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1
2 An act relating to education; amending s. 1003.41, F.S.;
3 requiring that the State Board of Education replace the
4 Sunshine State Standards with the Next Generation Sunshine
5 State Standards; providing requirements for the content
6 and organization of the standards; requiring that the
7 standards establish core curricular content in specified
8 areas for certain grades or grade clusters; requiring that
9 the state board establish schedules for the adoption and
10 revision of the Next Generation Sunshine State Standards;
11 requiring that the state board adopt the standards by a
12 specified date; requiring the Commissioner of Education to
13 provide proposed Next Generation Sunshine State Standards
14 or proposed revisions of such standards to the state
15 board; providing requirements for the commissioner's
16 development of the proposed standards or revisions;
17 requiring consultation with certain experts; requiring
18 distribution of a proposal developed by the commissioner
19 for review and comment by certain experts; requiring a
20 written evaluation of the proposal developed by the
21 commissioner by certain experts; requiring provision of
22 the commissioner's proposed standards and the written
23 evaluation and comments to the Governor, the President of
24 the Senate, and the Speaker of the House of
25 Representatives; authorizing rulemaking by the State Board
26 of Education; amending s. 220.187, F.S.; revising
27 requirements for the selection of norm-referenced tests
28 administered by private schools for purposes of the
29 Corporate Income Tax Credit Scholarship Program; amending

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30 s. 1000.21, F.S.; providing and revising definitions;
31 providing for application of the Sunshine State Standards
32 pending adoption of the Next Generation Sunshine State
33 Standards; amending s. 1001.03, F.S.; requiring the State
34 Board of Education to periodically review and revise state
35 curriculum standards; eliminating provisions requiring
36 that the state board report proposed revisions to the
37 Governor and the Legislature; amending s. 1001.452, F.S.;
38 revising provisions relating to membership of school
39 advisory councils; amending s. 1003.413, F.S.; requiring
40 policies of each district school board to address an
41 annual review of student education plans; amending s.
42 1003.428, F.S.; revising courses that are acceptable for
43 high school graduation; conforming provisions and a cross-
44 reference; creating s. 1003.4285, F.S.; providing for high
45 school diploma designations; amending ss. 1003.429,
46 1003.43, and 1003.433, F.S.; conforming provisions and
47 cross-references; amending s. 1003.63, F.S.; revising the
48 type of assessment tests reported to the Governor and the
49 Legislature relating to the deregulated public schools
50 pilot program; amending s. 1004.85, F.S.; conforming
51 cross-references; amending s. 1004.91, F.S.; providing an
52 exemption relating to career-preparatory instruction;
53 amending s. 1004.99, F.S.; providing designations of
54 Florida Ready to Work credentials; amending s. 1007.21,
55 F.S., relating to postsecondary placement tests for high
56 school students; authorizing the common placement test to
57 be administered to high school students meeting certain
58 criteria; amending s. 1007.235, F.S.; requiring district

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59 | interinstitutional articulation agreements to include
60 | responsibility for assignment of grades for dual
61 | enrollment courses; amending s. 1008.22, F.S.; revising
62 | provisions governing application of testing requirements
63 | for high school graduation; providing criteria concerning
64 | the testing and scores required for a continuously
65 | enrolled student to earn a standard high school diploma;
66 | authorizing the commissioner to administer end-of-course
67 | assessments; providing requirements for comprehensive
68 | assessments and end-of-course assessments; authorizing the
69 | commissioner to select a nationally developed
70 | comprehensive examination for use as an end-of-course
71 | assessment; revising the design of the testing program;
72 | authorizing the commissioner to collaborate with the
73 | American Diploma Project to develop end-of-course
74 | assessments; deleting requirements for norm-referenced
75 | tests; revising assessments of writing; requiring the
76 | commissioner to establish schedules for the administration
77 | of statewide assessments and the reporting of student test
78 | results; providing requirements for the testing and
79 | reporting schedules; requiring district school boards to
80 | prohibit public schools from suspending a program of
81 | curricula for the administration of practice tests or
82 | certain test-preparation activities; authorizing a
83 | district school board to permit a school to engage in
84 | certain test-preparation activities; requiring public
85 | schools to comply with statewide assessment and reporting
86 | schedules; revising the applicability of testing standards
87 | under certain conditions; establishing requirements for

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88 calculating student scores on revised statewide
89 assessments; authorizing the commissioner to discontinue
90 administration of an outdated assessment under certain
91 circumstances; requiring the state board to adopt rules
92 establishing passing scores on revised assessments
93 required for a standard high school diploma; clarifying
94 determination of concordant scores for the FCAT; revising
95 the requirements contained in the annual report by the
96 department to the Governor and the Legislature; amending
97 s. 1008.30, F.S.; revising provisions relating to
98 administration and use of the results of the common
99 placement test; requiring the State Board of Education to
100 adopt rules requiring high school evaluation of student
101 college readiness and establishing minimum test scores for
102 such readiness; authorizing the purchase or development of
103 assessments; providing for remedial instruction; amending
104 s. 1008.31, F.S.; declaring the legislative intent that
105 the K-20 education system comply with the Individuals with
106 Disabilities Education Act; amending s. 1008.34, F.S.;
107 revising the exceptions for a school to receive a school
108 grade; providing for a revised high school grading system
109 beginning with the 2009-2010 school year which includes
110 the statewide standardized assessment, graduation rates,
111 performance and participation in certain courses,
112 postsecondary readiness as measured by certain
113 examinations, and the change in these factors from year to
114 year; specifying the data components to be used in
115 determining the revised high school grading system;
116 requiring that the criteria for school grades give added

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117 weight to the graduation rate of all eligible at-risk
118 students; revising the student assessment data used in
119 determining school grades; requiring a school district
120 that fails to assign FCAT scores to students' schools to
121 forfeit Florida School Recognition Program funds for a
122 specified time; requiring the collaboration between a home
123 school and alternative school to be between the principals
124 of each school in order to promote student success;
125 authorizing the state board to adopt rules; amending s.
126 1008.341, F.S.; revising provisions for a school
127 improvement rating for an alternative school; authorizing
128 the state board to adopt rules; amending s. 1008.345,
129 F.S.; conforming provisions; amending s. 1008.36, F.S.;
130 revising criteria for financial awards under the Florida
131 School Recognition Program; amending s. 1012.56, F.S.;
132 requiring teacher certification examinations to be aligned
133 to the Next Generation Sunshine State Standards; revising
134 provisions relating to the means for demonstrating mastery
135 of subject area knowledge; specifying world languages for
136 which subject area examinations may be required by State
137 Board of Education rule; authorizing degree completion and
138 attainment of foreign language proficiency on specified
139 national tests; amending ss. 1012.57 and 1012.586, F.S.;
140 conforming cross-reference; amending s. 1012.71, F.S.,
141 relating to the Florida Teachers Lead Program; revising
142 requirements for use of program funds by classroom
143 teachers; providing for disbursement of funds to school
144 districts; specifying means for providing a classroom
145 teacher with his or her proportionate share of program

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146 funds and providing that funds received are not subject to
147 collective bargaining; providing for retroactive effect;
148 providing requirements for accounting of expenditures;
149 amending s. 1013.12, F.S.; requiring that a school
150 cafeteria post certain information concerning its
151 sanitation certificate and inspection; providing effective
152 dates.

153
154 Be It Enacted by the Legislature of the State of Florida:

155
156 Section 1. Section 1003.41, Florida Statutes, is amended to
157 read:

158 1003.41 Sunshine State Standards.--

159 (1) Public K-12 educational instruction in Florida is based
160 on the "Sunshine State Standards." The State Board of Education
161 shall review the Sunshine State Standards and replace them with
162 the Next Generation Sunshine State Standards that establish the
163 core content of the curricula to be taught in this state and that
164 specify the core content knowledge and skills that K-12 public
165 school students are expected to acquire. The Next Generation
166 Sunshine State Standards must, at a minimum:

167 (a) Establish the core curricular content for language
168 arts, science, mathematics, and social studies, as follows:

169 1. Language arts standards must establish specific
170 curricular content for, at a minimum, the reading process,
171 literary analysis, the writing process, writing applications,
172 communication, and information and media literacy. The standards
173 must include distinct grade-level expectations for the core
174 content knowledge and skills that a student is expected to have

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175 acquired by each individual grade level from kindergarten through
176 grade 8. The language arts standards for grades 9 through 12 may
177 be organized by grade clusters of more than one grade level. The
178 language arts standards must also identify significant literary
179 genres and authors that encompass a comprehensive range of
180 historical periods. The State Board of Education shall, in
181 accordance with the expedited schedule established under
182 subsection (2), review and replace the language arts standards
183 adopted by the state board in 2007 with Next Generation Sunshine
184 State Standards that comply with this subparagraph.

185 2. Science standards must establish specific curricular
186 content for, at a minimum, the nature of science, earth and space
187 science, physical science, and life science. The standards must
188 include distinct grade-level expectations for the core content
189 knowledge and skills that a student is expected to have acquired
190 by each individual grade level from kindergarten through grade 8.
191 The science standards for grades 9 through 12 may be organized by
192 grade clusters of more than one grade level.

193 3. Mathematics standards must establish specific curricular
194 content for, at a minimum, algebra, geometry, probability,
195 statistics, calculus, discrete mathematics, financial literacy,
196 and trigonometry. The standards must include distinct grade-level
197 expectations for the core content knowledge and skills that a
198 student is expected to have acquired by each individual grade
199 level from kindergarten through grade 8. The mathematics
200 standards for grades 9 through 12 may be organized by grade
201 clusters of more than one grade level.

202 4. Social studies standards must establish specific
203 curricular content for, at a minimum, geography, United States

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204 and world history, government, civics, economics, and humanities.
205 The standards must include distinct grade-level expectations for
206 the core content knowledge and skills that a student is expected
207 to have acquired by each individual grade level from kindergarten
208 through grade 8. The social studies standards for grades 9
209 through 12 may be organized by grade clusters of more than one
210 grade level.

211 (b) Establish the core curricular content for visual and
212 performing arts, physical education, health, and foreign
213 languages. Standards for these subjects must establish specific
214 curricular content and include distinct grade-level expectations
215 for the core content knowledge and skills that a student is
216 expected to have acquired by each individual grade level from
217 kindergarten through grade 5. The standards for grades 6 through
218 12 may be organized by grade clusters of more than one grade
219 level.

220 (c) Identify the core curricular content that a student is
221 expected to learn for each subject at each individual grade level
222 in order to acquire the broad background knowledge needed for
223 reading comprehension.

224 (d) Be rigorous and relevant and provide for the logical,
225 sequential progression of core curricular content that
226 incrementally increases a student's core content knowledge and
227 skills over time.

228 (e) Integrate critical-thinking and problem-solving skills;
229 communication, reading, and writing skills; mathematics skills;
230 collaboration skills; contextual and applied-learning skills;
231 technology-literacy skills; information and media-literacy
232 skills; and civic-engagement skills.

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233 (f) Be organized according to a uniform structure and
234 format that is consistent for each subject. The Next Generation
235 Sunshine State Standards shall, for each subject and grade level,
236 use the same alphanumeric coding system.

237 (g) Be aligned to expectations for success in postsecondary
238 education and high-skill, high-wage employment.

239 (2) By December 31, 2008, the State Board of Education
240 shall establish an expedited schedule for adoption of the Next
241 Generation Sunshine State Standards and shall establish by rule a
242 schedule for the periodic review and revision of the standards.
243 The state board shall adopt the Next Generation Sunshine State
244 Standards for each subject by December 31, 2011.

245 (3) (a) The Commissioner of Education shall develop and
246 submit to the State Board of Education proposed Next Generation
247 Sunshine State Standards, and periodically submit proposed
248 revisions to the standards, for adoption by the state board
249 according to the schedules established under subsection (2). The
250 commissioner, in developing the proposed standards, shall consult
251 with renowned experts on K-12 curricular standards and content in
252 each subject listed in paragraphs (1) (a) and (b) and shall
253 consider standards that are implemented by other states or
254 nations and regarded as exceptionally rigorous by the curricular
255 and content experts. The commissioner may also consult with
256 curricular and content experts in other subjects.

257 (b) The commissioner shall submit the proposed standards
258 for review and comment by Florida educators, school
259 administrators, representatives of community colleges and state
260 universities who have expertise in the content knowledge and
261 skills necessary to prepare a student for postsecondary

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262 education, and leaders in business and industry. The
263 commissioner, after considering any comments and making any
264 revisions to the proposed standards, shall submit the standards
265 for written evaluation by renowned experts on K-12 curricular
266 standards and content.

267 (c) The commissioner, upon finalizing the proposed
268 standards, shall submit the standards and evaluations by the
269 curricular and content experts to the Governor, the President of
270 the Senate, and the Speaker of the House of Representatives at
271 least 21 days before the State Board of Education considers
272 adoption of the proposed standards.

273 (4) The State Board of Education may adopt rules under ss.
274 120.536(1) and 120.54 to administer this section. ~~These standards~~
275 ~~have been adopted by the State Board of Education and delineate~~
276 ~~the academic achievement of students, for which the state will~~
277 ~~hold schools accountable, in grades K-2, 3-5, 6-8, and 9-12 in~~
278 ~~the subjects of language arts, mathematics, science, social~~
279 ~~studies, the arts, health and physical education, and foreign~~
280 ~~languages. They include standards in reading, writing, history,~~
281 ~~government, geography, economics, and computer literacy.~~

282 Section 2. Paragraph (i) of subsection (9) of section
283 220.187, Florida Statutes, is amended to read:

284 220.187 Credits for contributions to nonprofit scholarship-
285 funding organizations.--

286 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.--The Department of
287 Education shall:

288 (i) Maintain a list of ~~In accordance with State Board of~~
289 ~~Education rule, identify and select the nationally norm-~~
290 ~~referenced tests~~ identified for purposes of satisfying the

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291 testing requirement in subparagraph (8)(c)2. The tests must meet
292 ~~that are comparable to the norm-referenced provisions of the~~
293 ~~Florida Comprehensive Assessment Test (FCAT) provided that the~~
294 ~~FCAT may be one of the tests selected. However, the Department of~~
295 ~~Education may approve the use of an additional assessment by the~~
296 ~~school if the assessment meets industry standards of quality in~~
297 accordance with State Board of Education rule and comparability.

298 Section 3. Subsection (7) of section 1000.21, Florida
299 Statutes, is amended to read:

300 1000.21 Systemwide definitions.--As used in the Florida K-
301 20 Education Code:

302 (7) "Sunshine State Standards" or the "Next Generation
303 Sunshine State Standards" means the state's public K-12
304 curricular are standards adopted under s. 1003.41. The term
305 includes the Sunshine State Standards that are in place for a
306 subject until the standards for that subject are replaced under
307 s. 1003.41 by the Next Generation Sunshine State Standards. that
308 ~~identify what public school students should know and be able to~~
309 ~~do. These standards delineate the academic achievement of~~
310 ~~students for which the state will hold its public schools~~
311 ~~accountable in grades K-2, 3-5, 6-8, and 9-12, in the subjects of~~
312 ~~language arts, mathematics, science, social studies, the arts,~~
313 ~~health and physical education, foreign languages, reading,~~
314 ~~writing, history, government, geography, economics, and computer~~
315 ~~literacy.~~

316 Section 4. Subsection (1) of section 1001.03, Florida
317 Statutes, is amended to read:

318 1001.03 Specific powers of State Board of Education.--

319 (1) PUBLIC K-12 CURRICULAR ~~STUDENT PERFORMANCE~~

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320 STANDARDS.--The State Board of Education shall adopt and
321 periodically review and revise ~~approve the student performance~~
322 ~~standards known as the Sunshine State Standards in accordance~~
323 with s. 1003.41 ~~key academic subject areas and grade levels. The~~
324 ~~state board shall establish a schedule to facilitate the periodic~~
325 ~~review of the standards to ensure adequate rigor, relevance,~~
326 ~~logical student progression, and integration of reading, writing,~~
327 ~~and mathematics across all subject areas. The standards review by~~
328 ~~subject area must include participation of curriculum leaders in~~
329 ~~other content areas, including the arts, to ensure valid content~~
330 ~~area integration and to address the instructional requirements of~~
331 ~~different learning styles. The process for review and proposed~~
332 ~~revisions must include leadership and input from the state's~~
333 ~~classroom teachers, school administrators, and community colleges~~
334 ~~and universities, and from representatives from business and~~
335 ~~industry who are identified by local education foundations. A~~
336 ~~report including proposed revisions must be submitted to the~~
337 ~~Governor, the President of the Senate, and the Speaker of the~~
338 ~~House of Representatives annually to coincide with the~~
339 ~~established review schedule. The review schedule and an annual~~
340 ~~status report must be submitted to the Governor, the President of~~
341 ~~the Senate, and the Speaker of the House of Representatives~~
342 ~~annually not later than January 1.~~

343 Section 5. Paragraph (a) of subsection (1) of section
344 1001.452, Florida Statutes, is amended to read:

345 1001.452 District and school advisory councils.--

346 (1) ESTABLISHMENT.--

347 (a) The district school board shall establish an advisory
348 council for each school in the district and shall develop

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349 | procedures for the election and appointment of advisory council
350 | members. Each school advisory council shall include in its name
351 | the words "school advisory council." The school advisory council
352 | shall be the sole body responsible for final decisionmaking at
353 | the school relating to implementation of the provisions of ss.
354 | 1001.42(16) and 1008.345. A majority of the members of each
355 | school advisory council must be persons who are not employed by
356 | the school district. Each advisory council shall be composed of
357 | the principal and an appropriately balanced number of teachers,
358 | education support employees, students, parents, and other
359 | business and community citizens who are representative of the
360 | ethnic, racial, and economic community served by the school.
361 | Career center and high school advisory councils shall include
362 | students, and middle and junior high school advisory councils may
363 | include students. School advisory councils of career centers and
364 | adult education centers are not required to include parents as
365 | members. Council members representing teachers, education support
366 | employees, students, and parents shall be elected by their
367 | respective peer groups at the school in a fair and equitable
368 | manner as follows:

- 369 | 1. Teachers shall be elected by teachers.
370 | 2. Education support employees shall be elected by
371 | education support employees.
372 | 3. Students shall be elected by students.
373 | 4. Parents shall be elected by parents.

374 |
375 | The district school board shall establish procedures for use by
376 | schools in selecting business and community members that include
377 | means of ensuring wide notice of vacancies and of taking input on

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378 possible members from local business, chambers of commerce,
379 community and civic organizations and groups, and the public at
380 large. The district school board shall review the membership
381 composition of each advisory council. If the district school
382 board determines that the membership elected by the school is not
383 representative of the ethnic, racial, and economic community
384 served by the school, the district school board shall appoint
385 additional members to achieve proper representation. The
386 commissioner shall determine if schools have maximized their
387 efforts to include on their advisory councils minority persons
388 and persons of lower socioeconomic status. Although schools are
389 strongly encouraged to establish school advisory councils, the
390 district school board of any school district that has a student
391 population of 10,000 or fewer may establish a district advisory
392 council which shall include at least one duly elected teacher
393 from each school in the district. For the purposes of school
394 advisory councils and district advisory councils, the term
395 "teacher" shall include classroom teachers, certified student
396 services personnel, and media specialists. For purposes of this
397 paragraph, "education support employee" means any person employed
398 by a school who is not defined as instructional or administrative
399 personnel pursuant to s. 1012.01 and whose duties require 20 or
400 more hours in each normal working week.

401 Section 6. Paragraph (i) of subsection (3) of section
402 1003.413, Florida Statutes, is amended to read:

403 1003.413 Florida Secondary School Redesign Act.--

404 (3) Based on these guiding principles, district school
405 boards shall establish policies to implement the requirements of
406 ss. 1003.4156, 1003.428, and 1003.493. The policies must address:

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407 (i) An annual review of each high school student's
408 electronic personal education plan created pursuant to s.
409 1003.4156 and procedures for high school students who have not
410 prepared an electronic personal education plan pursuant to s.
411 1003.4156 to prepare such plan.

412 Section 7. Paragraph (a) of subsection (2), paragraph (b)
413 of subsection (4), and paragraph (a) of subsection (8) of section
414 1003.428, Florida Statutes, are amended to read:

415 1003.428 General requirements for high school graduation;
416 revised.--

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

420 (a) Sixteen core curriculum credits:

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

423 2. Four credits in mathematics, one of which must be
424 Algebra I, a series of courses equivalent to Algebra I, or a
425 higher-level mathematics course. School districts are encouraged
426 to set specific goals to increase enrollments in, and successful
427 completion of, geometry and Algebra II.

428 3. Three credits in science, two of which must have a
429 laboratory component.

430 4. Three credits in social studies as follows: one credit
431 in American history; one credit in world history; one-half credit
432 in economics; and one-half credit in American government.

433 5. One credit in fine or performing arts, ~~which may include~~
434 speech and debate, or a practical arts course that incorporates
435 artistic content and techniques of creativity, interpretation,

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436 and imagination. Eligible practical arts courses shall be
437 identified through the Course Code Directory.

438 6. One credit in physical education to include integration
439 of health. Participation in an interscholastic sport at the
440 junior varsity or varsity level for two full seasons shall
441 satisfy the one-credit requirement in physical education if the
442 student passes a competency test on personal fitness with a score
443 of "C" or better. The competency test on personal fitness must be
444 developed by the Department of Education. A district school board
445 may not require that the one credit in physical education be
446 taken during the 9th grade year. Completion of one semester with
447 a grade of "C" or better in a marching band class, in a physical
448 activity class that requires participation in marching band
449 activities as an extracurricular activity, or in a dance class
450 shall satisfy one-half credit in physical education or one-half
451 credit in performing arts. This credit may not be used to satisfy
452 the personal fitness requirement or the requirement for adaptive
453 physical education under an individual education plan (IEP) or
454 504 plan. Completion of 2 years in a Reserve Officer Training
455 Corps (R.O.T.C.) class, a significant component of which is
456 drills, shall satisfy the one-credit requirement in physical
457 education and the one-credit requirement in performing arts. This
458 credit may not be used to satisfy the personal fitness
459 requirement or the requirement for adaptive physical education
460 under an individual education plan (IEP) or 504 plan.

461 (4) Each district school board shall establish standards
462 for graduation from its schools, which must include:

463 (b) Earning passing scores on the FCAT, as defined in s.
464 1008.22(3)(c), or scores on a standardized test that are

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465 concordant with passing scores on the FCAT as defined in s.
466 1008.22(10) ~~s. 1008.22(9)~~.

467
468 Each district school board shall adopt policies designed to
469 assist students in meeting the requirements of this subsection.
470 These policies may include, but are not limited to: forgiveness
471 policies, summer school or before or after school attendance,
472 special counseling, volunteers or peer tutors, school-sponsored
473 help sessions, homework hotlines, and study skills classes.
474 Forgiveness policies for required courses shall be limited to
475 replacing a grade of "D" or "F," or the equivalent of a grade of
476 "D" or "F," with a grade of "C" or higher, or the equivalent of a
477 grade of "C" or higher, earned subsequently in the same or
478 comparable course. Forgiveness policies for elective courses
479 shall be limited to replacing a grade of "D" or "F," or the
480 equivalent of a grade of "D" or "F," with a grade of "C" or
481 higher, or the equivalent of a grade of "C" or higher, earned
482 subsequently in another course. The only exception to these
483 forgiveness policies shall be made for a student in the middle
484 grades who takes any high school course for high school credit
485 and earns a grade of "C," "D," or "F" or the equivalent of a
486 grade of "C," "D," or "F." In such case, the district forgiveness
487 policy must allow the replacement of the grade with a grade of
488 "C" or higher, or the equivalent of a grade of "C" or higher,
489 earned subsequently in the same or comparable course. In all
490 cases of grade forgiveness, only the new grade shall be used in
491 the calculation of the student's grade point average. Any course
492 grade not replaced according to a district school board
493 forgiveness policy shall be included in the calculation of the

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494 cumulative grade point average required for graduation.

495 (8) (a) Each district school board must provide instruction
496 to prepare students with disabilities to demonstrate proficiency
497 in the core content knowledge and skills ~~and competencies~~
498 necessary for successful grade-to-grade progression and high
499 school graduation.

500 Section 8. Section 1003.4285, Florida Statutes, is created
501 to read:

502 1003.4285 Standard high school diploma designations.--By
503 the 2008-2009 school year, each standard high school diploma
504 shall include, as applicable:

505 (1) A designation of the student's major area of interest
506 pursuant to the student's completion of credits as provided in s.
507 1003.428.

508 (2) A designation reflecting completion of four or more
509 accelerated college credit courses if the student is eligible for
510 college credit pursuant to s. 1007.27 or s. 1007.271 in Advanced
511 Placement, International Baccalaureate, Advanced International
512 Certificate of Education, or dual enrollment courses. The
513 Commissioner of Education shall establish guidelines for
514 successful passage of examinations or coursework in each of the
515 accelerated college credit options for purposes of this
516 subsection.

517 (3) A designation reflecting career education certification
518 in accordance with s. 1003.431.

519 (4) A designation reflecting a Florida Ready to Work
520 Credential in accordance with s. 1004.99.

521 Section 9. Paragraph (a) of subsection (6) of section
522 1003.429, Florida Statutes, is amended to read:

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523 1003.429 Accelerated high school graduation options.--

524 (6) Students pursuing accelerated 3-year high school
525 graduation options pursuant to paragraph (1)(b) or paragraph
526 (1)(c) are required to:

527 (a) Earn passing scores on the FCAT as defined in s.
528 1008.22(3)(c) or scores on a standardized test that are
529 concordant with passing scores on the FCAT as defined in s.
530 1008.22(10) ~~s. 1008.22(9)~~.

531
532 Weighted grades referred to in paragraphs (b), (c), and (d) shall
533 be applied to those courses specifically listed or identified by
534 the department as rigorous pursuant to s. 1009.531(3) or weighted
535 by the district school board for class ranking purposes.

536 Section 10. Paragraph (a) of subsection (5) and paragraph
537 (a) of subsection (11) of section 1003.43, Florida Statutes, are
538 amended to read:

539 1003.43 General requirements for high school graduation.--

540 (5) Each district school board shall establish standards
541 for graduation from its schools, and these standards must
542 include:

543 (a) Earning passing scores on the FCAT, as defined in s.
544 1008.22(3)(c), or scores on a standardized test that are
545 concordant with passing scores on the FCAT as defined in s.
546 1008.22(10) ~~s. 1008.22(9)~~.

547
548 The standards required in this subsection, and any subsequent
549 modifications, shall be reprinted in the Florida Administrative
550 Code even though not defined as "rules."

551 (11)(a) Each district school board must provide instruction

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552 | to prepare students with disabilities to demonstrate proficiency
553 | in the core content knowledge and skills ~~and competencies~~
554 | necessary for successful grade-to-grade progression and high
555 | school graduation.

556 | Section 11. Subsection (1) of section 1003.433, Florida
557 | Statutes, is amended to read:

558 | 1003.433 Learning opportunities for out-of-state and out-
559 | of-country transfer students and students needing additional
560 | instruction to meet high school graduation requirements.--

561 | (1) Students who enter a Florida public school at the
562 | eleventh or twelfth grade from out of state or from a foreign
563 | country shall not be required to spend additional time in a
564 | Florida public school in order to meet the high school course
565 | requirements if the student has met all requirements of the
566 | school district, state, or country from which he or she is
567 | transferring. Such students who are not proficient in English
568 | should receive immediate and intensive instruction in English
569 | language acquisition. However, to receive a standard high school
570 | diploma, a transfer student must earn a 2.0 grade point average
571 | and pass the grade 10 FCAT required in s. 1008.22(3) or an
572 | alternate assessment as described in s. 1008.22(10) ~~s.~~
573 | ~~1008.22(9)~~.

574 | Section 12. Paragraph (d) of subsection (6) of section
575 | 1003.63, Florida Statutes, is amended to read:

576 | 1003.63 Deregulated public schools pilot program.--

577 | (6) ELEMENTS OF THE PROPOSAL.--The major issues involving
578 | the operation of a deregulated public school shall be considered
579 | in advance and written into the proposal.

580 | (d) Upon receipt of the annual report required by paragraph

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581 (b), the Department of Education shall provide the State Board of
582 Education, the Commissioner of Education, the President of the
583 Senate, and the Speaker of the House of Representatives with a
584 copy of each report and an analysis and comparison of the overall
585 performance of students, to include all students in deregulated
586 public schools whose scores are counted as part of the statewide
587 assessment tests, versus comparable public school students in the
588 district as determined by statewide assessments administered
589 under s. 1008.22(3) FCAT and district assessment tests ~~and, as~~
590 ~~appropriate, the Florida Writes Assessment Test, and other~~
591 ~~assessments administered pursuant to s. 1008.22(3).~~

592 Section 13. Paragraphs (c) and (d) of subsection (3) of
593 section 1004.85, Florida Statutes, are amended to read:

594 1004.85 Postsecondary educator preparation institutes.--

595 (3) Educator preparation institutes approved pursuant to
596 this section may offer alternative certification programs
597 specifically designed for noneducation major baccalaureate degree
598 holders to enable program participants to meet the educator
599 certification requirements of s. 1012.56. Such programs shall be
600 competency-based educator certification preparation programs that
601 prepare educators through an alternative route. An educator
602 preparation institute choosing to offer an alternative
603 certification program pursuant to the provisions of this section
604 must implement a program previously approved by the Department of
605 Education for this purpose or a program developed by the
606 institute and approved by the department for this purpose.
607 Approved programs shall be available for use by other approved
608 educator preparation institutes.

609 (c) Upon completion of an alternative certification program

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610 approved pursuant to this subsection, a participant shall receive
611 a credential from the sponsoring institution signifying
612 satisfaction of the requirements of s. 1012.56(6) ~~s. 1012.56(5)~~
613 relating to mastery of professional preparation and education
614 competence. A participant shall be eligible for educator
615 certification through the Department of Education upon
616 satisfaction of all requirements for certification set forth in
617 s. 1012.56(2), including demonstration of mastery of general
618 knowledge, subject area knowledge, and professional preparation
619 and education competence, through testing or other statutorily
620 authorized means.

621 (d) If an institution offers an alternative certification
622 program approved pursuant to this subsection, such program may be
623 used by the school district or districts served by that
624 institution in addition to the alternative certification program
625 as required in s. 1012.56(8) ~~s. 1012.56(7)~~.

626 Section 14. Subsection (3) of section 1004.91, Florida
627 Statutes, is amended to read:

628 1004.91 Career-preparatory instruction.--

629 (3) An adult student with a disability may be exempted from
630 the provisions of this section. A student who possesses a college
631 degree at the associate in applied science level or higher is
632 exempt from this section. A student who has completed or who is
633 exempt from the college-level communication and computation
634 skills examination pursuant to s. 1008.29, or who is exempt from
635 the college entry-level examination pursuant to s. 1008.29, is
636 exempt from the provisions of this section. Students who have
637 passed a state, national, or industry licensure exam are exempt
638 from this section. An adult student who is enrolled in an

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639 apprenticeship program that is registered with the Department of
640 Education in accordance with the provisions of chapter 446 is
641 exempt from the provisions of this section.

642 Section 15. Paragraph (d) of subsection (3) of section
643 1004.99, Florida Statutes, is amended, present subsection (4) of
644 that section is renumbered as subsection (5), and a new
645 subsection (4) is added to that section, to read:

646 1004.99 Florida Ready to Work Certification Program.--

647 (3) The Florida Ready to Work Certification Program shall
648 be composed of:

649 (d) A Florida Ready to Work Credential ~~certificate~~ and
650 portfolio awarded to students upon successful completion of the
651 instruction. Each portfolio must delineate the skills
652 demonstrated by the student as evidence of the student's
653 preparation for employment.

654 (4) A Florida Ready to Work Credential shall be awarded to
655 a student who successfully passes assessments in Reading for
656 Information, Applied Mathematics, and Locating Information or any
657 other assessments of comparable rigor. Each assessment shall be
658 scored on a scale of 3 to 7. The level of the credential each
659 student receives is based on the following:

660 (a) A bronze-level credential requires a minimum score of 3
661 or above on each of the assessments.

662 (b) A silver-level credential requires a minimum score of 4
663 or above on each of the assessments.

664 (c) A gold-level credential requires a minimum score of 5
665 or above on each of the assessments.

666 Section 16. Paragraph (c) of subsection (2) of section
667 1007.21, Florida Statutes, is amended to read:

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668 1007.21 Readiness for postsecondary education and the
669 workplace.--

670 (2)

671 (c) The common placement test authorized in ss. 1001.03(10)
672 and 1008.30 or a similar test may be administered to ~~all~~ high
673 school students ~~second-semester sophomores~~ who have chosen one of
674 the four destinations. The results of the placement test shall be
675 used to target additional instructional needs in reading,
676 writing, and mathematics prior to graduation.

677 Section 17. Paragraph (b) of subsection (2) of section
678 1007.235, Florida Statutes, is amended to read:

679 1007.235 District interinstitutional articulation
680 agreements.--

681 (2) The district interinstitutional articulation agreement
682 for each school year must be completed before high school
683 registration for the fall term of the following school year. The
684 agreement must include, but is not limited to, the following
685 components:

686 (b)1. A delineation of courses and programs available to
687 students eligible to participate in dual enrollment. This
688 delineation must include a plan for the community college to
689 provide guidance services to participating students on the
690 selection of courses in the dual enrollment program. The process
691 of community college guidance should make maximum use of the
692 automated advisement system for community colleges. The plan must
693 assure that each dual enrollment student is encouraged to
694 identify a postsecondary education objective with which to guide
695 the course selection. At a minimum, each student's plan should
696 include a list of courses that will result in an Applied

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697 | Technology Diploma, an Associate in Science degree, or an
698 | Associate in Arts degree. If the student identifies a
699 | baccalaureate degree as the objective, the plan must include
700 | courses that will meet the general education requirements and any
701 | prerequisite requirements for entrance into a selected
702 | baccalaureate degree program.

703 | 2. A delineation of the process by which students and their
704 | parents are informed about opportunities to participate in
705 | articulated acceleration programs.

706 | 3. A delineation of the process by which students and their
707 | parents exercise their option to participate in an articulated
708 | acceleration program.

709 | 4. A delineation of high school credits earned for
710 | completion of each dual enrollment course.

711 | 5. Provision for postsecondary courses that meet the
712 | criteria for inclusion in a district articulated acceleration
713 | program to be counted toward meeting the graduation requirements
714 | of s. 1003.43.

715 | 6. An identification of eligibility criteria for student
716 | participation in dual enrollment courses and programs.

717 | 7. A delineation of institutional responsibilities
718 | regarding student screening prior to enrollment and monitoring
719 | student performance subsequent to enrollment in dual enrollment
720 | courses and programs.

721 | 8. An identification of the criteria by which the quality
722 | of dual enrollment courses and programs are to be judged and a
723 | delineation of institutional responsibilities for the maintenance
724 | of instructional quality.

725 | 9. A delineation of institutional responsibilities for

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726 | assuming the cost of dual enrollment courses and programs that
727 | includes such responsibilities for student instructional
728 | materials.

729 | 10. An identification of responsibility for providing
730 | student transportation if the dual enrollment instruction is
731 | conducted at a facility other than the high school campus.

732 | 11. A delineation of the process for converting college
733 | credit hours earned through dual enrollment and early admission
734 | programs to high school credit based on mastery of course
735 | outcomes as determined by the Department of Education in
736 | accordance with s. 1007.271(6).

737 | 12. An identification of the responsibility of the
738 | postsecondary educational institution for assigning letter grades
739 | for dual enrollment courses and the responsibility of school
740 | districts for posting dual enrollment course grades to the high
741 | school transcript as assigned by the postsecondary institution
742 | awarding the credit.

743 | Section 18. Section 1008.22, Florida Statutes, is amended
744 | to read:

745 | 1008.22 Student assessment program for public schools.--

746 | (1) PURPOSE.--The primary purposes of the student
747 | assessment program are to provide information needed to improve
748 | the public schools by enhancing the learning gains of all
749 | students and to inform parents of the educational progress of
750 | their public school children. The program must be designed to:

751 | (a) Assess the annual learning gains of each student toward
752 | achieving the Sunshine State Standards appropriate for the
753 | student's grade level.

754 | (b) Provide data for making decisions regarding school

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755 accountability and recognition.

756 (c) Identify the educational strengths and needs of
757 students and the readiness of students to be promoted to the next
758 grade level or to graduate from high school with a standard or
759 special high school diploma.

760 (d) Assess how well educational goals and curricular
761 ~~performance~~ standards are met at the school, district, and state
762 levels.

763 (e) Provide information to aid in the evaluation and
764 development of educational programs and policies.

765 (f) Provide information on the performance of Florida
766 students compared with that of other students across the United
767 States.

768 (2) NATIONAL EDUCATION COMPARISONS.--It is Florida's intent
769 to participate in the measurement of national educational goals.
770 The Commissioner of Education shall direct Florida school
771 districts to participate in the administration of the National
772 Assessment of Educational Progress, or a similar national
773 assessment program, both for the national sample and for any
774 state-by-state comparison programs which may be initiated. The
775 ~~Such~~ assessments must be conducted using the data collection
776 procedures, the student surveys, the educator surveys, and other
777 instruments included in the National Assessment of Educational
778 Progress or similar program being administered in Florida. The
779 results of these assessments shall be included in the annual
780 report of the Commissioner of Education specified in this
781 section. The administration of the National Assessment of
782 Educational Progress or similar program shall be in addition to
783 and separate from the administration of the statewide assessment

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784 | program.

785 | (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
786 | design and implement a statewide program of educational
787 | assessment that provides information for the improvement of the
788 | operation and management of the public schools, including schools
789 | operating for the purpose of providing educational services to
790 | youth in Department of Juvenile Justice programs. The
791 | commissioner may enter into contracts for the continued
792 | administration of the assessment, testing, and evaluation
793 | programs authorized and funded by the Legislature. Contracts may
794 | be initiated in 1 fiscal year and continue into the next and may
795 | be paid from the appropriations of either or both fiscal years.
796 | The commissioner is authorized to negotiate for the sale or lease
797 | of tests, scoring protocols, test scoring services, and related
798 | materials developed pursuant to law. Pursuant to the statewide
799 | assessment program, the commissioner shall:

800 | (a) Submit proposed Next Generation Sunshine State
801 | Standards to the State Board of Education for adoption and
802 | periodic review and revision under s. 1003.41 ~~a list that~~
803 | ~~specifies student skills and competencies to which the goals for~~
804 | ~~education specified in the state plan apply, including, but not~~
805 | ~~limited to, reading, writing, science, and mathematics. The~~
806 | ~~skills and competencies must include problem-solving and higher-~~
807 | ~~order skills as appropriate and shall be known as the Sunshine~~
808 | ~~State Standards as defined in s. 1000.21. The commissioner shall~~
809 | ~~select such skills and competencies after receiving~~
810 | ~~recommendations from educators, citizens, and members of the~~
811 | ~~business community. The commissioner shall submit to the State~~
812 | ~~Board of Education revisions to the list of student skills and~~

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813 ~~competencies in order to maintain continuous progress toward~~
814 ~~improvements in student proficiency.~~

815 (b) Develop and implement a uniform system of indicators to
816 describe the performance of public school students and the
817 characteristics of the public school districts and the public
818 schools. These indicators must include, without limitation,
819 information gathered by the comprehensive management information
820 system created pursuant to s. 1008.385 and student achievement
821 information obtained pursuant to this section.

822 (c) Develop and implement a student achievement testing
823 program known as the Florida Comprehensive Assessment Test (FCAT)
824 as part of the statewide assessment program to measure a
825 student's content knowledge and skills in reading, writing,
826 science, and mathematics. Other content areas may be included as
827 directed by the commissioner. Comprehensive assessments ~~The~~
828 ~~assessment~~ of reading and mathematics shall be administered
829 annually in grades 3 through 10. Comprehensive assessments ~~The~~
830 ~~assessment~~ of writing and science shall be administered at least
831 once at the elementary, middle, and high school levels. End-of-
832 course assessments for a subject may be administered in addition
833 to the comprehensive assessments required for that subject under
834 this paragraph. An end-of-course assessment must be rigorous,
835 statewide, standardized, and developed or approved by the
836 department. The content knowledge and skills assessed by
837 comprehensive and end-of-course assessments must be aligned to
838 the core curricular content established in the Sunshine State
839 Standards. The commissioner may select one or more nationally
840 developed comprehensive examinations, which may include, but need
841 not be limited to, examinations for a College Board Advanced

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842 Placement course, International Baccalaureate course, or Advanced
843 International Certificate of Education course or industry-
844 approved examinations to earn national industry certifications as
845 defined in s. 1003.492, for use as end-of-course assessments
846 under this paragraph, if the commissioner determines that the
847 content knowledge and skills assessed by the examinations meet or
848 exceed the grade-level expectations for the core curricular
849 content established for the course in the Next Generation
850 Sunshine State Standards. The commissioner may collaborate with
851 the American Diploma Project in the adoption or development of
852 rigorous end-of-course assessments that are aligned to the Next
853 Generation Sunshine State Standards ~~The commissioner must~~
854 ~~document the procedures used to ensure that the versions of the~~
855 ~~FCAT which are taken by students retaking the grade 10 FCAT are~~
856 ~~equally as challenging and difficult as the tests taken by~~
857 ~~students in grade 10 which contain performance tasks.~~ The testing
858 program must be designed as follows ~~so that:~~

859 1. The tests shall measure student skills and competencies
860 adopted by the State Board of Education as specified in paragraph
861 (a). The tests must measure and report student proficiency levels
862 of all students assessed in reading, writing, mathematics, and
863 science. The commissioner shall provide for the tests to be
864 developed or obtained, as appropriate, through contracts and
865 project agreements with private vendors, public vendors, public
866 agencies, postsecondary educational institutions, or school
867 districts. The commissioner shall obtain input with respect to
868 the design and implementation of the testing program from state
869 educators, assistive technology experts, and the public.

870 2. The testing program shall be composed ~~will include a~~

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871 ~~combination of norm-referenced and criterion-referenced tests~~
872 that shall and include, to the extent determined by the
873 commissioner, include test items ~~questions~~ that require the
874 student to produce information or perform tasks in such a way
875 that the core content knowledge and skills ~~and competencies~~ he or
876 she uses can be measured.

877 3. Beginning with the 2008-2009 school year, the
878 commissioner shall discontinue administration of the selected-
879 response test items on the comprehensive assessments of writing.
880 Beginning with the 2012-2013 school year, the comprehensive
881 assessments of writing shall be composed of a combination of
882 selected-response test items, short-response performance tasks,
883 and extended-response performance tasks, which shall measure a
884 student's content knowledge of writing, including, but not
885 limited to, paragraph and sentence structure, sentence
886 construction, grammar and usage, punctuation, capitalization,
887 spelling, parts of speech, verb tense, irregular verbs, subject-
888 verb agreement, and noun-pronoun agreement. ~~Each testing program,~~
889 ~~whether at the elementary, middle, or high school level, includes~~
890 ~~a test of writing in which students are required to produce~~
891 ~~writings that are then scored by appropriate and timely methods.~~

892 4. A score shall be ~~is~~ designated for each subject area
893 tested, below which score a student's performance is deemed
894 inadequate. The school districts shall provide appropriate
895 remedial instruction to students who score below these levels.

896 5. Except as provided in s. 1003.428(8)(b) or s.
897 1003.43(11)(b), students must earn a passing score on the grade
898 10 assessment test described in this paragraph or attain
899 concordant scores as described in subsection (9) in reading,

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900 | writing, and mathematics to qualify for a standard high school
901 | diploma. The State Board of Education shall designate a passing
902 | score for each part of the grade 10 assessment test. In
903 | establishing passing scores, the state board shall consider any
904 | possible negative impact of the test on minority students. The
905 | State Board of Education shall adopt rules which specify the
906 | passing scores for the grade 10 FCAT. Any such rules, which have
907 | the effect of raising the required passing scores, shall ~~only~~
908 | apply only to students taking the grade 10 FCAT for the first
909 | time after such rules are adopted by the State Board of
910 | Education.

911 | 6. Participation in the testing program is mandatory for
912 | all students attending public school, including students served
913 | in Department of Juvenile Justice programs, except as otherwise
914 | prescribed by the commissioner. If a student does not participate
915 | in the statewide assessment, the district must notify the
916 | student's parent and provide the parent with information
917 | regarding the implications of such nonparticipation. A parent
918 | must provide signed consent for a student to receive classroom
919 | instructional accommodations that would not be available or
920 | permitted on the statewide assessments and must acknowledge in
921 | writing that he or she understands the implications of such
922 | instructional accommodations. The State Board of Education shall
923 | adopt rules, based upon recommendations of the commissioner, for
924 | the provision of test accommodations for students in exceptional
925 | education programs and for students who have limited English
926 | proficiency. Accommodations that negate the validity of a
927 | statewide assessment are not allowable in the administration of
928 | the FCAT. However, instructional accommodations are allowable in

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929 | the classroom if included in a student's individual education
930 | plan. Students using instructional accommodations in the
931 | classroom that are not allowable as accommodations on the FCAT
932 | may have the FCAT requirement waived pursuant to the requirements
933 | of s. 1003.428(8)(b) or s. 1003.43(11)(b).

934 | 7. A student seeking an adult high school diploma must meet
935 | the same testing requirements that a regular high school student
936 | must meet.

937 | 8. District school boards must provide instruction to
938 | prepare students to demonstrate proficiency in the core
939 | curricular content established in the Next Generation Sunshine
940 | State Standards adopted under s. 1003.41, including the core
941 | content knowledge and skills and ~~competencies~~ necessary for
942 | successful grade-to-grade progression and high school graduation.
943 | If a student is provided with instructional accommodations in the
944 | classroom that are not allowable as accommodations in the
945 | statewide assessment program, as described in the test manuals,
946 | the district must inform the parent in writing and must provide
947 | the parent with information regarding the impact on the student's
948 | ability to meet expected proficiency levels in reading, writing,
949 | and mathematics ~~math~~. The commissioner shall conduct studies as
950 | necessary to verify that the required core curricular content is
951 | ~~skills and competencies~~ are part of the district instructional
952 | programs.

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

957 | 10. The Department of Education must develop, or select,

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958 and implement a common battery of assessment tools that will be
959 used in all juvenile justice programs in the state. These tools
960 must accurately measure the core curricular content ~~skills and~~
961 ~~competencies~~ established in the Sunshine State Standards.

962 11. For students seeking a special diploma pursuant to s.
963 1003.438, the Department of Education must develop or select and
964 implement an alternate assessment tool that accurately measures
965 the core curricular content ~~skills and competencies~~ established
966 in the Sunshine State Standards for students with disabilities
967 under s. 1003.438.

968 12. The Commissioner of Education shall establish schedules
969 for the administration of statewide assessments and the reporting
970 of student test results. The commissioner shall, by August 1 of
971 each year, notify each school district in writing and publish on
972 the department's Internet website the testing and reporting
973 schedules for, at a minimum, the school year following the
974 upcoming school year. The testing and reporting schedules shall
975 require that:

976 a. There is the latest possible administration of statewide
977 assessments and the earliest possible reporting to the school
978 districts of student test results which is feasible within
979 available technology and specific appropriations; however, test
980 results must be made available no later than the final day of the
981 regular school year for students.

982 b. Beginning with the 2010-2011 school year, a
983 comprehensive statewide assessment of writing is not administered
984 earlier than the week of March 1 and a comprehensive statewide
985 assessment of any other subject is not administered earlier than
986 the week of April 15.

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987 c. A statewide standardized end-of-course assessment is
988 administered within the last 2 weeks of the course.

989
990 The commissioner may, based on collaboration and input from
991 school districts, design and implement student testing programs,
992 for any grade level and subject area, necessary to effectively
993 monitor educational achievement in the state, including the
994 measurement of educational achievement of the Sunshine State
995 Standards for students with disabilities. Development and
996 refinement of assessments shall include universal design
997 principles and accessibility standards that will prevent any
998 unintended obstacles for students with disabilities while
999 ensuring the validity and reliability of the test. These
1000 principles should be applicable to all technology platforms and
1001 assistive devices available for the assessments. The field
1002 testing process and psychometric analyses for the statewide
1003 assessment program must include an appropriate percentage of
1004 students with disabilities and an evaluation or determination of
1005 the effect of test items on such students.

1006 (d) Conduct ongoing research to develop improved methods of
1007 assessing student performance, including, without limitation, the
1008 use of technology to administer tests, score, or report the
1009 results of, the use of electronic transfer of data, the
1010 development of work-product assessments, and the development of
1011 process assessments.

1012 (e) Conduct ongoing research and analysis of student
1013 achievement data, including, without limitation, monitoring
1014 trends in student achievement by grade level and overall student
1015 achievement, identifying school programs that are successful, and

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1016 analyzing correlates of school achievement.

1017 (f) Provide technical assistance to school districts in the
1018 implementation of state and district testing programs and the use
1019 of the data produced pursuant to such programs.

1020 (g) Study the cost and student achievement impact of
1021 secondary end-of-course assessments, including web-based and
1022 performance formats, and report to the Legislature prior to
1023 implementation.

1024 (4) STATEWIDE ASSESSMENT PREPARATION; PROHIBITED
1025 ACTIVITIES.--Beginning with the 2008-2009 school year, a district
1026 school board shall prohibit each public school from suspending a
1027 regular program of curricula for purposes of administering
1028 practice tests or engaging in other test-preparation activities
1029 for a statewide assessment. However, a district school board may
1030 authorize a public school to engage in the following test-
1031 preparation activities for a statewide assessment:

1032 (a) Distributing to students the sample test books and
1033 answer keys published by the Department of Education.

1034 (b) Providing individualized instruction in test-taking
1035 strategies, without suspending the school's regular program of
1036 curricula, for a student who scores at Level 1 or Level 2 on a
1037 prior administration of the statewide assessment.

1038 (c) Providing individualized instruction in the content
1039 knowledge and skills assessed, without suspending the school's
1040 regular program of curricula, for a student who scores at Level 1
1041 or Level 2 on a prior administration of the statewide assessment
1042 or a student who, through a diagnostic assessment administered by
1043 the school district, is identified as having a deficiency in the
1044 content knowledge and skills assessed.

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1045 (d) Incorporating test-taking exercises and strategies
1046 into curricula for intensive reading and mathematics intervention
1047 courses.

1048 (e) Administering a practice test or engaging in other
1049 test-preparation activities for the statewide assessment which
1050 are determined necessary to familiarize students with the
1051 organization of the assessment, the format of the test items, and
1052 the test directions, or which are otherwise necessary for the
1053 valid and reliable administration of the assessment, as set forth
1054 in rules adopted by the State Board of Education with specific
1055 reference to this paragraph.

1056 (5) ~~(4)~~ DISTRICT TESTING PROGRAMS.--Each district school
1057 board shall periodically assess student performance and
1058 achievement within each school of the district. The assessment
1059 programs must be based on the core curricular content established
1060 in the Next Generation Sunshine State Standards and any ~~upon~~
1061 local goals and objectives that are compatible with the state
1062 plan for education and that supplement the core content knowledge
1063 and skills necessary for successful grade-to-grade progression
1064 and high school graduation and ~~competencies adopted by the State~~
1065 ~~Board of Education.~~ All school districts must participate in the
1066 statewide assessment program designed to measure annual student
1067 learning and school performance. All district school boards shall
1068 report assessment results as required by the state management
1069 information system.

1070 (6) ~~(5)~~ SCHOOL TESTING PROGRAMS.--Each public school shall
1071 participate in the statewide assessment program in accordance
1072 with the testing and reporting schedules published by the
1073 Commissioner of Education under subparagraph (3) (c)12.7 unless

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1074 specifically exempted by state board rule based on serving a
1075 specialized population for which standardized testing is not
1076 appropriate. Student performance data shall be analyzed and
1077 reported to parents, the community, and the state. Student
1078 performance data shall be used in developing objectives of the
1079 school improvement plan, evaluation of instructional personnel,
1080 evaluation of administrative personnel, assignment of staff,
1081 allocation of resources, acquisition of instructional materials
1082 and technology, performance-based budgeting, and promotion and
1083 assignment of students into educational programs. The analysis of
1084 student performance data also must identify strengths and needs
1085 in the educational program and trends over time. The analysis
1086 must be used in conjunction with the budgetary planning processes
1087 developed pursuant to s. 1008.385 and the development of the
1088 programs of remediation.

1089 (7) ~~(6)~~ REQUIRED ANALYSES.--The commissioner shall provide,
1090 at a minimum, for the following analyses of data produced by the
1091 student achievement testing program:

1092 (a) The statistical system for the annual assessments shall
1093 use measures of student learning, such as the FCAT, to determine
1094 teacher, school, and school district statistical distributions,
1095 which shall be determined using available data from the FCAT, and
1096 other data collection as deemed appropriate by the Department of
1097 Education, to measure the differences in student prior year
1098 achievement compared to the current year achievement for the
1099 purposes of accountability and recognition.

1100 (b) The statistical system shall provide the best estimates
1101 of teacher, school, and school district effects on student
1102 progress. The approach used by the department shall be approved

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1103 | by the commissioner before implementation.

1104 | (c) The annual testing program shall be administered to
1105 | provide for valid statewide comparisons of learning gains to be
1106 | made for purposes of accountability and recognition. The
1107 | ~~commissioner shall establish a schedule for the administration of~~
1108 | ~~the statewide assessments. In establishing such schedule, the~~
1109 | ~~commissioner is charged with the duty to accomplish the latest~~
1110 | ~~possible administration of the statewide assessments and the~~
1111 | ~~earliest possible provision of the results to the school~~
1112 | ~~districts feasible within available technology and specific~~
1113 | ~~appropriation.~~ District school boards shall not establish school
1114 | calendars that jeopardize or limit the valid testing and
1115 | comparison of student learning gains.

1116 | (8)~~(7)~~ LOCAL ASSESSMENTS.--Measurement of the learning
1117 | gains of students in all subjects and grade levels other than
1118 | subjects and grade levels required for the state student
1119 | achievement testing program is the responsibility of the school
1120 | districts.

1121 | (9)~~(8)~~ APPLICABILITY OF TESTING STANDARDS.--

1122 | (a) If the Commissioner of Education revises a statewide
1123 | assessment and the revisions require the State Board of Education
1124 | to modify the assessment's proficiency levels or modify the
1125 | passing scores required for a standard high school diploma, until
1126 | the state board adopts the modifications by rule, the
1127 | commissioner shall use calculations for scoring the assessment
1128 | which adjust student scores on the revised assessment for
1129 | statistical equivalence to student scores on the former
1130 | assessment.

1131 | (b) A student must attain ~~meet~~ the passing scores on the

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1132 statewide assessment required ~~testing requirements~~ for a standard
1133 high school diploma which are ~~graduation that were~~ in effect at
1134 the time the student enters ~~entered~~ 9th grade 9 if, ~~provided~~ the
1135 student's enrollment is ~~was~~ continuous.

1136 (c) If the commissioner revises a statewide assessment and
1137 the revisions require the State Board of Education to modify the
1138 passing scores required for a standard high school diploma, the
1139 commissioner may, with approval of the state board, discontinue
1140 administration of the former assessment upon the graduation,
1141 based on normal student progression, of students participating in
1142 the final regular administration of the former assessment. The
1143 state board shall adopt by rule passing scores for the revised
1144 assessment which are statistically equivalent to passing scores
1145 on the discontinued assessment for a student required under
1146 paragraph (b) to attain passing scores on the discontinued
1147 assessment.

1148 (10) ~~(9)~~ CONCORDANT SCORES FOR THE FCAT.--

1149 (a) The State Board of Education shall analyze the content
1150 and concordant data sets for widely used high school achievement
1151 tests, including, but not limited to, the PSAT, PLAN, SAT, ACT,
1152 and College Placement Test, to assess if concordant scores for
1153 FCAT scores can be determined for high school graduation, college
1154 placement, and scholarship awards. In cases where content
1155 alignment and concordant scores can be determined, the
1156 Commissioner of Education shall adopt those scores as meeting the
1157 graduation requirement in lieu of achieving the FCAT passing
1158 score and may adopt those scores as being sufficient to achieve
1159 additional purposes as determined by rule. Each time that test
1160 content or scoring procedures change ~~are changed~~ for the FCAT or

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1161 | for a high school achievement test for which a concordant score
1162 | is determined ~~one of the identified tests~~, new concordant scores
1163 | must be determined.

1164 | (b) In order to use a concordant subject area score
1165 | pursuant to this subsection to satisfy the assessment requirement
1166 | for a standard high school diploma as provided in s.
1167 | 1003.429(6) (a), s. 1003.43(5) (a), or s. 1003.428, a student must
1168 | take each subject area of the grade 10 FCAT a total of three
1169 | times without earning a passing score. The requirements of this
1170 | paragraph shall not apply to a new student who enters the Florida
1171 | public school system in grade 12, who may either achieve a
1172 | passing score on the FCAT or use an approved subject area
1173 | concordant score to fulfill the graduation requirement.

1174 | (c) The State Board of Education may define by rule the
1175 | allowable uses, other than to satisfy the high school graduation
1176 | requirement, for concordant scores as described in this
1177 | subsection. Such uses may include, but need not be limited to,
1178 | achieving appropriate standardized test scores required for the
1179 | awarding of Florida Bright Futures Scholarships and college
1180 | placement.

1181 | (11) ~~(10)~~ REPORTS.--The Department of Education shall
1182 | annually provide a report to the Governor, the President of the
1183 | Senate, and the Speaker of the House of Representatives on the
1184 | following:

1185 | (a) Longitudinal performance of students in mathematics and
1186 | reading.

1187 | (b) Longitudinal performance of students by grade level in
1188 | mathematics and reading.

1189 | (c) Longitudinal performance regarding efforts to close the

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1190 achievement gap.

1191 ~~(d) Longitudinal performance of students on the norm-~~
1192 ~~referenced component of the FCAT.~~

1193 ~~(d)~~~~(e)~~ Other student performance data based on national
1194 norm-referenced and criterion-referenced tests, when available,
1195 and numbers of students who after 8th grade enroll in adult
1196 education rather than other secondary education.

1197 ~~(12)~~~~(11)~~ RULES.--The State Board of Education shall adopt
1198 rules pursuant to ss. 120.536(1) and 120.54 to implement the
1199 provisions of this section.

1200 Section 19. Subsection (3) of section 1008.30, Florida
1201 Statutes, is amended to read:

1202 1008.30 Common placement testing for public postsecondary
1203 education.--

1204 (3) The State Board of Education shall adopt rules that
1205 ~~would~~ require high schools to evaluate before the beginning of
1206 grade 12 the college readiness of each student who indicates an
1207 interest in postsecondary education and scores at Level 2 or
1208 Level 3 on the reading portion of the grade 10 FCAT or Level 2,
1209 Level 3, or Level 4 on the mathematics portion of the grade 10
1210 FCAT. High schools shall perform this evaluation using results
1211 from ~~give~~ the corresponding component of the common placement
1212 test prescribed in this section, or an equivalent test identified
1213 by the State Board of Education. The Department of Education
1214 shall purchase or develop the assessments necessary to perform
1215 the evaluations required by this subsection and shall work with
1216 the school districts to administer the assessments. The State
1217 Board of Education shall establish by rule the minimum test
1218 scores a student must achieve to demonstrate readiness. Students

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1219 who demonstrate readiness by achieving the minimum test scores
1220 established by the state board and enroll in a community college
1221 within 2 years of achieving such scores shall not be required to
1222 enroll in remediation courses as a condition of acceptance to any
1223 community college. The high school shall use the results of the
1224 test to advise the students of any identified deficiencies and to
1225 the maximum extent practicable provide 12th grade students access
1226 to appropriate remedial instruction prior to high school
1227 graduation. The remedial instruction provided under this
1228 subsection shall be a collaborative effort between secondary and
1229 postsecondary educational institutions. To the extent courses are
1230 available, the Florida Virtual School may be used to provided the
1231 remedial instruction required by this subsection, at the
1232 beginning of the tenth grade year before enrollment in the
1233 eleventh grade year in public high school for the purpose of
1234 obtaining remedial instruction prior to entering public
1235 postsecondary education.

1236 Section 20. Paragraph (c) of subsection (1) of section
1237 1008.31, Florida Statutes, is amended to read:

1238 1008.31 Florida's K-20 education performance accountability
1239 system; legislative intent; mission, goals, and systemwide
1240 measures; data quality improvements.--

1241 (1) LEGISLATIVE INTENT.--It is the intent of the
1242 Legislature that:

1243 (c) The K-20 education performance accountability system
1244 comply with the ~~accountability~~ requirements of the "No Child Left
1245 Behind Act of 2001," Pub. L. No. 107-110, and the Individuals
1246 with Disabilities Education Act (IDEA).

1247 Section 21. Subsection (3) of section 1008.34, Florida

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1248 Statutes, is amended, and subsection (8) is added to that
1249 section, to read:

1250 1008.34 School grading system; school report cards;
1251 district grade.--

1252 (3) DESIGNATION OF SCHOOL GRADES.--

1253 (a) Each school that has students who are tested and
1254 included in the school grading system, ~~except an alternative~~
1255 ~~school that receives a school improvement rating pursuant to s.~~
1256 ~~1008.341,~~ shall receive a school grade, except as follows:

1257 1. A school shall not receive a school grade if the number
1258 of its students tested and included in the school grading system
1259 are fewer than the minimum sample size necessary, based on
1260 accepted professional practice, for statistical reliability and
1261 prevention of the unlawful release of personally identifiable
1262 student data under s. 1002.22 or 20 U.S.C. s. 1232g.; however,

1263 2. An alternative school may choose to receive a school
1264 grade under this section or in lieu of a school improvement
1265 rating under s. 1008.341.

1266 3. Additionally, A school that serves any combination of
1267 students in kindergarten through grade 3 which does not receive a
1268 school grade because its students are not tested and included in
1269 the school grading system shall receive the school grade
1270 designation of a K-3 feeder pattern school identified by the
1271 Department of Education and verified by the school district. A
1272 school feeder pattern exists if at least 60 percent of the
1273 students in the school serving a combination of students in
1274 kindergarten through grade 3 are scheduled to be assigned to the
1275 graded school. ~~School grades itemized in subsection (2) shall be~~
1276 ~~based on the following:~~

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1277 (b)1.(a) Criteria.—A school's grade shall be based on a
1278 combination of:

1279 a.1. Student achievement scores, including achievement
1280 scores for students seeking a special diploma.

1281 b.2. Student learning gains as measured by annual FCAT
1282 assessments in grades 3 through 10; learning gains for students
1283 seeking a special diploma, as measured by an alternate assessment
1284 tool, shall be included not later than the 2009-2010 school year.

1285 c.3. Improvement of the lowest 25th percentile of students
1286 in the school in reading, mathematics ~~math~~, or writing on the
1287 FCAT, unless these students are exhibiting satisfactory
1288 performance.

1289 2. Beginning with the 2009-2010 school year for schools
1290 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1291 11, and 12, 50 percent of the school grade shall be based on a
1292 combination of the factors listed in sub-subparagraphs 1.a.-c.
1293 and the remaining 50 percent on the following factors:

1294 a. The high school graduation rate of the school;

1295 b. As valid data becomes available, the performance and
1296 participation of the school's students in College Board Advanced
1297 Placement courses, International Baccalaureate courses, dual
1298 enrollment courses, and Advanced International Certificate of
1299 Education courses; and the students' achievement of industry
1300 certification, as determined by the Agency for Workforce
1301 Innovation under s. 1003.492(2) in a career and professional
1302 academy, as described in s. 1003.493;

1303 c. Postsecondary readiness of the school's students as
1304 measured by the SAT, ACT, or the common placement test;

1305 d. The high school graduation rate of at-risk students who

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1306 scored at Level 2 or lower on the grade 8 FCAT Reading and
1307 Mathematics examinations;

1308 e. As valid data becomes available, the performance of the
1309 school's students on statewide standardized end-of-course
1310 assessments administered under s. 1008.22; and

1311 f. The growth or decline in the components listed in sub-
1312 subparagraphs a.-e. from year to year.

1313 (c) (b) Student assessment data. Student assessment data
1314 used in determining school grades shall include:

1315 1. The aggregate scores of all eligible students enrolled
1316 in the school who have been assessed on the FCAT.

1317 2. The aggregate scores of all eligible students enrolled
1318 in the school who have been assessed on the FCAT, ~~including~~
1319 ~~Florida Writes~~, and who have scored at or in the lowest 25th
1320 percentile of students in the school in reading, mathematics
1321 ~~math~~, or writing, unless these students are exhibiting
1322 satisfactory performance.

1323 3. Effective with the 2005-2006 school year, the
1324 achievement scores and learning gains of eligible students
1325 attending alternative schools that provide dropout prevention and
1326 academic intervention services pursuant to s. 1003.53. The term
1327 "eligible students" in this subparagraph does not include
1328 students attending an alternative school who are subject to
1329 district school board policies for expulsion for repeated or
1330 serious offenses, who are in dropout retrieval programs serving
1331 students who have officially been designated as dropouts, or who
1332 are in programs operated or contracted by the Department of
1333 Juvenile Justice. The student performance data for eligible
1334 students identified in this subparagraph shall be included in the

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1335 calculation of the home school's grade. As used in ~~For purposes~~
1336 ~~of~~ this section and s. 1008.341, the term "home school" means the
1337 school to which the student would be assigned if the student were
1338 not was attending when assigned to an alternative school. If an
1339 alternative school chooses to be graded under pursuant to this
1340 section, student performance data for eligible students
1341 identified in this subparagraph shall not be included in the home
1342 school's grade but shall be included only in the calculation of
1343 the alternative school's grade. A school district that fails to
1344 assign the FCAT scores of each of its students to his or her home
1345 school or to the alternative school that receives a grade shall
1346 forfeit Florida School Recognition Program funds for 1 fiscal
1347 year. School districts must require collaboration between the
1348 home school and the alternative school in order to promote
1349 student success. This collaboration must include an annual
1350 discussion between the principal of the alternative school and
1351 the principal of each student's home school concerning the most
1352 appropriate school assignment of the student.

1353 4. Beginning with the 2009-2010 school year for schools
1354 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1355 11, and 12, the data listed in subparagraphs 1.-3. and the
1356 following data as the Department of Education determines such
1357 data are valid and available:

1358 a. The high school graduation rate of the school as
1359 calculated by the Department of Education;

1360 b. The participation rate of all eligible students enrolled
1361 in the school and enrolled in College Board Advanced Placement
1362 courses; International Baccalaureate courses; dual enrollment
1363 courses; Advanced International Certificate of Education courses;

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1364 and courses or sequence of courses leading to industry
1365 certification, as determined by the Agency for Workforce
1366 Innovation under s. 1003.492(2) in a career and professional
1367 academy, as described in s. 1003.493;

1368 c. The aggregate scores of all eligible students enrolled
1369 in the school in College Board Advanced Placement courses,
1370 International Baccalaureate courses, and Advanced International
1371 Certificate of Education courses;

1372 d. Earning of college credit by all eligible students
1373 enrolled in the school in dual enrollment programs under s.
1374 1007.271;

1375 e. Earning of an industry certification, as determined by
1376 the Agency for Workforce Innovation under s. 1003.492(2) in a
1377 career and professional academy, as described in s. 1003.493;

1378 f. The aggregate scores of all eligible students enrolled
1379 in the school in reading, mathematics, and other subjects as
1380 measured by the SAT, the ACT, and the common placement test for
1381 postsecondary readiness;

1382 g. The high school graduation rate of all eligible at-risk
1383 students enrolled in the school who scored at Level 2 or lower on
1384 the grade 8 FCAT Reading and Mathematics examinations;

1385 h. The performance of the school's students on statewide
1386 standardized end-of-course assessments administered under s.
1387 1008.22; and

1388 i. The growth or decline in the data components listed in
1389 sub-subparagraphs a.-h. from year to year.

1390
1391 The State Board of Education shall adopt appropriate criteria for
1392 each school grade. The criteria must also give added weight to

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1393 student achievement in reading. Schools designated with a grade
1394 of "C," making satisfactory progress, shall be required to
1395 demonstrate that adequate progress has been made by students in
1396 the school who are in the lowest 25th percentile in reading,
1397 mathematics ~~math~~, or writing on the FCAT, ~~including Florida~~
1398 ~~writes~~, unless these students are exhibiting satisfactory
1399 performance. Beginning with the 2009-2010 school year for schools
1400 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1401 11, and 12, the criteria for school grades must also give added
1402 weight to the graduation rate of all eligible at-risk students,
1403 as defined in this paragraph. Beginning in the 2009-2010 school
1404 year, in order for a high school to be designated as having a
1405 grade of "A," making excellent progress, the school must
1406 demonstrate that at-risk students, as defined in this paragraph,
1407 in the school are making adequate progress.

1408 (8) RULES.--The State Board of Education shall adopt rules
1409 under ss. 120.536(1) and 120.54 to administer this section.

1410 Section 22. Subsection (2) and paragraph (b) of subsection
1411 (3) of section 1008.341, Florida Statutes, are amended, and
1412 subsection (6) is added to that section, to read:

1413 1008.341 School improvement rating for alternative
1414 schools.--

1415 (2) SCHOOL IMPROVEMENT RATING.--An alternative school
1416 ~~schools~~ that provides ~~provide~~ dropout prevention and academic
1417 intervention services pursuant to s. 1003.53 shall receive a
1418 school improvement rating pursuant to this section. However, an
1419 alternative school shall not receive a school improvement rating
1420 if the number of its students for whom student performance data
1421 is available for the current year and previous year are fewer

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1422 than the minimum sample size necessary, based on accepted
1423 professional practice, for statistical reliability and prevention
1424 of the unlawful release of personally identifiable student data
1425 under s. 1002.22 or 20 U.S.C. s. 1232g. The school improvement
1426 rating shall identify an alternative school ~~schools~~ as having one
1427 of the following ratings defined according to rules of the State
1428 Board of Education:

1429 (a) "Improving" means the schools with students attending
1430 the school are making more academic progress than when the
1431 students were served in their home schools.

1432 (b) "Maintaining" means the schools with students attending
1433 the school are making progress equivalent to the progress made
1434 when the students were served in their home schools.

1435 (c) "Declining" means the schools with students attending
1436 the school are making less academic progress than when the
1437 students were served in their home schools.

1438

1439 The school improvement rating shall be based on a comparison of
1440 student performance data for the current year and previous year.
1441 Schools that improve at least one level or maintain an
1442 "improving" rating pursuant to this section are eligible for
1443 school recognition awards pursuant to s. 1008.36.

1444 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.--Student data
1445 used in determining an alternative school's school improvement
1446 rating shall include:

1447 (b) The aggregate scores of all eligible students who were
1448 assigned to and enrolled in the school during the October or
1449 February FTE count, who have been assessed on the FCAT, ~~including~~
1450 ~~Florida Writes,~~ and who have scored in the lowest 25th percentile

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1451 of students in the state on FCAT Reading.

1452

1453 The assessment scores of students who are subject to district
1454 school board policies for expulsion for repeated or serious
1455 offenses, who are in dropout retrieval programs serving students
1456 who have officially been designated as dropouts, or who are in
1457 programs operated or contracted by the Department of Juvenile
1458 Justice may not be included in an alternative school's school
1459 improvement rating.

1460 (6) RULES.--The State Board of Education shall adopt rules
1461 under ss. 120.536(1) and 120.54 to administer this section.

1462 Section 23. Paragraph (a) of subsection (8) of section
1463 1008.345, Florida Statutes, is amended to read:

1464 1008.345 Implementation of state system of school
1465 improvement and education accountability.--

1466 (8) As a part of the system of educational accountability,
1467 the Department of Education shall:

1468 (a) Develop minimum ~~performance~~ standards for various
1469 grades and subject areas, as required in ss. 1001.03, 1008.22,
1470 and 1008.34.

1471 Section 24. Subsection (2) of section 1008.36, Florida
1472 Statutes, is amended to read:

1473 1008.36 Florida School Recognition Program.--

1474 (2) The Florida School Recognition Program is created to
1475 provide financial awards to public schools that:

1476 (a) Sustain high performance by receiving a school grade of
1477 "A," making excellent progress; or

1478 (b) Demonstrate exemplary improvement due to innovation and
1479 effort by improving at least one a letter grade or by improving

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1480 more than one letter grade and sustaining the improvement the
1481 following school year.

1482

1483 Notwithstanding statutory provisions to the contrary, incentive
1484 awards are not subject to collective bargaining.

1485 Section 25. Subsection (4) of section 1012.56, Florida
1486 Statutes, is renumbered as subsection (5) and amended, present
1487 subsections (5) through (16) are renumbered as subsections (6)
1488 through (17), respectively, and a new subsection (4) is added to
1489 that section, to read:

1490 1012.56 Educator certification requirements.--

1491 (4) ALIGNMENT OF SUBJECT AREAS.--As the Sunshine State
1492 Standards are replaced by the Next Generation Sunshine State
1493 Standards under s. 1003.41, the State Board of Education shall
1494 align the subject area examinations to the Next Generation
1495 Sunshine State Standards.

1496 (5) ~~(4)~~ MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable means
1497 of demonstrating mastery of subject area knowledge are:

1498 (a) Achievement of passing scores on subject area
1499 examinations required by state board rule, which may include, but
1500 need not be limited to, world languages in Arabic, Chinese,
1501 Farsi, French, German, Greek, Haitian Creole, Hebrew, Hindi,
1502 Italian, Japanese, Portuguese, Russian, and Spanish;

1503 (b) Completion of a bachelor's degree or higher and
1504 verification of the attainment of an oral proficiency interview
1505 score above the intermediate level and a written proficiency
1506 score above the intermediate level on a test administered by the
1507 American Council on the Teaching of Foreign Languages for which
1508 there is no Florida-developed examination;

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1509 (c) ~~(b)~~ Completion of the subject area specialization
1510 requirements specified in state board rule and verification of
1511 the attainment of the essential subject matter competencies by
1512 the district school superintendent of the employing school
1513 district or chief administrative officer of the employing state-
1514 supported or private school for a subject area for which a
1515 subject area examination has not been developed and required by
1516 state board rule;

1517 (d) ~~(e)~~ Completion of the subject area specialization
1518 requirements specified in state board rule for a subject coverage
1519 requiring a master's or higher degree and achievement of a
1520 passing score on the subject area examination specified in state
1521 board rule;

1522 (e) ~~(d)~~ A valid professional standard teaching certificate
1523 issued by another state; or

1524 (f) ~~(e)~~ A valid certificate issued by the National Board for
1525 Professional Teaching Standards or a national educator
1526 credentialing board approved by the State Board of Education.

1527
1528 School districts are encouraged to provide mechanisms for those
1529 middle school teachers holding only a K-6 teaching certificate to
1530 obtain a subject area coverage for middle grades through
1531 postsecondary coursework or district add-on certification.

1532 Section 26. Subsection (1) of section 1012.57, Florida
1533 Statutes, is amended to read:

1534 1012.57 Certification of adjunct educators.--

1535 (1) Notwithstanding the provisions of ss. 1012.32, 1012.55,
1536 and 1012.56, or any other provision of law or rule to the
1537 contrary, district school boards shall adopt rules to allow for

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1538 | the issuance of an adjunct teaching certificate to any applicant
1539 | who fulfills the requirements of s. 1012.56(2)(a)-(f) and (10)
1540 | ~~(9)~~ and who has expertise in the subject area to be taught. An
1541 | applicant shall be considered to have expertise in the subject
1542 | area to be taught if the applicant demonstrates sufficient
1543 | subject area mastery through passage of a subject area test. The
1544 | adjunct teaching certificate shall be used for part-time teaching
1545 | positions. The intent of this provision is to allow school
1546 | districts to tap the wealth of talent and expertise represented
1547 | in Florida's citizens who may wish to teach part-time in a
1548 | Florida public school by permitting school districts to issue
1549 | adjunct certificates to qualified applicants. Adjunct
1550 | certificateholders should be used as a strategy to reduce the
1551 | teacher shortage; thus, adjunct certificateholders should
1552 | supplement a school's instructional staff, not supplant it. Each
1553 | school principal shall assign an experienced peer mentor to
1554 | assist the adjunct teaching certificateholder during the
1555 | certificateholder's first year of teaching, and an adjunct
1556 | certificateholder may participate in a district's new teacher
1557 | training program. District school boards shall provide the
1558 | adjunct teaching certificateholder an orientation in classroom
1559 | management prior to assigning the certificateholder to a school.
1560 | Each adjunct teaching certificate is valid for 5 school years and
1561 | is renewable if the applicant has received satisfactory
1562 | performance evaluations during each year of teaching under
1563 | adjunct teaching certification.

1564 | Section 27. Subsection (1) of section 1012.586, Florida
1565 | Statutes, is amended to read:

1566 | 1012.586 Additions or changes to certificates; duplicate

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1567 | certificates.--A school district may process via a Department of
1568 | Education website certificates for the following applications of
1569 | public school employees:

1570 | (1) Addition of a subject coverage or endorsement to a
1571 | valid Florida certificate on the basis of the completion of the
1572 | appropriate subject area testing requirements of s. 1012.56(5)(a)
1573 | ~~s. 1012.56(4)(a)~~ or the completion of the requirements of an
1574 | approved school district program or the inservice components for
1575 | an endorsement.

1576 |
1577 | The employing school district shall charge the employee a fee not
1578 | to exceed the amount charged by the Department of Education for
1579 | such services. Each district school board shall retain a portion
1580 | of the fee as defined in the rules of the State Board of
1581 | Education. The portion sent to the department shall be used for
1582 | maintenance of the technology system, the web application, and
1583 | posting and mailing of the certificate.

1584 | Section 28. Effective upon this act becoming a law, section
1585 | 1012.71, Florida Statutes, is amended to read:

1586 | (Substantial rewording of section. See
1587 | s. 1012.71, F.S., for present text.)

1588 | 1012.71 The Florida Teachers Lead Program.--

1589 | (1) For purposes of the Florida Teachers Lead Program, the
1590 | term "classroom teacher" means a certified teacher employed by a
1591 | public school district or a public charter school in that
1592 | district on or before September 1 of each year whose full-time or
1593 | job-share responsibility is the classroom instruction of students
1594 | in prekindergarten through grade 12, including full-time media
1595 | specialists and guidance counselors serving students in

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1596 prekindergarten through grade 12, who are funded through the
1597 Florida Education Finance Program. A "job-share" classroom
1598 teacher is one of two teachers whose combined full-time
1599 equivalent employment for the same teaching assignment equals one
1600 full-time classroom teacher.

1601 (2) The Legislature, in the General Appropriations Act,
1602 shall determine funding for the Florida Teachers Lead Program.
1603 The funds appropriated are for classroom teachers to purchase, on
1604 behalf of the school district or charter school, classroom
1605 materials and supplies for the public school students assigned to
1606 them and may not be used to purchase equipment. The funds
1607 appropriated shall be used to supplement the materials and
1608 supplies otherwise available to classroom teachers. From the
1609 funds appropriated for the Florida Teachers Lead Program, the
1610 Commissioner of Education shall calculate an amount for each
1611 school district based upon each school district's proportionate
1612 share of the state's total unweighted FTE student enrollment and
1613 shall disburse the funds to the school districts by July 15.

1614 (3) From the funds allocated to each school district for
1615 the Florida Teachers Lead Program, the district school board
1616 shall calculate an identical amount for each classroom teacher,
1617 which is that teacher's proportionate share of the total amount
1618 allocated to the district. A job-share classroom teacher may
1619 receive a prorated share of the amount provided to a full-time
1620 classroom teacher. The district school board and each charter
1621 school board shall provide each classroom teacher with his or her
1622 total proportionate share by September 30 of each year by any
1623 means determined appropriate by the district school board or
1624 charter school board, including, but not limited to, direct

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1625 deposit, check, debit card, or purchasing card, notwithstanding
1626 any law to the contrary. Expenditures under the program are not
1627 subject to state or local competitive bidding requirements. Funds
1628 received by a classroom teacher do not affect wages, hours, or
1629 terms and conditions of employment and, therefore, are not
1630 subject to collective bargaining. Any classroom teacher may
1631 decline receipt of or return the funds without explanation or
1632 cause. This subsection shall apply retroactively to July 1, 2007.

1633 (4) Each classroom teacher must sign a statement
1634 acknowledging receipt of the funds, keep receipts for no less
1635 than 4 years to show that funds expended meet the requirements of
1636 this section, and return any unused funds to the district school
1637 board at the end of the regular school year. Any unused funds
1638 that are returned to the district school board shall be deposited
1639 into the school advisory council account of the school at which
1640 the classroom teacher returning the funds was employed when that
1641 teacher received the funds or deposited into the Florida Teachers
1642 Lead Program account of the school district in which a charter
1643 school is sponsored, as applicable.

1644 (5) The statement must be signed and dated by each
1645 classroom teacher before receipt of the Florida Teachers Lead
1646 Program funds and shall include the wording: "I, (name of
1647 teacher) , am employed by the County District School Board
1648 or by the Charter School as a full-time classroom teacher. I
1649 acknowledge that Florida Teachers Lead Program funds are
1650 appropriated by the Legislature for the sole purpose of
1651 purchasing classroom materials and supplies to be used in the
1652 instruction of students assigned to me. In accepting custody of
1653 these funds, I agree to keep the receipts for all expenditures

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1654 for no less than 4 years. I understand that if I do not keep the
1655 receipts, it will be my personal responsibility to pay any
1656 federal taxes due on these funds. I also agree to return any
1657 unexpended funds to the district school board at the end of the
1658 regular school year for deposit into the school advisory council
1659 account of the school where I was employed at the time I received
1660 the funds or for deposit into the Florida Teachers Lead Program
1661 account of the school district in which the charter school is
1662 sponsored, as applicable."

1663 Section 29. Paragraphs (b) and (c) of subsection (2) of
1664 section 1013.12, Florida Statutes, are redesignated as paragraphs
1665 (c) and (d), respectively, and a new paragraph (b) is added to
1666 that subsection to read:

1667 1013.12 Casualty, safety, sanitation, and firesafety
1668 standards and inspection of property.--

1669 (2) PERIODIC INSPECTION OF PROPERTY BY DISTRICT SCHOOL
1670 BOARDS.--

1671 (b) Each school cafeteria must post in a visible location
1672 and on the school website the school's semiannual sanitation
1673 certificate and a copy of its most recent sanitation inspection
1674 report.

1675 Section 30. Except as otherwise expressly provided in this
1676 act, this act shall take effect July 1, 2008.