 the Next Generation Sunshine State Standards adopted under s.  
1112 1003.41, including the core content knowledge and skills  
1113 necessary for successful grade-to-grade progression and high  
1114 school graduation. If a student is provided with instructional



1115 accommodations in the classroom that are not allowable as  
1116 accommodations in the statewide assessment program, as described  
1117 in the test manuals, the district must inform the parent in  
1118 writing and must provide the parent with information regarding  
1119 the impact on the student's ability to meet expected performance  
1120 levels in reading, writing, mathematics, and science. The  
1121 commissioner shall conduct studies as necessary to verify that  
1122 the required core curricular content is part of the district  
1123 instructional programs.

1124 11. District school boards must provide opportunities for  
1125 students to demonstrate an acceptable performance level on an  
1126 alternative standardized assessment approved by the State Board  
1127 of Education following enrollment in summer academies.

1128 12. The Department of Education must develop, or select,  
1129 and implement a common battery of assessment tools that will be  
1130 used in all juvenile justice programs in the state. These tools  
1131 must accurately measure the core curricular content established  
1132 in the Next Generation Sunshine State Standards.

1133 13. For students seeking a special diploma pursuant to s.  
1134 1003.438, the Department of Education must develop or select and  
1135 implement an alternate assessment tool that accurately measures  
1136 the core curricular content established in the Next Generation  
1137 Sunshine State Standards for students with disabilities under s.  
1138 1003.438.

1139 14. The Commissioner of Education shall establish schedules  
1140 for the administration of statewide assessments and the  
1141 reporting of student test results. When establishing the  
1142 schedules for the administration of statewide assessments, the  
1143 commissioner shall consider the observance of religious and





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1144 school holidays. The commissioner shall, by August 1 of each  
1145 year, notify each school district in writing and publish on the  
1146 department's Internet website the testing and reporting  
1147 schedules for, at a minimum, the school year following the  
1148 upcoming school year. The testing and reporting schedules shall  
1149 require that:

1150 a. There is the latest possible administration of statewide  
1151 assessments and the earliest possible reporting to the school  
1152 districts of student test results which is feasible within  
1153 available technology and specific appropriations; however, test  
1154 results for the FCAT must be made available no later than the  
1155 week of June 8. Student results for end-of-course assessments  
1156 must be provided no later than 1 week after the school district  
1157 completes testing for each course. The commissioner may extend  
1158 the reporting schedule under exigent circumstances.

1159 b. ~~Beginning with the 2010-2011 school year,~~ FCAT Writing  
1160 may is not be administered earlier than the week of March 1 and  
1161 a comprehensive statewide assessment of any other subject may is  
1162 not be administered earlier than the week of April 15.

1163 c. A statewide, standardized end-of-course assessment is  
1164 administered ~~during a 3-week period~~ at the end of the course.  
1165 The commissioner shall select an a 3-week administration period  
1166 for assessments that meets the intent of end-of-course  
1167 assessments and provides student results prior to the end of the  
1168 course. School districts shall administer tests in accordance  
1169 with the schedule determined by the commissioner ~~select 1~~  
1170 ~~testing week within the 3-week administration period for each~~  
1171 ~~end-of-course assessment.~~ For an end-of-course assessment  
1172 administered at the end of the first semester, the commissioner



1173 shall determine the most appropriate testing dates based on a  
1174 review of each school district's academic calendar.

1175  
1176 The commissioner may, based on collaboration and input from  
1177 school districts, design and implement student testing programs,  
1178 for any grade level and subject area, necessary to effectively  
1179 monitor educational achievement in the state, including the  
1180 measurement of educational achievement of the Next Generation  
1181 Sunshine State Standards for students with disabilities.  
1182 Development and refinement of assessments shall include  
1183 universal design principles and accessibility standards that  
1184 will prevent any unintended obstacles for students with  
1185 disabilities while ensuring the validity and reliability of the  
1186 test. These principles should be applicable to all technology  
1187 platforms and assistive devices available for the assessments.  
1188 The field testing process and psychometric analyses for the  
1189 statewide assessment program must include an appropriate  
1190 percentage of students with disabilities and an evaluation or  
1191 determination of the effect of test items on such students.

1192 Section 22. Subsection (3) of section 1008.30, Florida  
1193 Statutes, is amended to read:

1194 1008.30 Common placement testing for public postsecondary  
1195 education.—

1196 (3) The State Board of Education shall adopt rules that  
1197 require high schools to evaluate before the beginning of grade  
1198 12 the college readiness of each student who ~~indicates an~~  
1199 ~~interest in postsecondary education and~~ scores at Level 2 or  
1200 Level 3 on the reading portion of the grade 10 FCAT or Level 2,  
1201 Level 3, or Level 4 on the mathematics assessments under s.



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1202 1008.22(3)(c). High schools shall perform this evaluation using  
1203 results from the corresponding component of the common placement  
1204 test prescribed in this section, or an equivalent test  
1205 identified by the State Board of Education. The State Board  
1206 ~~Department~~ of Education shall identify in rule ~~purchase or~~  
1207 ~~develop~~ the assessments necessary to perform the evaluations  
1208 required by this subsection and shall work with the school  
1209 districts to administer the assessments. The State Board of  
1210 Education shall establish by rule the minimum test scores a  
1211 student must achieve to demonstrate readiness. Students who  
1212 demonstrate readiness by achieving the minimum test scores  
1213 established by the state board and enroll in a community college  
1214 within 2 years of achieving such scores shall not be required to  
1215 retest or enroll in remediation when admitted ~~enroll as a~~  
1216 ~~condition of acceptance~~ to any community college. The high  
1217 school shall use the results of the test to advise the students  
1218 of any identified deficiencies and to ~~the maximum extent~~  
1219 ~~practicable~~ provide 12th grade students, and require them to  
1220 complete, access to appropriate postsecondary preparatory  
1221 ~~remedial~~ instruction prior to high school graduation. The  
1222 curriculum remedial instruction provided under this subsection  
1223 shall be identified in rule by the State Board of Education and  
1224 encompass Florida's Postsecondary Readiness Competencies. Other  
1225 elective courses may not be substituted for the selected  
1226 postsecondary reading, mathematics, or writing preparatory  
1227 course unless the elective course covers the same competencies  
1228 included in the postsecondary reading, mathematics, or writing  
1229 preparatory course ~~a collaborative effort between secondary and~~  
1230 ~~postsecondary educational institutions. To the extent courses~~



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1231 ~~are available, the Florida Virtual School may be used to provide~~  
1232 ~~the remedial instruction required by this subsection.~~

1233 Section 23. Paragraph (b) of subsection (3) and subsection  
1234 (4) of section 1008.33, Florida Statutes, are amended to read:  
1235 1008.33 Authority to enforce public school improvement.-

1236 (3)

1237 (b) For the purpose of determining whether a public school  
1238 requires action to achieve a sufficient level of school  
1239 improvement, beginning with the 2010-2011 school year, the  
1240 Department of Education shall annually categorize a public  
1241 school in one of six categories based on the following:

1242 1. A school's grade based upon statewide assessments  
1243 administered pursuant to s. 1008.22; and

1244 2. school's grade, pursuant to s. 1008.34, and The level  
1245 and rate of change in student performance in the areas of  
1246 reading and mathematics, disaggregated into student subgroups as  
1247 described in the federal Elementary and Secondary Education Act,  
1248 20 U.S.C. s. 6311(b)(2)(C)(v)(II).

1249 (4) The Department of Education shall create a matrix that  
1250 reflects intervention and support strategies to address the  
1251 particular needs of schools in each category.

1252 (a) Intervention and support strategies shall be applied to  
1253 schools based upon the school categorization pursuant to  
1254 paragraph (3)(b). The Department of Education shall apply the  
1255 most intense intervention strategies to the lowest-performing  
1256 schools. For all but the lowest category and "F" schools in the  
1257 second lowest category, the intervention and support strategies  
1258 shall be administered solely by the districts and the schools.

1259 (b) The lowest-performing schools are schools that are



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1260 categorized pursuant to paragraph (3) (b) and have received:

1261 1. A grade of "F" in the most recent school year and in 4  
1262 of the last 6 years; or

1263 2. A grade of "D" or "F" in the most recent school year and  
1264 meet at least three of the following criteria:

1265 a. The percentage of students who are not proficient in  
1266 reading has increased when compared to measurements taken 5  
1267 years previously;

1268 b. The percentage of students who are not proficient in  
1269 mathematics has increased when compared to measurements taken 5  
1270 years previously;

1271 c. At least 65 percent of the school's students are not  
1272 proficient in reading; or

1273 d. At least 65 percent of the school's students are not  
1274 proficient in mathematics.

1275 Section 24. Paragraph (h) is added to subsection (2) of  
1276 section 1008.331, Florida Statutes, to read:

1277 1008.331 Supplemental educational services in Title I  
1278 schools; school district, provider, and department  
1279 responsibilities.—

1280 (2) RESPONSIBILITIES OF SCHOOL DISTRICT AND PROVIDER.—

1281 (h) Notwithstanding a provider's submission to the  
1282 department regarding the premethods and postmethods to be used  
1283 to determine student learning gains, beginning with the 2011-  
1284 2012 school year, a school board may include in its district  
1285 contract with a provider a requirement to use a uniform  
1286 standardized assessment, if the department is notified of such  
1287 intent before services are provided to the student.

1288 Section 25. Paragraphs (b) and (c) of subsection (3) of



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1289 section 1008.34, Florida Statutes, are amended to read:  
1290 1008.34 School grading system; school report cards;  
1291 district grade.—  
1292 (3) DESIGNATION OF SCHOOL GRADES.—  
1293 (b)1. A school's grade shall be based on a combination of:  
1294 a. Student achievement scores, including achievement on all  
1295 FCAT assessments administered under s. 1008.22(3)(c)1., end-of-  
1296 course assessments administered under s. 1008.22(3)(c)2.a., and  
1297 achievement scores for students seeking a special diploma.  
1298 b. Student learning gains in reading and mathematics as  
1299 measured by FCAT and end-of-course assessments, as described in  
1300 s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking  
1301 a special diploma, as measured by an alternate assessment tool,  
1302 shall be included not later than the 2009-2010 school year.  
1303 c. Improvement of the lowest 25th percentile of students in  
1304 the school in reading and mathematics on the FCAT or end-of-  
1305 course assessments described in s. 1008.22(3)(c)2.a., unless  
1306 these students are exhibiting satisfactory performance.  
1307 2. Beginning with the 2011-2012 school year, for schools  
1308 comprised of middle school grades 6 through 8 or grades 7 and 8,  
1309 the school's grade shall include the performance and  
1310 participation of its students enrolled in high school level  
1311 courses with end-of-course assessments administered under s.  
1312 1008.22(3)(c)2.a. Performance and participation must be weighted  
1313 equally. As valid data becomes available, the school grades  
1314 shall include the students' attainment of national industry  
1315 certification identified in the Industry Certification Funding  
1316 List pursuant to rules adopted by the State Board of Education.  
1317 3.2- Beginning with the 2009-2010 school year for schools



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1318 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
1319 11, and 12, 50 percent of the school grade shall be based on a  
1320 combination of the factors listed in sub-subparagraphs 1.a.-c.  
1321 and the remaining 50 percent on the following factors:

1322 a. The high school graduation rate of the school;

1323 b. As valid data becomes available, the performance and  
1324 participation of the school's students in College Board Advanced  
1325 Placement courses, International Baccalaureate courses, dual  
1326 enrollment courses, and Advanced International Certificate of  
1327 Education courses; and the students' achievement of national  
1328 industry certification identified in the Industry Certification  
1329 Funding List, pursuant to rules adopted by the State Board of  
1330 Education;

1331 c. Postsecondary readiness of the school's students as  
1332 measured by the SAT, ACT, or the common placement test;

1333 d. The high school graduation rate of at-risk students who  
1334 scored at Level 2 or lower on the grade 8 FCAT Reading and  
1335 Mathematics examinations;

1336 e. As valid data becomes available, the performance of the  
1337 school's students on statewide standardized end-of-course  
1338 assessments administered under s. 1008.22(3)(c)2.b. and c.; and

1339 f. The growth or decline in the components listed in sub-  
1340 subparagraphs a.-e. from year to year.

1341 (c) Student assessment data used in determining school  
1342 grades shall include:

1343 1. The aggregate scores of all eligible students enrolled  
1344 in the school who have been assessed on the FCAT and statewide,  
1345 standardized end-of-course assessments in courses required for  
1346 high school graduation, including, beginning with the 2010-2011



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1347 school year, the end-of-course assessment in Algebra I; and  
1348 beginning with the 2011-2012 school year, the end-of-course  
1349 assessments in geometry and Biology; and beginning with the  
1350 2013-2014 school year, on the statewide, standardized end-of-  
1351 course assessment in civics education at the middle school  
1352 level.

1353 2. The aggregate scores of all eligible students enrolled  
1354 in the school who have been assessed on the FCAT and end-of-  
1355 course assessments as described in s. 1008.22(3)(c)2.a., and who  
1356 have scored at or in the lowest 25th percentile of students in  
1357 the school in reading and mathematics, unless these students are  
1358 exhibiting satisfactory performance.

1359 3. The achievement scores and learning gains of eligible  
1360 students attending alternative schools that provide dropout  
1361 prevention and academic intervention services pursuant to s.  
1362 1003.53. The term "eligible students" in this subparagraph does  
1363 not include students attending an alternative school who are  
1364 subject to district school board policies for expulsion for  
1365 repeated or serious offenses, who are in dropout retrieval  
1366 programs serving students who have officially been designated as  
1367 dropouts, or who are in programs operated or contracted by the  
1368 Department of Juvenile Justice. The student performance data for  
1369 eligible students identified in this subparagraph shall be  
1370 included in the calculation of the home school's grade. As used  
1371 in this subparagraph ~~section~~ and s. 1008.341, the term "home  
1372 school" means the school to which the student would be assigned  
1373 if the student were not assigned to an alternative school. If an  
1374 alternative school chooses to be graded under this section,  
1375 student performance data for eligible students identified in





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1376 this subparagraph shall not be included in the home school's  
1377 grade but shall be included only in the calculation of the  
1378 alternative school's grade. A school district that fails to  
1379 assign the FCAT and end-of-course assessment as described in s.  
1380 1008.22(3)(c)2.a. scores of each of its students to his or her  
1381 home school or to the alternative school that receives a grade  
1382 shall forfeit Florida School Recognition Program funds for 1  
1383 fiscal year. School districts must require collaboration between  
1384 the home school and the alternative school in order to promote  
1385 student success. This collaboration must include an annual  
1386 discussion between the principal of the alternative school and  
1387 the principal of each student's home school concerning the most  
1388 appropriate school assignment of the student.

1389 4. The achievement scores and learning gains of students  
1390 designated as hospital or homebound. Student assessment data for  
1391 students designated as hospital or homebound shall be assigned  
1392 to their home school for the purposes of school grades. As used  
1393 in this subparagraph, the term "home school" means the school to  
1394 which a student would be assigned if the student were not  
1395 assigned to a hospital or homebound program.

1396 5.4. For schools comprised of high school grades 9, 10, 11,  
1397 and 12, or grades 10, 11, and 12, the data listed in  
1398 subparagraphs 1.-3. and the following data as the Department of  
1399 Education determines such data are valid and available:

1400 a. The high school graduation rate of the school as  
1401 calculated by the Department of Education;

1402 b. The participation rate of all eligible students enrolled  
1403 in the school and enrolled in College Board Advanced Placement  
1404 courses; International Baccalaureate courses; dual enrollment



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1405 courses; Advanced International Certificate of Education  
1406 courses; and courses or sequence of courses leading to national  
1407 industry certification identified in the Industry Certification  
1408 Funding List, pursuant to rules adopted by the State Board of  
1409 Education;

1410 c. The aggregate scores of all eligible students enrolled  
1411 in the school in College Board Advanced Placement courses,  
1412 International Baccalaureate courses, and Advanced International  
1413 Certificate of Education courses;

1414 d. Earning of college credit by all eligible students  
1415 enrolled in the school in dual enrollment programs under s.  
1416 1007.271;

1417 e. Earning of a national industry certification identified  
1418 in the Industry Certification Funding List, pursuant to rules  
1419 adopted by the State Board of Education;

1420 f. The aggregate scores of all eligible students enrolled  
1421 in the school in reading, mathematics, and other subjects as  
1422 measured by the SAT, the ACT, and the common placement test for  
1423 postsecondary readiness;

1424 g. The high school graduation rate of all eligible at-risk  
1425 students enrolled in the school who scored at Level 2 or lower  
1426 on the grade 8 FCAT Reading and Mathematics examinations;

1427 h. The performance of the school's students on statewide  
1428 standardized end-of-course assessments administered under s.  
1429 1008.22(3)(c)2.b. and c.; and

1430 i. The growth or decline in the data components listed in  
1431 sub-subparagraphs a.-h. from year to year.

1432  
1433 The State Board of Education shall adopt appropriate criteria



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1434 for each school grade. The criteria must also give added weight  
1435 to student achievement in reading. Schools designated with a  
1436 grade of "C," making satisfactory progress, shall be required to  
1437 demonstrate that adequate progress has been made by students in  
1438 the school who are in the lowest 25th percentile in reading and  
1439 mathematics on the FCAT and end-of-course assessments as  
1440 described in s. 1008.22(3)(c)2.a., unless these students are  
1441 exhibiting satisfactory performance. Beginning with the 2009-  
1442 2010 school year for schools comprised of high school grades 9,  
1443 10, 11, and 12, or grades 10, 11, and 12, the criteria for  
1444 school grades must also give added weight to the graduation rate  
1445 of all eligible at-risk students, as defined in this paragraph.  
1446 Beginning in the 2009-2010 school year, in order for a high  
1447 school to be designated as having a grade of "A," making  
1448 excellent progress, the school must demonstrate that at-risk  
1449 students, as defined in this paragraph, in the school are making  
1450 adequate progress.

1451 Section 26. Paragraph (a) of subsection (3) of section  
1452 1011.01, Florida Statutes, is amended to read:

1453 1011.01 Budget system established.—

1454 (3)(a) Each district school board and each community  
1455 college board of trustees shall prepare, adopt, and submit to  
1456 the Commissioner of Education ~~for review~~ an annual operating  
1457 budget. Operating budgets shall be prepared and submitted in  
1458 accordance with the provisions of law, rules of the State Board  
1459 of Education, the General Appropriations Act, and for district  
1460 school boards in accordance with the provisions of ss. 200.065  
1461 and 1011.64.

1462 Section 27. Subsection (4) of section 1011.03, Florida



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1463 Statutes, is amended to read:

1464 1011.03 Public hearings; budget to be submitted to  
1465 Department of Education.—

1466 (4) The board shall hold public hearings to adopt tentative  
1467 and final budgets pursuant to s. 200.065. The hearings shall be  
1468 primarily for the purpose of hearing requests and complaints  
1469 from the public regarding the budgets and the proposed tax  
1470 levies and for explaining the budget and proposed or adopted  
1471 amendments thereto, if any. The district school board shall then  
1472 require the superintendent to transmit forthwith two copies of  
1473 the adopted budget to the Department of Education ~~for approval~~  
1474 as prescribed by law and rules of the State Board of Education.

1475 Section 28. Section 1011.035, Florida Statutes, is created  
1476 to read:

1477 1011.035 School district budget transparency.—

1478 (1) It is important for school districts to provide  
1479 budgetary transparency to enable taxpayers, parents, and  
1480 education advocates to obtain school district budget and related  
1481 information in a manner that is simply explained and easily  
1482 understandable. Budgetary transparency leads to more responsible  
1483 spending, more citizen involvement, and improved accountability.  
1484 A budget that is not transparent, accessible, and accurate  
1485 cannot be properly analyzed, its implementation thoroughly  
1486 monitored, or its outcomes evaluated.

1487 (2) Each district school board shall post on its website a  
1488 plain language version of each proposed, tentative, and official  
1489 budget which describes each budget item in terms that are easily  
1490 understandable to the public. This information must be  
1491 prominently posted on the school district's website in a manner



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1492 that is readily accessible to the public.

1493 (3) Each district school board is encouraged to post the  
1494 following information on its website:

1495 (a) Timely information as to when a budget hearing will be  
1496 conducted.

1497 (b) Each contract between the district school board and the  
1498 teachers' union.

1499 (c) Each contract between the district school board and  
1500 noninstructional staff.

1501 (d) Each contract exceeding \$35,000 between the school  
1502 board and a vendor of services, supplies, or programs or for the  
1503 purchase or lease of lands, facilities, or properties.

1504 (e) Each contract exceeding \$35,000 that is an emergency  
1505 procurement or is with a single source as authorized under s.  
1506 287.057(3).

1507 (f) Recommendations of the citizens' budget advisory  
1508 committee.

1509 (g) Current and archived video recordings of each district  
1510 school board meeting and workshop.

1511 (4) The website should contain links to:

1512 (a) Help explain or provide background information on  
1513 various budget items that are required by state or federal law.

1514 (b) Allow users to navigate to related sites to view  
1515 supporting details.

1516 (c) Enable taxpayers, parents, and education advocates to  
1517 send e-mails asking questions about the budget and enable others  
1518 to view the questions and responses.

1519 Section 29. Paragraph (e) of subsection (1) of section  
1520 1011.62, Florida Statutes, is amended to read:



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1521           1011.62 Funds for operation of schools.—If the annual  
1522 allocation from the Florida Education Finance Program to each  
1523 district for operation of schools is not determined in the  
1524 annual appropriations act or the substantive bill implementing  
1525 the annual appropriations act, it shall be determined as  
1526 follows:

1527           (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
1528 OPERATION.—The following procedure shall be followed in  
1529 determining the annual allocation to each district for  
1530 operation:

1531           (e) *Funding model for exceptional student education*  
1532 *programs.—*

1533           1.a. The funding model uses basic, at-risk, support levels  
1534 IV and V for exceptional students and career Florida Education  
1535 Finance Program cost factors, and a guaranteed allocation for  
1536 exceptional student education programs. Exceptional education  
1537 cost factors are determined by using a matrix of services to  
1538 document the services that each exceptional student will  
1539 receive. The nature and intensity of the services indicated on  
1540 the matrix shall be consistent with the services described in  
1541 each exceptional student's individual educational plan. The  
1542 Department of Education shall review and revise the descriptions  
1543 of the services and supports included in the matrix of services  
1544 for exceptional students and shall implement those revisions  
1545 before the beginning of the 2012-2013 school year.

1546           b. In order to generate funds using one of the two weighted  
1547 cost factors, a matrix of services must be completed at the time  
1548 of the student's initial placement into an exceptional student  
1549 education program and at least once every 3 years by personnel



1550 who have received approved training. Nothing listed in the  
1551 matrix shall be construed as limiting the services a school  
1552 district must provide in order to ensure that exceptional  
1553 students are provided a free, appropriate public education.

1554 c. Students identified as exceptional, in accordance with  
1555 chapter 6A-6, Florida Administrative Code, who do not have a  
1556 matrix of services as specified in sub-subparagraph b. shall  
1557 generate funds on the basis of full-time-equivalent student  
1558 membership in the Florida Education Finance Program at the same  
1559 funding level per student as provided for basic students.

1560 Additional funds for these exceptional students will be provided  
1561 through the guaranteed allocation designated in subparagraph 2.

1562 2. For students identified as exceptional who do not have a  
1563 matrix of services and students who are gifted in grades K  
1564 through 8, there is created a guaranteed allocation to provide  
1565 these students with a free appropriate public education, in  
1566 accordance with s. 1001.42(4)(m) and rules of the State Board of  
1567 Education, which shall be allocated annually to each school  
1568 district in the amount provided in the General Appropriations  
1569 Act. These funds shall be in addition to the funds appropriated  
1570 on the basis of FTE student membership in the Florida Education  
1571 Finance Program, and the amount allocated for each school  
1572 district shall not be recalculated during the year. These funds  
1573 shall be used to provide special education and related services  
1574 for exceptional students and students who are gifted in grades K  
1575 through 8. Beginning with the 2007-2008 fiscal year, a  
1576 district's expenditure of funds from the guaranteed allocation  
1577 for students in grades 9 through 12 who are gifted may not be  
1578 greater than the amount expended during the 2006-2007 fiscal



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1579 year for gifted students in grades 9 through 12.

1580 Section 30. Paragraph (c) of subsection (1) of section  
1581 1012.39, Florida Statutes, is amended to read:

1582 1012.39 Employment of substitute teachers, teachers of  
1583 adult education, nondegreed teachers of career education, and  
1584 career specialists; students performing clinical field  
1585 experience.-

1586 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and  
1587 1012.57, or any other provision of law or rule to the contrary,  
1588 each district school board shall establish the minimal  
1589 qualifications for:

1590 (c) Part-time and full-time nondegreed teachers of career  
1591 programs. Qualifications shall be established for nondegreed  
1592 teachers of career and technical education courses for program  
1593 clusters that are recognized in the state and are agriculture,  
1594 business, health occupations, family and consumer sciences,  
1595 industrial, marketing, career specialist, and public service  
1596 education teachers, based primarily on successful occupational  
1597 experience rather than academic training. The qualifications for  
1598 such teachers shall require:

1599 1. The filing of a complete set of fingerprints in the same  
1600 manner as required by s. 1012.32. Faculty employed solely to  
1601 conduct postsecondary instruction may be exempted from this  
1602 requirement.

1603 2. Documentation of education and successful occupational  
1604 experience including documentation of:

1605 a. A high school diploma or the equivalent.

1606 b. Completion of 6 years of full-time successful  
1607 occupational experience or the equivalent of part-time





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1608 experience in the teaching specialization area. The district  
1609 school board may establish alternative qualifications for  
1610 teachers with an industry certification in the career area in  
1611 which they teach. ~~Alternate means of determining successful~~  
1612 ~~occupational experience may be established by the district~~  
1613 ~~school board.~~

1614 c. Completion of career education training conducted  
1615 through the local school district inservice master plan.

1616 d. For full-time teachers, completion of professional  
1617 education training in teaching methods, course construction,  
1618 lesson planning and evaluation, and teaching special needs  
1619 students. This training may be completed through coursework from  
1620 an accredited or approved institution or an approved district  
1621 teacher education program.

1622 e. Demonstration of successful teaching performance.

1623 f. Documentation of industry certification when state or  
1624 national industry certifications are available and applicable.

1625 Section 31. Except as otherwise expressly provided in this  
1626 act and except for this section, which shall take effect upon  
1627 this act becoming a law, this act shall take effect July 1,  
1628 2011.

1629  
1630 ===== T I T L E A M E N D M E N T =====

1631 And the title is amended as follows:

1632 Delete everything before the enacting clause  
1633 and insert:

1634 A bill to be entitled

1635 An act relating to education accountability; amending  
1636 s. 1001.20, F.S.; deleting a provision that requires



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1637 the Florida Virtual School to be administratively  
1638 housed within the Office of Technology and Information  
1639 Services within the Office of the Commissioner of  
1640 Education; amending s. 1001.42, F.S.; revising the  
1641 powers and duties of district school boards relating  
1642 to student access to Florida Virtual School courses;  
1643 creating s. 1001.421, F.S.; prohibiting district  
1644 school board members and their relatives from  
1645 soliciting or accepting certain gifts; amending s.  
1646 1002.37, F.S.; conforming provisions to changes made  
1647 by the act; amending s. 1002.38, F.S.; requiring that  
1648 a school's grade be based on statewide assessments for  
1649 purposes of the Opportunity Scholarship Program;  
1650 amending s. 1002.39, F.S.; providing requirements for  
1651 determining the end of the term of a John M. McKay  
1652 Scholarship; amending s. 1002.45, F.S.; revising  
1653 provisions relating to virtual instruction program  
1654 provider qualifications; amending s. 1002.66, F.S.;  
1655 providing an additional instructional service for  
1656 children with disabilities in the Voluntary  
1657 Prekindergarten Education Program; amending s.  
1658 1002.67, F.S.; requiring that the State Board of  
1659 Education periodically review and revise the  
1660 performance standards for the statewide kindergarten  
1661 screening; amending s. 1002.69, F.S.; authorizing  
1662 nonpublic schools to administer the statewide  
1663 kindergarten screening to kindergarten students who  
1664 were enrolled in the Voluntary Prekindergarten  
1665 Education Program; revising provisions relating to the



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1666 minimum kindergarten readiness rate and criteria for  
1667 good cause exemptions from meeting the requirement;  
1668 requiring prekindergarten enrollment screening and  
1669 post-assessment under certain circumstances; amending  
1670 s. 1002.71, F.S.; providing that a child may reenroll  
1671 more than once in a prekindergarten program if granted  
1672 a good cause exemption; amending s. 1002.73, F.S.;  
1673 requiring the Department of Education to adopt  
1674 procedures relating to prekindergarten enrollment  
1675 screening, the standardized post-assessment, and  
1676 reporting of the results of readiness measures;  
1677 amending s. 1003.01, F.S.; providing an additional  
1678 special education service; amending s. 1003.4156,  
1679 F.S.; revising the general requirements for middle  
1680 grades promotion; providing that a student with a  
1681 disability may have end-of-course assessment results  
1682 waived under certain circumstances; providing that a  
1683 middle grades student may be exempt from reading  
1684 remediation requirements under certain circumstances;  
1685 creating s. 1003.4203, F.S.; authorizing each district  
1686 school board to develop and implement a digital  
1687 curriculum for students in grades 6 through 12;  
1688 requiring the Department of Education to develop a  
1689 model digital curriculum; authorizing partnerships  
1690 with private businesses and consultants; amending s.  
1691 1003.428, F.S.; revising provisions relating to the  
1692 general requirements for high school graduation;  
1693 providing that a high school student may be exempt  
1694 from reading remediation requirements under certain



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1695 circumstances; amending s. 1003.491, F.S.; revising  
1696 provisions relating to the development, contents, and  
1697 approval of the strategic plan to address workforce  
1698 needs; amending s. 1003.493, F.S.; revising  
1699 requirements for career and professional academies and  
1700 enrollment of students; creating s. 1003.4935, F.S.;  
1701 requiring each district school board to develop a plan  
1702 to implement a career and professional academy in at  
1703 least one middle school; providing requirements for  
1704 middle school career and professional academies and  
1705 academy courses; amending s. 1003.575, F.S.; providing  
1706 requirements for completion of an assistive technology  
1707 assessment; amending s. 1008.22, F.S.; revising  
1708 provisions relating to the student assessment program  
1709 for public schools; requiring that the Commissioner of  
1710 Education direct school districts to participate in  
1711 certain international assessment programs; authorizing  
1712 a school principal to exempt certain students from the  
1713 end-of-course assessment in civics education; revising  
1714 provisions relating to administration and reporting of  
1715 results of assessments; amending s. 1008.30, F.S.;  
1716 revising provisions relating to evaluation of college  
1717 readiness and providing for postsecondary preparatory  
1718 instruction; requiring the State Board of Education to  
1719 adopt certain rules; amending s. 1008.33, F.S.;  
1720 revising provisions relating to public school  
1721 improvement; requiring the Department of Education to  
1722 categorize public schools based on a school's grade  
1723 that relies on statewide assessments; amending s.



1724 1008.331, F.S., relating to supplemental educational  
1725 services in Title I schools; providing that a school  
1726 board may include in its district contract with a  
1727 provider a requirement to use a uniform standardized  
1728 assessment if the Department of Education is notified  
1729 of such intent before services are provided to the  
1730 student; amending s. 1008.34, F.S.; revising the basis  
1731 for the designation of school grades; including  
1732 achievement scores and learning gains for students who  
1733 are hospital or homebound; amending s. 1011.01, F.S.;  
1734 revising provisions relating to the annual operating  
1735 budgets of district school boards and Florida College  
1736 System institution boards of trustees; amending s.  
1737 1011.03, F.S.; revising provisions relating to adopted  
1738 district school board budgets; creating s. 1011.035,  
1739 F.S.; requiring each school district to post budgetary  
1740 information on its website; amending s. 1011.62, F.S.;  
1741 revising provisions relating to the funding model for  
1742 exceptional student education programs; requiring the  
1743 Department of Education to revise the descriptions of  
1744 services and to implement the revisions; amending s.  
1745 1012.39, F.S.; revising provisions relating to the  
1746 qualifications for nondegreed teachers of career  
1747 education; providing effective dates.