A bill to be entitled
An act relating to high school graduation; creating s.
1002.3105, F.S.; establishing Academically Challenging
Curriculum to Enhance Learning (ACCEL) options to
provide eligible public school students educational
options that provide academically challenging
curriculum or accelerated instruction; requiring that
each school offer minimum ACCEL options; providing for
additional ACCEL options; requiring that each school
principal and school district determine student
eligibility and procedural requirements; requiring
that each school principal and school district base
such determination on certain considerations;
requiring that each school principal inform parents
and students of the ACCEL options and the eligibility
requirements; requiring that each school principal and
school district establish a process by which a parent
may request student participation in whole-grade
promotion, midyear promotion, and subject-matter
acceleration under certain circumstances; requiring
that a performance contract be executed by the
student, the parent, and the school principal under
certain circumstances; requiring that a student’s
parent be notified if a school principal initiates a
student’s participation in an ACCEL option; amending
s. 1003.02, F.S.; requiring that school districts
notify parents of options for early or accelerated
high school graduation at the beginning of each school
year and during registration for the next term;
creating s. 1003.4281, F.S.; providing a short title; 
providing a purpose; providing a definition for the 
term “early graduation”; requiring that each school 
district adopt a policy that provides a high school 
student with the option of graduating early; requiring 
that each school district notify the parent of a 
student who is eligible for early graduation; 
prohibiting a school district from preventing a 
student from graduating early if the student meets the 
requirements; providing that a student who graduates 
early is eligible to continue participating in 
activities, awards, class rankings, social events, and 
graduation events; authorizing a school principal or 
superintendent to prevent such participation under 
certain circumstances; providing that a student who 
graduates early may be denied access to the school 
facilities and grounds during normal operating hours; 
providing that a credit is equal to one-sixth full-
time equivalent student; amending s. 1007.27, F.S.; 
revising provisions relating to articulated 
acceleration mechanisms and early admission; providing 
student eligibility requirements for enrollment in 
advanced placement courses; amending s. 1008.22, F.S.; 
requiring that the end-of-course assessment in Algebra 
I be administered four times annually beginning with a 
specified school year; amending s. 1008.34, F.S.; 
revising provisions relating to school grades; 
requiring that the Department of Education award bonus 
points to a high school based on the percentage of
students who earn credits in mathematics and science
in excess of the general requirements for high school
graduation and the percentage of students who graduate
in less than 8 semesters or the equivalent; amending
ss. 1009.53 and 1009.531, F.S.; authorizing the
Department of Education to evaluate students who
graduate at the midpoint of the academic year for a
Florida Bright Futures Scholarship award; requiring
that such students be evaluated for scholarship
renewal after completion of a full academic year at an
eligible postsecondary education institution;
requiring that students submit a completed Florida
Financial Aid Application by a specified date;
amending s. 1011.61, F.S.; providing reporting
requirements for school districts for full-time
equivalent students in courses requiring statewide
end-of-course assessments; providing that a student
who passes a statewide end-of-course assessment
without having taken the corresponding course is one-
sixth of a full-time equivalent student for funding
purposes; providing for school districts to receive
additional funding for students who graduate early;
amending s. 1011.62, F.S.; providing a calculation of
additional full-time equivalent membership based on
accelerated high school graduation; authorizing a
school district to report unpaid high school credits
for students who graduate at least one semester or 1
year or more in advance of their scheduled graduation
for funding purposes; providing an effective date.
Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1002.3105, Florida Statutes, is created to read:

1002.3105 Academically Challenging Curriculum to Enhance Learning (ACCEL) options.—

(1) ACCEL OPTIONS.—

(a) Academically Challenging Curriculum to Enhance Learning (ACCEL) options are educational options that provide academically challenging curriculum or accelerated instruction to eligible public school students in kindergarten through grade 12.

(b)1. At a minimum, each school must offer the following ACCEL options:

a. Whole-grade and midyear promotion;
b. Subject-matter acceleration;
c. Virtual instruction in higher grade level subjects; and
d. The Credit Acceleration Program under s. 1003.4295.

2. Additional ACCEL options may include, but are not limited to:

a. Enriched science, technology, engineering, and mathematics (STEM) coursework;
b. Enrichment programs;
c. Flexible grouping;
d. Advanced academic courses;
e. Combined classes;
f. Self-paced instruction;
g. Curriculum compacting;
(2) ELIGIBILITY AND PROCEDURAL REQUIREMENTS.—

(a) Principal-determined eligibility requirements.—

1. Each principal must establish student eligibility requirements for virtual instruction in higher grade level subjects. Each principal must also establish student eligibility requirements for whole-grade promotion, midyear promotion, and subject-matter acceleration when the promotion or acceleration occurs within the principal’s school.

2. If a school offers enriched STEM coursework, enrichment programs, flexible grouping, advanced academic courses, combined classes, self-paced instruction, curriculum compacting, advanced-content instruction, telescoping curriculum, or an alternative ACCEL option established by the principal, the principal must establish student eligibility requirements therefor.

(b) School district-determined eligibility and procedural requirements.—A school district must establish student eligibility requirements and procedural requirements for any whole-grade promotion, midyear promotion, or subject-matter acceleration that would result in a student attending a different school. Student eligibility requirements and procedural requirements established by the school district must be included in the school district’s comprehensive student progression plan under s. 1008.25.

(3) STUDENT ELIGIBILITY CONSIDERATIONS.—When establishing student eligibility requirements, principals and school districts must consider, at a minimum:

CODING: Words stricken are deletions; words underlined are additions.
(a) The student’s performance on a locally determined assessment, a statewide assessment, or a statewide, standardized assessment administered pursuant to s. 1008.22.

(b) The student’s grade point average.

(c) The student’s attendance and conduct record.

(d) Recommendations from one or more of the student’s teachers in core-curricula courses as defined in s. 1003.01(14)(a)-(e).

(4) ACCEL REQUIREMENTS.—

(a) Each principal must inform parents and students of the ACCEL options available at the school and the student eligibility requirements for the ACCEL options established pursuant to paragraph (2)(a).

(b)1. Each principal must establish a process by which a parent may request student participation in whole-grade promotion, midyear promotion, and subject-matter acceleration when the promotion or acceleration occurs within the principal’s school; virtual instruction in higher grade level subjects; or an alternative ACCEL option established by the principal. If the parent selects one of these ACCEL options and the student meets the eligibility requirements established by the principal pursuant to paragraph (2)(a), the student must be provided the opportunity to participate in the ACCEL option.

2. Each school district must establish a process by which a parent may request student participation in whole-grade promotion, midyear promotion, or subject-matter acceleration that would result in a student attending a different school. If the parent selects one of these ACCEL options and the student meets the eligibility and procedural requirements set forth in
the district’s comprehensive student progression plan, as
required under paragraph (2)(b), the student must be provided
the opportunity to participate in the ACCEL option.

(c) If a student participates in an ACCEL option pursuant
to the parental request under subparagraph (b)1., a performance
contract must be executed by the student, the parent, and the
principal. At a minimum, the performance contract must require
compliance with:

1. Minimum student attendance requirements.
2. Minimum student conduct requirements.
3. ACCEL option requirements established by the principal,
   which may include participation in extracurricular activities,
   educational outings, field trips, interscholastic competitions,
   and other activities related to the ACCEL option selected.

(d) If a principal initiates a student’s participation in
an ACCEL option, the student’s parent must be notified. A
performance contract, pursuant to paragraph (c), is not required
when a principal initiates participation but may be used at the
discretion of the principal.

Section 2. Paragraph (i) of subsection (1) of section
1003.02, Florida Statutes, is amended to read:

1003.02 District school board operation and control of
public K-12 education within the school district.—As provided in
part II of chapter 1001, district school boards are
constitutionally and statutorily charged with the operation and
control of public K-12 education within their school district.
The district school boards must establish, organize, and operate
their public K-12 schools and educational programs, employees,
and facilities. Their responsibilities include staff
development, public K-12 school student education including education for exceptional students and students in juvenile justice programs, special programs, adult education programs, and career education programs. Additionally, district school boards must:

(1) Provide for the proper accounting for all students of school age, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students in the following fields:

   (i) Parental notification of acceleration options mechanisms.—At the beginning of each school year and during registration for the next term, notify parents of students in or entering high school of the opportunity and benefits of advanced placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, and Florida Virtual School courses and options for early or accelerated high school graduation under ss. 1003.4281 and 1003.429.

   Section 3. Section 1003.4281, Florida Statutes, is created to read:

   1003.4281 Science, Technology, Engineering, and Mathematics (STEM) High School Graduation Acceleration Act of 2012.—

   (1) This section may be cited as the “Science, Technology, Engineering, and Mathematics (STEM) High School Graduation Acceleration Act of 2012.”

   (2) The purpose of this section is to provide an option in which a student may select early graduation if the student has completed a minimum of 24 credits and meets the graduation requirements in s. 1003.428. For purposes of this section, the

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term “early graduation” means graduating from high school in less than 8 semesters or the equivalent.

(3) Each school district shall adopt a policy that provides a high school student with the option of graduating early. Each school district shall notify the parent of a student who is eligible, pursuant to this section, to graduate early. A school district may not prohibit a student who meets the requirements of this section from graduating early.

(4) A student who graduates early is eligible to continue participating in activities, awards, class rankings, social events, and graduation events as if the student were still enrolled in high school as a regular high school student. However, a school principal or superintendent may prevent a student from participating in these activities and events for reasons that would otherwise exclude a regularly enrolled student from participation. A student who graduates early may be denied access to the school facilities and grounds during normal operating hours unless the student complies with the rules and policies prescribed by the district school board.

(5) For the purposes of this section, a credit is equal to 1/6 of an FTE. A student may earn up to 6 paid high school credits equivalent to 1 FTE per school year in grades 9 through 12 for courses provided by the school district. High school credits earned in excess of 6 per school year in courses provided by the school district are unpaid credits.

Section 4. Section 1007.27, Florida Statutes, is amended to read:

1007.27 Articulated acceleration mechanisms.—

(1) It is the intent of the Legislature that a variety of
articulated acceleration mechanisms be available for secondary and postsecondary students attending public educational institutions. It is intended that articulated acceleration serve to shorten the time necessary for a student to complete the requirements associated with the conference of a high school diploma and a postsecondary degree, broaden the scope of curricular options available to students, or increase the depth of study available for a particular subject. Articulated acceleration mechanisms shall include, but are not limited to, dual enrollment and early admission as provided for in s. 1007.271, early admission, advanced placement, credit by examination, the International Baccalaureate Program, and the Advanced International Certificate of Education Program. Credit earned through the Florida Virtual School shall provide additional opportunities for early graduation and acceleration. Students of Florida public secondary schools enrolled pursuant to this subsection shall be deemed authorized users of the state-funded electronic library resources that are licensed for Florida College System institutions and state universities by the Florida Center for Library Automation and the College Center for Library Automation. Verification of eligibility shall be in accordance with rules established by the State Board of Education and regulations established by the Board of Governors and processes implemented by Florida College System institutions and state universities.

(2) The Department of Education shall annually identify and publish the minimum scores, maximum credit, and course or courses for which credit is to be awarded for each College Level Examination Program (CLEP) subject examination, College Board
Advanced Placement Program examination, Advanced International Certificate of Education examination, and International Baccalaureate examination. The department shall use student performance data in subsequent postsecondary courses to determine the appropriate examination scores and courses for which credit is to be granted. Minimum scores may vary by subject area based on available performance data. In addition, the department shall identify such courses in the general education core curriculum of each state university and Florida College System institution.

(3) Each Florida College System institution and state university must award credit for specific courses for which competency has been demonstrated by successful passage of one of the examinations in subsection (2) unless the award of credit duplicates credit already awarded. Florida College System institutions and state universities may not exempt students from courses without the award of credit if competencies have been so demonstrated.

(4) It is the intent of the Legislature to provide articulated acceleration mechanisms for students who are in home education programs, as defined in s. 1002.01, consistent with the educational opportunities available to public and private secondary school students. Home education students may participate in dual enrollment, career dual enrollment, early admission, and credit by examination. Credit earned by home education students through dual enrollment shall apply toward the completion of a home education program that meets the requirements of s. 1002.41.

(5) Early admission shall be a form of dual enrollment...
through which eligible secondary students enroll in a postsecondary institution on a full-time basis in courses that are creditable toward the high school diploma and the associate or baccalaureate degree. Students enrolled pursuant to this subsection shall be exempt from the payment of registration, tuition, and laboratory fees.

(5) Advanced placement is the enrollment of an eligible secondary student in a course offered through the Advanced Placement Program administered by the College Board. Postsecondary credit for an advanced placement course is limited to students who score a minimum of 3, on a 5-point scale, on the corresponding Advanced Placement Examination. The specific courses for which students receive such credit shall be identified in the statewide articulation agreement required by s. 1007.23(1). Students of Florida public secondary schools enrolled pursuant to this subsection are exempt from the payment of any fees for administration of the examination regardless of whether or not the student achieves a passing score on the examination. For purposes of this subsection, an eligible public secondary student is a student who is enrolled in a Florida public secondary school, who demonstrates readiness for college-level coursework through achievement of a minimum score on a statewide assessment administered pursuant to s. 1008.22 or a common placement test administered pursuant to s. 1008.30, and who has a 3.0 unweighted grade point average in the related courses in which the student is requesting enrollment in an Advanced Placement course. The State Board of Education shall establish, by rule, the required minimum scores on statewide assessments and common placement tests.
Credit by examination shall be the program through which secondary and postsecondary students generate postsecondary credit based on the receipt of a specified minimum score on nationally standardized general or subject-area examinations. For the purpose of statewide application, such examinations and the corresponding minimum scores required for an award of credit shall be delineated by the State Board of Education and the Board of Governors in the statewide articulation agreement required by s. 1007.23(1). The maximum credit generated by a student pursuant to this subsection shall be mitigated by any related postsecondary credit earned by the student prior to the administration of the examination. This subsection shall not preclude Florida College System institutions and universities from awarding credit by examination based on student performance on examinations developed within and recognized by the individual postsecondary institutions.

The International Baccalaureate Program shall be the curriculum in which eligible secondary students are enrolled in a program of studies offered through the International Baccalaureate Program administered by the International Baccalaureate Office. The State Board of Education and the Board of Governors shall specify in the statewide articulation agreement required by s. 1007.23(1) the cutoff scores and International Baccalaureate Examinations which will be used to grant postsecondary credit at Florida College System institutions and universities. Any changes to the articulation agreement, which have the effect of raising the required cutoff score or of changing the International Baccalaureate
Examinations which will be used to grant postsecondary credit, shall only apply to students taking International Baccalaureate Examinations after such changes are adopted by the State Board of Education and the Board of Governors. Students shall be awarded a maximum of 30 semester credit hours pursuant to this subsection. The specific course for which a student may receive such credit shall be specified in the statewide articulation agreement required by s. 1007.23(1). Students enrolled pursuant to this subsection shall be exempt from the payment of any fees for administration of the examinations regardless of whether or not the student achieves a passing score on the examination.

(8)(9) The Advanced International Certificate of Education Program and the International General Certificate of Secondary Education (pre-AICE) Program shall be the curricula in which eligible secondary students are enrolled in programs of study offered through the Advanced International Certificate of Education Program or the International General Certificate of Secondary Education (pre-AICE) Program administered by the University of Cambridge Local Examinations Syndicate. The State Board of Education and the Board of Governors shall specify in the statewide articulation agreement required by s. 1007.23(1) the cutoff scores and Advanced International Certificate of Education examinations which will be used to grant postsecondary credit at Florida College System institutions and universities. Any changes to the cutoff scores, which changes have the effect of raising the required cutoff score or of changing the Advanced International Certification of Education examinations which will be used to grant postsecondary credit, shall apply to students taking Advanced International Certificate of Education
examinations after such changes are adopted by the State Board of Education and the Board of Governors. Students shall be awarded a maximum of 30 semester credit hours pursuant to this subsection. The specific course for which a student may receive such credit shall be determined by the Florida College System institution or university that accepts the student for admission. Students enrolled in either program of study pursuant to this subsection shall be exempt from the payment of any fees for administration of the examinations regardless of whether the student achieves a passing score on the examination.

Section 5. Paragraph (c) of subsection (3) of section 1008.22, Florida Statutes, is amended to read:

1008.22 Student assessment program for public schools.—
(3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall design and implement a statewide program of educational assessment that provides information for the improvement of the operation and management of the public schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. The commissioner may enter into contracts for the continued administration of the assessment, testing, and evaluation programs authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next and may be paid from the appropriations of either or both fiscal years. The commissioner is authorized to negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law. Pursuant to the statewide assessment program, the commissioner shall:

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

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

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

   (I) Statewide, standardized end-of-course assessments in
mathematics shall be administered according to this sub-sub-subparagraph. Beginning with the 2010-2011 school year, all students enrolled in Algebra I or an equivalent course must take the Algebra I end-of-course assessment. For students entering grade 9 during the 2010-2011 school year and who are enrolled in Algebra I or an equivalent, each student’s performance on the end-of-course assessment in Algebra I shall constitute 30 percent of the student’s final course grade. Beginning with the 2012-2013 school year, the end-of-course assessment in Algebra I shall be administered four times annually. Beginning with students entering grade 9 in the 2011-2012 school year, a student who is enrolled in Algebra I or an equivalent must earn a passing score on the end-of-course assessment in Algebra I or attain an equivalent score as described in subsection (11) in order to earn course credit. Beginning with the 2011-2012 school year, all students enrolled in geometry or an equivalent course must take the geometry end-of-course assessment. For students entering grade 9 during the 2011-2012 school year, each student’s performance on the end-of-course assessment in geometry shall constitute 30 percent of the student’s final course grade. Beginning with students entering grade 9 during the 2012-2013 school year, a student must earn a passing score on the end-of-course assessment in geometry or attain an equivalent score as described in subsection (11) in order to earn course credit.

(II) Statewide, standardized end-of-course assessments in science shall be administered according to this sub-sub-subparagraph. Beginning with the 2011-2012 school year, all students enrolled in Biology I or an equivalent course must take
the Biology I end-of-course assessment. For the 2011-2012 school year, each student’s performance on the end-of-course assessment in Biology I shall constitute 30 percent of the student’s final course grade. Beginning with students entering grade 9 during the 2012-2013 school year, a student must earn a passing score on the end-of-course assessment in Biology I in order to earn course credit.

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

c. The commissioner may select one or more nationally developed comprehensive examinations, which may include, but need not be limited to, examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course, or industry-approved examinations to earn national industry certifications identified in the Industry Certification Funding
List, pursuant to rules adopted by the State Board of Education, for use as end-of-course assessments under this paragraph, if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade level expectations for the core curricular content established for the course in the Next Generation Sunshine State Standards. The commissioner may collaborate with the American Diploma Project in the adoption or development of rigorous end-of-course assessments that are aligned to the Next Generation Sunshine State Standards.

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

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

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

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

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

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

8. Participation in the testing program is mandatory for all students attending public school, including students served in Department of Juvenile Justice programs, except as otherwise prescribed by the commissioner. A student who has not earned passing scores on the grade 10 FCAT as provided in subparagraph 6. must participate in each retake of the assessment until the student earns passing scores or achieves scores on a standardized assessment which are concordant with passing scores pursuant to subsection (10). If a student does not participate in the statewide assessment, the district must notify the student’s parent and provide the parent with information regarding the implications of such nonparticipation. A parent
must provide signed consent for a student to receive classroom
instructional accommodations that would not be available or
permitted on the statewide assessments and must acknowledge in
writing that he or she understands the implications of such
instructional accommodations. The State Board of Education shall
adopt rules, based upon recommendations of the commissioner, for
the provision of test accommodations for students in exceptional
education programs and for students who have limited English
proficiency. Accommodations that negate the validity of a
statewide assessment are not allowable in the administration of
the FCAT or an end-of-course assessment. However, instructional
accommodations are allowable in the classroom if included in a
student’s individual education plan. Students using
instructional accommodations in the classroom that are not
allowable as accommodations on the FCAT or an end-of-course
assessment may have the FCAT or an end-of-course assessment
requirement waived pursuant to the requirements of s.
1003.428(8)(b) or s. 1003.43(11)(b).

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

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

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

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

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

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

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

b. FCAT Writing may not be administered earlier than the week of March 1, and a comprehensive statewide assessment of any other subject may not be administered earlier than the week of April 15.

c. A statewide, standardized end-of-course assessment is administered at the end of the course. The commissioner shall select an administration period for assessments that meets the intent of end-of-course assessments and provides student results prior to the end of the course. School districts shall administer tests in accordance with the schedule determined by the commissioner. For an end-of-course assessment administered at the end of the first semester, the commissioner shall determine the most appropriate testing dates based on a review of each school district’s academic calendar.

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

Section 6. Subsection (3) of section 1008.34, Florida Statutes, is amended to read:

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

(3) DESIGNATION OF SCHOOL GRADES.—

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

1. A school shall not receive a school grade if the number of its students tested and included in the school grading system is less than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.
2. An alternative school may choose to receive a school grade under this section or a school improvement rating under s. 1008.341. For charter schools that meet the definition of an alternative school pursuant to State Board of Education rule, the decision to receive a school grade is the decision of the charter school governing board.

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

(b)1. A school’s grade shall be based on a combination of:
   a. Student achievement scores, including achievement on all FCAT assessments administered under s. 1008.22(3)(c)1., end-of-course assessments administered under s. 1008.22(3)(c)2.a., and achievement scores for students seeking a special diploma.
   b. Student learning gains in reading and mathematics as measured by FCAT and end-of-course assessments, as described in s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking a special diploma, as measured by an alternate assessment tool, shall be included not later than the 2009-2010 school year.
   c. Improvement of the lowest 25th percentile of students in the school in reading and mathematics on the FCAT or end-of-course assessments described in s. 1008.22(3)(c)2.a., unless these students are exhibiting satisfactory performance.
2. Beginning with the 2011-2012 school year, for schools comprised of middle school grades 6 through 8 or grades 7 and 8, the school’s grade shall include the performance and participation of its students enrolled in high school level courses with end-of-course assessments administered under s. 1008.22(3)(c)2.a. Performance and participation must be weighted equally. As valid data becomes available, the school grades shall include the students’ attainment of national industry certification identified in the Industry Certification Funding List pursuant to rules adopted by the State Board of Education.

3. Beginning with the 2009-2010 school year, for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, 50 percent of the school grade shall be based on a combination of the factors listed in sub-subparagraphs 1.a.-c. and the remaining 50 percent on the following factors:
   a. The high school graduation rate of the school;
   b. As valid data becomes available, the performance and participation of the school’s students in College Board Advanced Placement courses, International Baccalaureate courses, dual enrollment courses, and Advanced International Certificate of Education courses; and the students’ achievement of national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of Education;
   c. Postsecondary readiness of the school’s students as measured by the SAT, ACT, or the common placement test;
   d. The high school graduation rate of at-risk students who scored at Level 2 or lower on the grade 8 FCAT Reading and Mathematics examinations;
e. As valid data becomes available, the performance of the school’s students on statewide standardized end-of-course assessments administered under s. 1008.22(3)(c)2.c. and d.; and

f. The percentage of the school’s students who earn credits in mathematics and science courses that must be:

   (I) In excess of the requirements in s. 1003.428(2)(a)2. and 3.; and

   (II) At a level of rigor exceeding the course requirements in s. 1003.428(2)(a)2. and 3.;

   g. The percentage of students who graduate in less than 8 semesters or the equivalent; and

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

Beginning with the 2012-2013 school year, the Department of Education shall award bonus points to each high school based on the data in sub-subparagraphs f. and g.

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

1. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT and statewide, standardized end-of-course assessments in courses required for high school graduation, including, beginning with the 2010-2011 school year, the end-of-course assessment in Algebra I; and beginning with the 2011-2012 school year, the end-of-course assessments in geometry and Biology; and beginning with the 2013-2014 school year, on the statewide, standardized end-of-course assessment in civics education at the middle school level.
2. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT and end-of-course assessments as described in s. 1008.22(3)(c)2.a., and who have scored at or in the lowest 25th percentile of students in the school in reading and mathematics, unless these students are exhibiting satisfactory performance.

3. The achievement scores and learning gains of eligible students attending alternative schools that provide dropout prevention and academic intervention services pursuant to s. 1003.53. The term “eligible students” in this subparagraph does not include students attending an alternative school who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice. The student performance data for eligible students identified in this subparagraph shall be included in the calculation of the home school’s grade. As used in this subparagraph and s. 1008.341, the term “home school” means the school to which the student would be assigned if the student were not assigned to an alternative school. If an alternative school chooses to be graded under this section, student performance data for eligible students identified in this subparagraph shall not be included in the home school’s grade but shall be included only in the calculation of the alternative school’s grade. A school district that fails to assign the FCAT and end-of-course assessment as described in s. 1008.22(3)(c)2.a. scores of each of its students to his or her home school or to the alternative school that receives a grade
shall forfeit Florida School Recognition Program funds for 1 fiscal year. School districts must require collaboration between the home school and the alternative school in order to promote student success. This collaboration must include an annual discussion between the principal of the alternative school and the principal of each student’s home school concerning the most appropriate school assignment of the student.

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

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

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

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

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

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

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

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

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

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

i. The percentage of the school’s students who earn credits in mathematics and science courses that must be:

(I) In excess of the requirements in s. 1003.428(2)(a)2. and 3.; and

(II) At a level of rigor exceeding the course requirements in s. 1003.428(2)(a)2. and 3.;

j. The percentage of students who graduate in less than 8 semesters or the equivalent; and

k. The growth or decline in the data components listed in sub-subparagraphs a.-h. from year to year.
Beginning with the 2012-2013 school year, the Department of Education shall award bonus points to each high school based on the data in sub-subparagraphs i. and j. The State Board of Education shall adopt appropriate criteria for each school grade. The criteria must also give added weight to student achievement in reading. Schools designated with a grade of “C,” making satisfactory progress, shall be required to demonstrate that adequate progress has been made by students in the school who are in the lowest 25th percentile in reading and mathematics on the FCAT and end-of-course assessments as described in s. 1008.22(3)(c)2.a., unless these students are exhibiting satisfactory performance. Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria for school grades must also give added weight to the graduation rate of all eligible at-risk students, as defined in this paragraph. Beginning in the 2009-2010 school year, in order for a high school to be designated as having a grade of “A,” making excellent progress, the school must demonstrate that at-risk students, as defined in this paragraph, in the school are making adequate progress.

Section 7. Subsection (5) of section 1009.53, Florida Statutes, is amended to read:

1009.53 Florida Bright Futures Scholarship Program.—
(5) The department shall issue awards from the scholarship program annually. However, the department may evaluate students who graduate from high school at the midpoint of the academic year for an award, with distribution of the initial award during
the spring term at an eligible postsecondary institution. The
department shall evaluate a student for renewal of an award
after the student completes a full academic year, which begins
with the fall term through the beginning of the next fall term.
Annual awards may be for up to 45 semester credit hours or the
equivalent. Before the registration period each semester, the
department shall transmit payment for each award to the
president or director of the postsecondary education
institution, or his or her representative, except that the
department may withhold payment if the receiving institution
fails to report or to make refunds to the department as required
in this section.

(a) Within 30 days after the end of regular registration
each semester, the educational institution shall certify to the
department the eligibility status of each student who receives
an award. After the end of the drop and add period, an
institution is not required to reevaluate or revise a student’s
eligibility status; however, an institution must make a refund
to the department within 30 days after the end of the semester
of any funds received for courses dropped by a student or
courses from which a student has withdrawn after the end of the
drop and add period, unless the student has been granted an
exception by the department pursuant to subsection (11).

(b) An institution that receives funds from the program
shall certify to the department the amount of funds disbursed to
each student and shall remit to the department any undisbursed
advances within 60 days after the end of regular registration.

(c) Each institution that receives moneys through this
program shall provide for a financial audit, as defined in s.
11.45, conducted by an independent certified public accountant or the Auditor General for each fiscal year in which the institution expends program moneys in excess of $100,000. At least every 2 years, the audit shall include an examination of the institution’s administration of the program and the institution’s accounting of the moneys for the program since the last examination of the institution’s administration of the program. The report on the audit must be submitted to the department within 9 months after the end of the fiscal year. The department may conduct its own annual audit of an institution’s administration of the program. The department may request a refund of any moneys overpaid to the institution for the program. The department may suspend or revoke an institution’s eligibility to receive future moneys for the program if the department finds that an institution has not complied with this section. The institution must remit within 60 days any refund requested in accordance with this subsection.

(d) Any institution that is not subject to an audit pursuant to this subsection shall attest, under penalty of perjury, that the moneys were used in compliance with law. The attestation shall be made annually in a form and format determined by the department.

Section 8. Paragraph (f) of subsection (1) of section 1009.531, Florida Statutes, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(1) Effective January 1, 2008, in order to be eligible for an initial award from any of the three types of scholarships under the Florida Bright Futures Scholarship Program, a student
must:

(f) Apply for a scholarship from the program by high school graduation. A student who graduates from high school at the midpoint of the academic year may be evaluated for an award for the current academic year if he or she submits a completed Florida Financial Aid Application by August 31 of his or her graduation year.

Section 9. Paragraph (c) of subsection (1) is of section 1011.61, Florida Statutes, is amended to read:

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

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

(c)1. A “full-time equivalent student” is:

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

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

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. or subparagraph (a)2. The difference between that fraction or sum of fractions and the maximum value as set
forth in subsection (4) for each full-time student is presumed
to be the balance of the student’s time not spent in such
special education programs and shall be recorded as time in the
appropriate basic program.

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

(III) A full-time equivalent student for students in
kindergarten through grade 5 in a virtual instruction program
under s. 1002.45 or a virtual charter school under s. 1002.33
shall consist of a student who has successfully completed a
basic program listed in s. 1011.62(1)(c)1.a. or b., and who is
promoted to a higher grade level.

(IV) A full-time equivalent student for students in grades
6 through 12 in a virtual instruction program under s.
1002.45(1)(b)1., 2., or 3. or a virtual charter school under s.
1002.33 shall consist of six full credit completions in programs
listed in s. 1011.62(1)(c)1.b. or c. and 3. Credit completions
may be a combination of full-credit courses or half-credit
courses. Beginning in the 2014-2015 fiscal year, when s.
1008.22(3)(g) is implemented, the reported full-time equivalent
students and associated funding of students enrolled in courses
requiring passage of an end-of-course assessment shall be
adjusted after the student completes the end-of-course
assessment.

(V) A Florida Virtual School full-time equivalent student
shall consist of six full credit completions or the prescribed
level of content that counts toward promotion to the next grade
in the programs listed in s. 1011.62(1)(c)1.a. and b. for
kindergarten through grade 8 and the programs listed in s.
1011.62(1)(c)1.c. for grades 9 through 12. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2014-2015 fiscal year, when s. 1008.22(3)(g) is implemented, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment shall be adjusted after the student completes the end-of-course assessment.

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as 1/6 FTE.

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

(VIII)(A) A full-time equivalent student for courses requiring statewide end-of-course assessments pursuant to s. 1008.22(3) shall be defined and reported as provided in s. 1011.61(1)(a)1. for the first 3 years of administering the end-of-course assessments. Beginning in the fourth year of administering the end-of-course assessments, FTE shall be credit-based and each course shall be equal to 1/6 FTE. The reported FTE shall be adjusted after the student completes the end-of-course assessment pursuant to s. 1008.22(3)(c)2.a.

(B) For students enrolled in a school district as a full-time student, the school district may report 1/6 FTE for each student who passes a statewide end-of-course assessment without having taken the corresponding course.
(C) The FTE earned under this sub-sub-sub-subparagraph and any FTE for courses or programs listed in s. 1011.62(1)(1) which do not require passing statewide end-of-course assessments are subject to the requirements in subsection (4).

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

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

Section 10. Subsection (1) of section 1011.62, Florida Statutes, is amended to read:

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

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

(a) **Determination of full-time equivalent membership.**—During each of several school weeks, including scheduled intersessions of a year-round school program during the fiscal year, a program membership survey of each school shall be made by each district by aggregating the full-time equivalent student membership of each program by school and by district. The department shall establish the number and interval of membership calculations, except that for basic and special programs such calculations shall not exceed nine for any fiscal year. The district’s full-time equivalent membership shall be computed and currently maintained in accordance with regulations of the commissioner.

(b) **Determination of base student allocation.**—The base student allocation for the Florida Education Finance Program for kindergarten through grade 12 shall be determined annually by the Legislature and shall be that amount prescribed in the current year’s General Appropriations Act.

(c) **Determination of programs.**—Cost factors based on desired relative cost differences between the following programs shall be established in the annual General Appropriations Act. The Commissioner of Education shall specify a matrix of services and intensity levels to be used by districts in the determination of the two weighted cost factors for exceptional students with the highest levels of need. For these students, the funding support level shall fund the exceptional students’ education program, with the exception of extended school year
services for students with disabilities.

1. Basic programs.—
   a. Kindergarten and grades 1, 2, and 3.
   b. Grades 4, 5, 6, 7, and 8.
   c. Grades 9, 10, 11, and 12.

2. Programs for exceptional students.—
   a. Support Level IV.
   b. Support Level V.

3. Secondary career education programs.—

4. English for Speakers of Other Languages.—

(d) Annual allocation calculation.—

1. The Department of Education is authorized and directed
to review all district programs and enrollment projections and
calculate a maximum total weighted full-time equivalent student
enrollment for each district for the K-12 FEFP.

2. Maximum enrollments calculated by the department shall
be derived from enrollment estimates used by the Legislature to
calculate the FEFP. If two or more districts enter into an
agreement under the provisions of s. 1001.42(4)(d), after the
final enrollment estimate is agreed upon, the amount of FTE
specified in the agreement, not to exceed the estimate for the
specific program as identified in paragraph (c), may be
transferred from the participating districts to the district
providing the program.

3. As part of its calculation of each district’s maximum
total weighted full-time equivalent student enrollment, the
department shall establish separate enrollment ceilings for each
of two program groups. Group 1 shall be composed of basic
programs for grades K-3, grades 4-8, and grades 9-12. Group 2
shall be composed of students in exceptional student education programs support levels IV and V, English for Speakers of Other Languages programs, and all career programs in grades 9-12.

   a. For any calculation of the FEFP, the enrollment ceiling for group 1 shall be calculated by multiplying the actual enrollment for each program in the program group by its appropriate program weight.

   b. The weighted enrollment ceiling for group 2 programs shall be calculated by multiplying the enrollment for each program by the appropriate program weight as provided in the General Appropriations Act. The weighted enrollment ceiling for program group 2 shall be the sum of the weighted enrollment ceilings for each program in the program group, plus the increase in weighted full-time equivalent student membership from the prior year for clients of the Department of Children and Family Services and the Department of Juvenile Justice.

   c. If, for any calculation of the FEFP, the weighted enrollment for program group 2, derived by multiplying actual enrollments by appropriate program weights, exceeds the enrollment ceiling for that group, the following procedure shall be followed to reduce the weighted enrollment for that group to equal the enrollment ceiling:

      (I) The weighted enrollment ceiling for each program in the program group shall be subtracted from the weighted enrollment for that program derived from actual enrollments.

      (II) If the difference calculated under sub-sub-subparagraph (I) is greater than zero for any program, a reduction proportion shall be computed for the program by dividing the absolute value of the difference by the total

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amount by which the weighted enrollment for the program group
exceeds the weighted enrollment ceiling for the program group.

   (III) The reduction proportion calculated under sub-sub-
subparagraph (II) shall be multiplied by the total amount of the
program group’s enrollment over the ceiling as calculated under
sub-sub-subparagraph (I).

   (IV) The prorated reduction amount calculated under sub-
sub-subparagraph (III) shall be subtracted from the program’s
weighted enrollment to produce a revised program weighted
enrollment.

   (V) The prorated reduction amount calculated under sub-sub-
subparagraph (III) shall be divided by the appropriate program
weight, and the result shall be added to the revised program
weighted enrollment computed in sub-sub-subparagraph (IV).

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

   1.a. The funding model uses basic, at-risk, support levels
IV and V for exceptional students and career Florida Education
Finance Program cost factors, and a guaranteed allocation for
exceptional student education programs. Exceptional education
cost factors are determined by using a matrix of services to
document the services that each exceptional student will
receive. The nature and intensity of the services indicated on
the matrix shall be consistent with the services described in
each exceptional student’s individual educational plan. The
Department of Education shall review and revise the descriptions
of the services and supports included in the matrix of services
for exceptional students and shall implement those revisions
before the beginning of the 2012-2013 school year.
b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student’s initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(m) and rules of the State Board of Education, which shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program, and the amount allocated for each school district shall not be recalculated during the year. These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K

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through 8. Beginning with the 2007-2008 fiscal year, a district’s expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.

(f) Supplemental academic instruction; categorical fund.—

1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the “Supplemental Academic Instruction Categorical Fund.”

2. Categorical funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program. Supplemental instruction strategies may include, but are not limited to: modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, class size reduction, extended school year, intensive skills development in summer school, and other methods for improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. Effective with the 1999-2000 fiscal year, funding on the...
basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

4. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

5. Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d)3.

(g) Education for speakers of other languages.—A school district shall be eligible to report full-time equivalent student membership in the ESOL program in the Florida Education Finance Program provided the following conditions are met:

1. The school district has a plan approved by the Department of Education.

2. The eligible student is identified and assessed as limited English proficient based on assessment criteria.

3.a. An eligible student may be reported for funding in the
ESOL program for a base period of 3 years. However, a student
whose English competency does not meet the criteria for
proficiency after 3 years in the ESOL program may be reported
for a fourth, fifth, and sixth year of funding, provided his or
her limited English proficiency is assessed and properly
documented before his or her enrollment in each
additional year beyond the 3-year base period.

b. If a student exits the program and is later reclassified
as limited English proficient, the student may be reported in
the ESOL program for funding for an additional year, or extended
annually for a period not to exceed a total of 6 years pursuant
to this paragraph, based on an annual evaluation of the
student’s status.

4. An eligible student may be reported for funding in the
ESOL program for membership in ESOL instruction in English and
ESOL instruction or home language instruction in the basic
subject areas of mathematics, science, social studies, and
computer literacy.

(h) Small, isolated high schools.—Districts that levy
the maximum nonvoted discretionary millage, exclusive of millage
for capital outlay purposes levied pursuant to s. 1011.71(2),
may calculate full-time equivalent students for small, isolated
high schools by multiplying the number of unweighted full-time
equivalent students times 2.75; provided the school has attained
a grade of “C” or better, pursuant to s. 1008.34, for the
previous school year. For the purpose of this section, the term
“small, isolated high school” means any high school that is located no less than 28 miles by the shortest route from
another high school; that has been serving students
primarily in basic studies provided by sub-subparagraphs (c)1.b. and c. and may include subparagraph (c)4.; and that which has a membership of no more than 100 students, but no fewer than 28 students, in grades 9 through 12.

(i) Calculation of full-time equivalent membership with respect to dual enrollment instruction.—Students enrolled in dual enrollment instruction pursuant to s. 1007.271 may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. Instructional time for dual enrollment may vary from 900 hours; however, the school district may only report the student for a maximum of 1.0 full-time equivalent student membership, as provided in s. 1011.61(4). Dual enrollment full-time equivalent student membership shall be calculated in an amount equal to the hours of instruction that would be necessary to earn the full-time equivalent student membership for an equivalent course if it were taught in the school district. Students in dual enrollment courses may also be calculated as the proportional shares of full-time equivalent enrollments they generate for a Florida College System institution or university conducting the dual enrollment instruction. Early admission students shall be considered dual enrollments for funding purposes. Students may be enrolled in dual enrollment instruction provided by an eligible independent college or university and may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. However, those provisions of law which exempt dual enrolled and early admission students from payment of instructional materials and tuition and
fees, including laboratory fees, do not apply to students who select the option of enrolling in an eligible independent institution. An independent college or university that is located and chartered in Florida, is not for profit, is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools, and confers degrees as defined in s. 1005.02 shall be eligible for inclusion in the dual enrollment or early admission program. Students enrolled in dual enrollment instruction shall be exempt from the payment of tuition and fees, including laboratory fees. No student enrolled in college credit mathematics or English dual enrollment instruction shall be funded as a dual enrollment unless the student has successfully completed the relevant section of the entry-level examination required pursuant to s. 1008.30.

(j) Instruction in exploratory career education.—Students in grades 7 through 12 who are enrolled for more than four semesters in exploratory career education may not be counted as full-time equivalent students for this instruction.

(k) Study hall.—A student who is enrolled in study hall may not be included in the calculation of full-time equivalent student membership for funding under this section.

(l) Calculation of additional full-time equivalent membership based on International Baccalaureate examination scores of students.—A value of 0.16 full-time equivalent student membership shall be calculated for each student enrolled in an International Baccalaureate course who receives a score of 4 or higher on a subject examination. A value of 0.3 full-time equivalent student membership shall be calculated for each
student who receives an International Baccalaureate diploma. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each school district shall allocate 80 percent of the funds received from International Baccalaureate bonus FTE funding to the school program whose students generate the funds and to school programs that prepare prospective students to enroll in International Baccalaureate courses. Funds shall be expended solely for the payment of allowable costs associated with the International Baccalaureate program. Allowable costs include International Baccalaureate annual school fees; International Baccalaureate examination fees; salary, benefits, and bonuses for teachers and program coordinators for the International Baccalaureate program and teachers and coordinators who prepare prospective students for the International Baccalaureate program; supplemental books; instructional supplies; instructional equipment or instructional materials for International Baccalaureate courses; other activities that identify prospective International Baccalaureate students or prepare prospective students to enroll in International Baccalaureate courses; and training or professional development for International Baccalaureate teachers. School districts shall allocate the remaining 20 percent of the funds received from International Baccalaureate bonus FTE funding for programs that assist academically disadvantaged students to prepare for more rigorous courses. The school district shall distribute to each classroom teacher who provided International Baccalaureate instruction:

1. A bonus in the amount of $50 for each student taught by
the International Baccalaureate teacher in each International
Baccalaureate course who receives a score of 4 or higher on the
International Baccalaureate examination.

2. An additional bonus of $500 to each International
Baccalaureate teacher in a school designated with a grade of “D”
or “F” who has at least one student scoring 4 or higher on the
International Baccalaureate examination, regardless of the
number of classes taught or of the number of students scoring a
4 or higher on the International Baccalaureate examination.

Bonuses awarded to a teacher according to this paragraph may
shall not exceed $2,000 in any given school year and shall be in
addition to any regular wage or other bonus the teacher received
or is scheduled to receive.

(m) Calculation of additional full-time equivalent
membership based on Advanced International Certificate of
Education examination scores of students.—A value of 0.16 full-
time equivalent student membership shall be calculated for each
student enrolled in a full-credit Advanced International
Certificate of Education course who receives a score of E or
higher on a subject examination. A value of 0.08 full-time
equivalent student membership shall be calculated for each
student enrolled in a half-credit Advanced International
Certificate of Education course who receives a score of E or
higher on a subject examination. A value of 0.3 full-time
equivalent student membership shall be calculated for each
student who receives an Advanced International Certificate of
Education diploma. Such value shall be added to the total full-
time equivalent student membership in basic programs for grades
9 through 12 in the subsequent fiscal year. The school district shall distribute to each classroom teacher who provided Advanced International Certificate of Education instruction:

1. A bonus in the amount of $50 for each student taught by the Advanced International Certificate of Education teacher in each full-credit Advanced International Certificate of Education course who receives a score of E or higher on the Advanced International Certificate of Education examination. A bonus in the amount of $25 for each student taught by the Advanced International Certificate of Education teacher in each half-credit Advanced International Certificate of Education course who receives a score of E or higher on the Advanced International Certificate of Education examination.

2. An additional bonus of $500 to each Advanced International Certificate of Education teacher in a school designated with a grade of “D” or “F” who has at least one student scoring E or higher on the full-credit Advanced International Certificate of Education examination, regardless of the number of classes taught or of the number of students scoring an E or higher on the full-credit Advanced International Certificate of Education examination.

3. Additional bonuses of $250 each to teachers of half-credit Advanced International Certificate of Education classes in a school designated with a grade of “D” or “F” which has at least one student scoring an E or higher on the half-credit Advanced International Certificate of Education examination in that class. The maximum additional bonus for a teacher awarded in accordance with this subparagraph may not exceed $500 in any given school year. Teachers receiving an award under
subparagraph 2. are not eligible for a bonus under this subparagraph.

Bonuses awarded to a teacher according to this paragraph may not exceed $2,000 in any given school year and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(n) Calculation of additional full-time equivalent membership based on college board advanced placement scores of students.—A value of 0.16 full-time equivalent student membership shall be calculated for each student in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each district must allocate at least 80 percent of the funds provided to the district for advanced placement instruction, in accordance with this paragraph, to the high school that generates the funds. The school district shall distribute to each classroom teacher who provided advanced placement instruction:

1. A bonus in the amount of $50 for each student taught by the Advanced Placement teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination.

2. An additional bonus of $500 to each Advanced Placement teacher in a school designated with a grade of “D” or “F” who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number
of classes taught or of the number of students scoring a 3 or
higher on the College Board Advanced Placement Examination.

Bonuses awarded to a teacher according to this paragraph may
shall not exceed $2,000 in any given school year and shall be in
addition to any regular wage or other bonus the teacher received
or is scheduled to receive.

(o) Calculation of additional full-time equivalent
member membership based on certification of successful completion of
industry-certified career and professional academy programs
pursuant to ss. 1003.491, 1003.492, 1003.493, and 1003.4935 and
identified in the Industry Certified Funding List pursuant to
rules adopted by the State Board of Education.—A value of 0.1,
0.2, or 0.3 full-time equivalent student membership shall be
calculated for each student who completes an industry-certified
career and professional academy program under ss. 1003.491,
1003.492, 1003.493, and 1003.4935 and who is issued the highest
level of industry certification identified annually in the
Industry Certification Funding List approved under rules adopted by the State Board of Education and a high school diploma. The
maximum full-time equivalent student membership value for any
student is 0.3. The Department of Education shall assign the
appropriate full-time equivalent value for each certification,
50 percent of which is based on rigor and the remaining 50
percent on employment value. The State Board of Education shall
include the assigned values in the Industry Certification
Funding List under rules adopted by the state board. Rigor shall
be based on the number of instructional hours, including work
experience hours, required to earn the certification, with a
bonus for industry certifications that have a statewide articulation agreement for college credit approved by the State Board of Education. Employment value shall be based on the entry wage, growth rate in employment for each occupational category, and average annual openings for the primary occupation linked to the industry certification. Such value shall be added to the total full-time equivalent student membership in secondary career education programs for grades 9 through 12 in the subsequent year for courses that were not funded through dual enrollment. The additional full-time equivalent membership authorized under this paragraph may not exceed 0.3 per student. Each district must allocate at least 80 percent of the funds provided for industry certification, in accordance with this paragraph, to the program that generated the funds. Unless a different amount is specified in the General Appropriations Act, the appropriation for this calculation is limited to $15 million annually. If the appropriation is insufficient to fully fund the total calculation, the appropriation shall be prorated.

(p) Calculation of additional full-time equivalent membership based on accelerated high school graduation.—Notwithstanding s. 1011.61(4), a school district that authorizes the accelerated graduation of a student who has met all the requirements in s. 1003.428 and graduates at least one semester in advance of the scheduled graduation of the student’s cohort may report one-sixth of an FTE for unpaid high school credit delivered by the district during the student’s prior enrollment. For a student who graduates 1 year or more in advance of the student’s cohort, the school district may report up to 1 FTE for unpaid high school credits. For a student who graduates one
semester in advance of the student’s cohort, the school district may report up to 1/2 FTE for unpaid high school credits. If the student was enrolled in the district as a full-time high school student for at least 2 years, the district shall report the unpaid FTE delivered by the district. If the student was enrolled in the district for less than 2 years, the district shall report the unpaid FTE delivered by the district and the prior district of enrollment. The district of enrollment for which early graduation is claimed shall transfer a proportionate share of the funds earned for the unpaid FTE to the prior district of enrollment.

(q) Year-round-school programs.—The Commissioner of Education is authorized to adjust student eligibility definitions, funding criteria, and reporting requirements of statutes and rules in order that year-round-school programs may achieve equivalent application of funding requirements with non-year-round-school programs.

(r) Extended-school-year program.—It is the intent of the Legislature that students be provided additional instruction by extending the school year to 210 days or more. Districts may apply to the Commissioner of Education for funds to be used in planning and implementing an extended-school-year program.

(s) Determination of the basic amount for current operation.—The basic amount for current operation to be included in the Florida Education Finance Program for kindergarten through grade 12 for each district shall be the product of the following:

1. The full-time equivalent student membership in each program, multiplied by
2. The cost factor for each program, adjusted for the maximum as provided by paragraph (c), multiplied by
3. The base student allocation.

(t) Computation for funding through the Florida Education Finance Program.—The State Board of Education may adopt rules establishing programs and courses for which the student may earn credit toward high school graduation.

Section 11. This act shall take effect July 1, 2012.