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1 A bill to be entitled
2 An act relating to public school system; amending ss.
3 1002.33, 1003.03, 1003.413, and 1003.4156, F.S.,
4 relating to discontinuance of administration of the
5 Florida Comprehensive Assessment Test (FCAT), to
6 conform to changes made by the act; deleting
7 requirement that district school boards establish
8 policies for intensive reading and mathematics
9 intervention courses in high school; providing for
10 intervention services; amending s. 1003.428, F.S.;
11 requiring that students be advised of the availability
12 of certain courses for purposes of high school
13 graduation; providing for remediation and intervention
14 services in certain circumstances; revising general
15 requirements for high school graduation; conforming
16 provisions relating to discontinuance of FCAT
17 administration; amending s. 1003.429, F.S.; requiring
18 that students be advised of the availability of
19 certain courses for purposes of accelerated high
20 school graduation options; revising general
21 requirements for accelerated high school graduation;
22 conforming provisions relating to discontinuance of
23 FCAT administration; requiring the State Board of
24 Education to appoint a task force to develop high
25 school graduation standards for career-track students
26 and consider ways to provide unique curriculum
27 offerings; requiring the task force to submit
28 recommendations to the Governor and Legislature;

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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29 | amending s. 1003.433, F.S., relating to discontinuance
30 | of FCAT administration and revised general
31 | requirements for high school graduation, to conform to
32 | changes made by the act; amending s. 1008.22, F.S.;
33 | revising the statewide student assessment program to
34 | discontinue use of the FCAT; requiring the assessment
35 | program to consist of subject area assessments for
36 | students in grades 3 through 5, subject area
37 | assessments and end-of-course assessments in core and
38 | noncore subjects for students in grades 6 through 12,
39 | and diagnostic assessments for students in grades 6,
40 | 8, and 10; providing eligibility for exemption from
41 | certain assessment requirements; revising course grade
42 | and course credit requirements relating to student
43 | performance on end-of-course assessments; requiring
44 | school districts to provide intervention services to
45 | certain students; providing that results on end-of-
46 | course assessments are one component of requirements
47 | for high school graduation; revising provisions
48 | relating to test-preparation activities; deleting
49 | provisions relating to use of concordant scores for
50 | the FCAT; amending s. 1008.25, F.S.; requiring
51 | intervention services for certain students as part of
52 | the comprehensive program for student progression;
53 | conforming provisions relating to the revision of the
54 | statewide student assessment program; deleting
55 | mandatory retention for certain grade 3 students;
56 | authorizing promotion for good cause; providing for

57 | reporting; amending s. 1008.30, F.S.; revising
58 | provisions relating to use of the common placement
59 | test to conform to discontinuance of FCAT
60 | administration; amending ss. 1008.34 and 1008.341,
61 | F.S.; deleting use of the FCAT as a basis for
62 | determining school grades and school improvement
63 | ratings; providing for student results on subject area
64 | assessments and end-of-course assessments to partially
65 | determine school grades and school improvement
66 | ratings; providing additional factors for such
67 | determination; conforming provisions relating to
68 | revision of the Florida School Recognition Program;
69 | amending s. 1008.36, F.S.; changing the Florida School
70 | Recognition Program to the Every Child Matters
71 | Program; providing intent and purpose of the program;
72 | providing for financial assistance to schools
73 | providing remediation and intervention services to
74 | certain students; specifying the uses of program
75 | funds; providing Department of Education duties;
76 | amending s. 1009.531, F.S.; adding a cross-reference
77 | to high school graduation requirements; amending s.
78 | 1011.62, F.S.; conforming provisions relating to
79 | revision of the Florida School Recognition Program and
80 | discontinuance of FCAT administration; amending s.
81 | 1012.22, F.S.; conforming provisions relating to
82 | discontinuance of FCAT administration; amending s.
83 | 1012.335, F.S.; revising provisions relating to
84 | contracts with instructional personnel; defining the

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85 term "professional performance contract"; revising the
86 requirements for award of an annual contract;
87 authorizing annual contract renewal and providing
88 reasons for nonrenewal; providing requirements for
89 award of a professional performance contract; creating
90 s. 1012.988, F.S.; requiring each school district to
91 develop and implement a professional development
92 program to support the statewide student assessment
93 program and the performance of school personnel;
94 providing duties of the Department of Education;
95 providing for the appointment of a public school
96 assessment and accountability alignment committee to
97 develop standards for a revised statewide student
98 assessment program, procedures for transitioning to
99 the new program, and standards for determining school
100 grades and school improvement ratings; providing for
101 membership and duties of the alignment committee;
102 requiring the State Board of Education to adopt rules;
103 providing a timetable for implementation; providing
104 for future expiration of the alignment committee;
105 providing effective dates.

106
107 Be It Enacted by the Legislature of the State of Florida:

108
109 Section 1. Paragraph (a) of subsection (20) of section
110 1002.33, Florida Statutes, is amended to read:

111 1002.33 Charter schools.—

112 (20) SERVICES.—

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113 (a)1. A sponsor shall provide certain administrative and
114 educational services to charter schools. These services shall
115 include contract management services; full-time equivalent and
116 data reporting services; exceptional student education
117 administration services; services related to eligibility and
118 reporting duties required to ensure that school lunch services
119 under the federal lunch program, consistent with the needs of
120 the charter school, are provided by the school district at the
121 request of the charter school, that any funds due to the charter
122 school under the federal lunch program be paid to the charter
123 school as soon as the charter school begins serving food under
124 the federal lunch program, and that the charter school is paid
125 at the same time and in the same manner under the federal lunch
126 program as other public schools serviced by the sponsor or the
127 school district; test administration services, including payment
128 of the costs of state-required or district-required student
129 assessments; processing of teacher certificate data services;
130 and information services, including equal access to student
131 information systems that are used by public schools in the
132 district in which the charter school is located. Student
133 performance data for each student in a charter school,
134 including, but not limited to, subject area assessment scores,
135 end-of-course assessment ~~FCAT~~ scores, standardized test scores,
136 previous public school student report cards, and student
137 performance measures, shall be provided by the sponsor to a
138 charter school in the same manner provided to other public
139 schools in the district.

140 2. A total administrative fee for the provision of such

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141 services shall be calculated based upon up to 5 percent of the
142 available funds defined in paragraph (17)(b) for all students.
143 However, a sponsor may only withhold up to a 5-percent
144 administrative fee for enrollment for up to and including 250
145 students. For charter schools with a population of 251 or more
146 students, the difference between the total administrative fee
147 calculation and the amount of the administrative fee withheld
148 may only be used for capital outlay purposes specified in s.
149 1013.62(2).

150 3. For high-performing charter schools, as defined in ch.
151 2011-232, a sponsor may withhold a total administrative fee of
152 up to 2 percent for enrollment up to and including 250 students
153 per school.

154 4. In addition, a sponsor may withhold only up to a 5-
155 percent administrative fee for enrollment for up to and
156 including 500 students within a system of charter schools which
157 meets all of the following:

- 158 a. Includes both conversion charter schools and
159 nonconversion charter schools;
- 160 b. Has all schools located in the same county;
- 161 c. Has a total enrollment exceeding the total enrollment
162 of at least one school district in the state;
- 163 d. Has the same governing board; and
- 164 e. Does not contract with a for-profit service provider
165 for management of school operations.

166 5. The difference between the total administrative fee
167 calculation and the amount of the administrative fee withheld
168 pursuant to subparagraph 4. may be used for instructional and

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169 administrative purposes as well as for capital outlay purposes
 170 specified in s. 1013.62(2).

171 6. For a high-performing charter school system that also
 172 meets the requirements in subparagraph 4., a sponsor may
 173 withhold a 2-percent administrative fee for enrollments up to
 174 and including 500 students per system.

175 7. Sponsors shall not charge charter schools any
 176 additional fees or surcharges for administrative and educational
 177 services in addition to the maximum 5-percent administrative fee
 178 withheld pursuant to this paragraph.

179 8. The sponsor of a virtual charter school may withhold a
 180 fee of up to 5 percent. The funds shall be used to cover the
 181 cost of services provided under subparagraph 1. and for the
 182 school district's local instructional improvement system
 183 pursuant to s. 1006.281 or other technological tools that are
 184 required to access electronic and digital instructional
 185 materials.

186 Section 2. Paragraph (c) of subsection (3) of section
 187 1003.03, Florida Statutes, is amended to read:

188 1003.03 Maximum class size.—

189 (3) IMPLEMENTATION OPTIONS.—District school boards must
 190 consider, but are not limited to, implementing the following
 191 items in order to meet the constitutional class size maximums
 192 described in subsection (1):

193 (c)1. Repeal district school board policies that require
 194 students to have more than 24 credits to graduate from high
 195 school.

196 2. Adopt policies to allow students to graduate from high

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197 school as soon as they meet the requirements ~~pass the grade 10~~
 198 ~~FCAT and complete the courses required~~ for high school
 199 graduation.

200 Section 3. Paragraph (d) of subsection (3) of section
 201 1003.413, Florida Statutes, is amended to read:

202 1003.413 Florida Secondary School Redesign Act.—

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

207 (d) Credit recovery courses and ~~intensive~~ reading and
 208 mathematics intervention services ~~courses~~ based on student
 209 performance on diagnostic assessments, subject area assessments,
 210 or end-of-course assessments ~~FCAT Reading and Mathematics~~. These
 211 courses and intervention services should be competency based and
 212 offered through innovative delivery systems, including computer-
 213 assisted instruction. School districts should use learning gains
 214 as well as other appropriate data and provide incentives to
 215 identify and reward high-performing teachers who teach credit
 216 recovery courses and provide intensive intervention services
 217 ~~courses~~.

218 Section 4. Paragraphs (b) and (c) of subsection (1) of
 219 section 1003.4156, Florida Statutes, are amended to read:

220 1003.4156 General requirements for middle grades
 221 promotion.—

222 (1) Promotion from a school composed of middle grades 6,
 223 7, and 8 requires that:

224 (b) For each year in which a student's performance on a

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225 diagnostic assessment or a subject area assessment in student
226 scores at Level 1 on FCAT reading does not meet grade-level
227 expectations, the student must be enrolled in and complete an
228 intensive reading course the following year. Placement of
229 students Level 2 readers in either an intensive reading course
230 or a content area course in which reading strategies are
231 delivered shall be determined by diagnosis of reading needs. The
232 department shall provide guidance on appropriate strategies for
233 diagnosing and meeting the varying instructional needs of
234 students reading below grade level. Reading courses shall be
235 designed and offered pursuant to the comprehensive reading plan
236 required by s. 1011.62(9). A middle grades student who does not
237 meet grade-level expectations in reading scores at Level 1 or
238 Level 2 on FCAT Reading but who met grade-level expectations in
239 reading did not score below Level 3 in the previous 3 years may
240 be granted a 1-year exemption from the reading remediation
241 requirement; however, the student must have an approved academic
242 improvement plan already in place, signed by the appropriate
243 school staff and the student's parent, for the year for which
244 the exemption is granted.

245 (c) For each year in which a student's performance on a
246 diagnostic assessment, a subject area assessment, or an end-of-
247 course assessment in student scores at Level 1 or Level 2 on
248 FCAT mathematics does not meet grade-level expectations, the
249 student must receive remediation the following year, which may
250 be integrated into the student's required mathematics course.

251 Section 5. Subsection (1), paragraph (b) of subsection
252 (2), paragraph (b) of subsection (4), and paragraph (b) of

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253 subsection (8) of section 1003.428, Florida Statutes, are
 254 amended to read:

255 1003.428 General requirements for high school graduation;
 256 revised.—

257 (1) Except as otherwise authorized pursuant to s.
 258 1003.429, beginning with students entering grade 9 in the 2007-
 259 2008 school year, graduation requires the successful completion
 260 of a minimum of 24 credits, an International Baccalaureate
 261 curriculum, or an Advanced International Certificate of
 262 Education curriculum. Students must be advised of the Advanced
 263 Placement courses, International Baccalaureate courses, Advanced
 264 International Certificate of Education courses, career academy
 265 courses that lead to national industry certification, and dual
 266 enrollment courses that are available, as well as the
 267 availability of course offerings through the Florida Virtual
 268 School. Students must also be advised of eligibility
 269 requirements for state scholarship programs and postsecondary
 270 admissions.

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

274 (b) Eight credits in electives.

275 1. For each year in which a student's performance on a
 276 diagnostic assessment or subject area assessment in ~~student~~
 277 ~~scores at Level 1 on FCAT reading~~ does not meet grade-level
 278 expectations, the student must receive remediation and
 279 intervention services as soon as feasible but no later than ~~be~~
 280 ~~enrolled in and complete an intensive reading course~~ the

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281 following year. Placement of students ~~Level 2 readers~~ in either
282 ~~a an intensive~~ reading course or a content area course in which
283 reading strategies are delivered shall be determined by
284 diagnosis of reading needs. The department shall provide
285 guidance on appropriate strategies for diagnosing and meeting
286 the varying instructional needs of students reading below grade
287 level. Reading courses shall be designed and offered pursuant to
288 the comprehensive reading plan required by s. 1011.62(9). A high
289 school student who does not meet grade-level expectations in
290 reading scores at Level 1 or Level 2 on FCAT Reading but who met
291 grade-level expectations in reading ~~did not score below Level 3~~
292 in the previous 3 years may be granted a 1-year exemption from
293 the reading remediation requirement; however, the student must
294 have an approved academic improvement plan already in place,
295 signed by the appropriate school staff and the student's parent,
296 for the year for which the exemption is granted.

297 2. For each year in which a student's performance on a
298 diagnostic assessment, a subject area assessment, or an end-of-
299 course assessment in student scores at Level 1 or Level 2 on
300 FCAT mathematics does not meet grade-level expectations, the
301 student must receive remediation and intervention services as
302 soon as feasible but no later than the following year.

303 Intervention ~~These~~ courses may be taught through applied,
304 integrated, or combined courses and are subject to approval by
305 the department for inclusion in the Course Code Directory.

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

308 (b) Successful overall academic performance based on end-

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309 of-course assessments, grade point average, student portfolios,
310 and, if determined by the State Board of Education, other
311 measurable indicators of student progress. ~~Earning passing~~
312 ~~scores on the FCAT, as defined in s. 1008.22(3)(c), or scores on~~
313 ~~a standardized test that are concordant with passing scores on~~
314 ~~the FCAT as defined in s. 1008.22(10).~~

315
316 Each district school board shall adopt policies designed to
317 assist students in meeting the requirements of this subsection.
318 These policies may include, but are not limited to: forgiveness
319 policies, summer school or before or after school attendance,
320 special counseling, volunteers or peer tutors, school-sponsored
321 help sessions, homework hotlines, and study skills classes.
322 Forgiveness policies for required courses shall be limited to
323 replacing a grade of "D" or "F," or the equivalent of a grade of
324 "D" or "F," with a grade of "C" or higher, or the equivalent of
325 a grade of "C" or higher, earned subsequently in the same or
326 comparable course. Forgiveness policies for elective courses
327 shall be limited to replacing a grade of "D" or "F," or the
328 equivalent of a grade of "D" or "F," with a grade of "C" or
329 higher, or the equivalent of a grade of "C" or higher, earned
330 subsequently in another course. The only exception to these
331 forgiveness policies shall be made for a student in the middle
332 grades who takes any high school course for high school credit
333 and earns a grade of "C," "D," or "F" or the equivalent of a
334 grade of "C," "D," or "F." In such case, the district
335 forgiveness policy must allow the replacement of the grade with
336 a grade of "C" or higher, or the equivalent of a grade of "C" or

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337 higher, earned subsequently in the same or comparable course. In
338 all cases of grade forgiveness, only the new grade shall be used
339 in the calculation of the student's grade point average. Any
340 course grade not replaced according to a district school board
341 forgiveness policy shall be included in the calculation of the
342 cumulative grade point average required for graduation.

343 (8)

344 ~~(b)1. A student with a disability, as defined in s.~~
345 ~~1007.02(2), for whom the individual education plan (IEP)~~
346 ~~committee determines that the FCAT cannot accurately measure the~~
347 ~~student's abilities taking into consideration all allowable~~
348 ~~accommodations, shall have the FCAT requirement of paragraph~~
349 ~~(4)(b) waived for the purpose of receiving a standard high~~
350 ~~school diploma, if the student:~~

351 ~~a. Completes the minimum number of credits and other~~
352 ~~requirements prescribed by subsections (1), (2), and (3).~~

353 ~~b. Does not meet the requirements of paragraph (4)(b)~~
354 ~~after one opportunity in 10th grade and one opportunity in 11th~~
355 ~~grade.~~

356 2. A student with a disability, as defined in s.
357 1007.02(2), for whom the IEP committee determines that an end-
358 of-course assessment cannot accurately measure the student's
359 abilities, taking into consideration all allowable
360 accommodations, shall have the end-of-course assessment results
361 that are used as a partial basis for determining successful
362 overall academic performance waived for the purpose of
363 determining the student's course grade and credit as required in
364 paragraph (4)(a).

365 Section 6. Subsection (1), paragraph (a) of subsection
 366 (6), and subsection (8) of section 1003.429, Florida Statutes,
 367 are amended to read:

368 1003.429 Accelerated high school graduation options.—

369 (1) Students who enter grade 9 in the 2006-2007 school
 370 year and thereafter may select, upon receipt of each consent
 371 required by this section, one of the following three high school
 372 graduation options:

373 (a) Completion of the general requirements for high school
 374 graduation pursuant to s. 1003.428 or s. 1003.43, as applicable;

375 (b) Completion of a 3-year standard college preparatory
 376 program requiring successful completion of a minimum of 18
 377 academic credits in grades 9 through 12. At least 6 of the 18
 378 credits required for completion of this program must be received
 379 in classes that are offered pursuant to the International
 380 Baccalaureate Program, the Advanced Placement Program, dual
 381 enrollment, or the Advanced International Certificate of
 382 Education Program, or specifically listed or identified by the
 383 Department of Education as rigorous pursuant to s. 1009.531(3).
 384 Students must be advised of the Advanced Placement courses,
 385 International Baccalaureate courses, Advanced International
 386 Certificate of Education courses, career academy courses that
 387 lead to national industry certification, and dual enrollment
 388 courses that are available, as well as the availability of
 389 course offerings through the Florida Virtual School. The 18
 390 credits required for completion of this program shall be primary
 391 requirements and shall be distributed as follows:

392 1. Four credits in English, with major concentration in

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393 composition and literature;

394 2. Three credits and, beginning with students entering
395 grade 9 in the 2010-2011 school year, four credits in
396 mathematics at the Algebra I level or higher from the list of
397 courses that qualify for state university admission. Beginning
398 with students entering grade 9 in the 2010-2011 school year, in
399 addition to the Algebra I credit requirement, one of the four
400 credits in mathematics must be geometry or a series of courses
401 equivalent to geometry as approved by the State Board of
402 Education. Beginning with students entering grade 9 in the 2010-
403 2011 school year, the end-of-course assessment requirements
404 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
405 to earn the required credit in Algebra I. Beginning with
406 students entering grade 9 in the 2011-2012 school year, the end-
407 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
408 must be met in order for a student to earn the required credit
409 in geometry. Beginning with students entering grade 9 in the
410 2012-2013 school year, in addition to the Algebra I and geometry
411 credit requirements, one of the four credits in mathematics must
412 be Algebra II or a series of courses equivalent to Algebra II as
413 approved by the State Board of Education;

414 3. Three credits in science, two of which must have a
415 laboratory component. Beginning with students entering grade 9
416 in the 2011-2012 school year, one of the three credits in
417 science must be Biology I or a series of courses equivalent to
418 Biology I as approved by the State Board of Education. Beginning
419 with students entering grade 9 in the 2011-2012 school year, the
420 end-of-course assessment requirements under s.

421 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
422 the required credit in Biology I. Beginning with students
423 entering grade 9 in the 2013-2014 school year, one of the three
424 credits must be Biology I or a series of courses equivalent to
425 Biology I as approved by the State Board of Education, one
426 credit must be chemistry or physics or a series of courses
427 equivalent to chemistry or physics as approved by the State
428 Board of Education, and one credit must be an equally rigorous
429 course, as approved by the State Board of Education;

430 4. Three credits in social sciences, which must include
431 one credit in United States history, one credit in world
432 history, one-half credit in United States government, and one-
433 half credit in economics;

434 5. Two credits in the same second language unless the
435 student is a native speaker of or can otherwise demonstrate
436 competency in a language other than English. If the student
437 demonstrates competency in another language, the student may
438 replace the language requirement with two credits in other
439 academic courses; and

440 6. Three credits in electives and, beginning with students
441 entering grade 9 in the 2010-2011 school year, two credits in
442 electives; or

443 (c) Completion of a 3-year career preparatory program
444 requiring successful completion of a minimum of 18 academic
445 credits in grades 9 through 12. The 18 credits shall be primary
446 requirements and shall be distributed as follows:

447 1. Four credits in English, with major concentration in
448 composition and literature;

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449 2. Three credits and, beginning with students entering
450 grade 9 in the 2010-2011 school year, four credits in
451 mathematics, one of which must be Algebra I. Beginning with
452 students entering grade 9 in the 2010-2011 school year, in
453 addition to the Algebra I credit requirement, one of the four
454 credits in mathematics must be geometry or a series of courses
455 equivalent to geometry as approved by the State Board of
456 Education. Beginning with students entering grade 9 in the 2010-
457 2011 school year, the end-of-course assessment requirements
458 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
459 to earn the required credit in Algebra I. Beginning with
460 students entering grade 9 in the 2011-2012 school year, the end-
461 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
462 must be met in order for a student to earn the required credit
463 in geometry. Beginning with students entering grade 9 in the
464 2012-2013 school year, in addition to the Algebra I and geometry
465 credit requirements, one of the four credits in mathematics must
466 be Algebra II or a series of courses equivalent to Algebra II as
467 approved by the State Board of Education;

468 3. Three credits in science, two of which must have a
469 laboratory component. Beginning with students entering grade 9
470 in the 2011-2012 school year, one of the three credits in
471 science must be Biology I or a series of courses equivalent to
472 Biology I as approved by the State Board of Education. Beginning
473 with students entering grade 9 in the 2011-2012 school year, the
474 end-of-course assessment requirements under s.
475 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
476 the required credit in Biology I. Beginning with students

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477 entering grade 9 in the 2013-2014 school year, one of the three
478 credits must be Biology I or a series of courses equivalent to
479 Biology I as approved by the State Board of Education, one
480 credit must be chemistry or physics or a series of courses
481 equivalent to chemistry or physics as approved by the State
482 Board of Education, and one credit must be an equally rigorous
483 course, as approved by the State Board of Education;

484 4. Three credits in social sciences, which must include
485 one credit in United States history, one credit in world
486 history, one-half credit in United States government, and one-
487 half credit in economics;

488 5. Three credits in a single vocational or career
489 education program, three credits in career and technical
490 certificate dual enrollment courses, or five credits in
491 vocational or career education courses; and

492 6. Two credits and, beginning with students entering grade
493 9 in the 2010-2011 school year, one credit in electives unless
494 five credits are earned pursuant to subparagraph 5.

495

496 Any student who selected an accelerated graduation program
497 before July 1, 2004, may continue that program, and all
498 statutory program requirements that were applicable when the
499 student made the program choice shall remain applicable to the
500 student as long as the student continues that program.

501 (6) Students pursuing accelerated 3-year high school
502 graduation options pursuant to paragraph (1)(b) or paragraph
503 (1)(c) are required to:

504 (a) Achieve successful overall academic performance based
 505 on end-of-course assessments, grade point average, student
 506 portfolios, and, if determined by the State Board of Education,
 507 other measurable indicators of student progress. ~~Earn passing~~
 508 ~~scores on the FCAT as defined in s. 1008.22(3)(c) or scores on a~~
 509 ~~standardized test that are concordant with passing scores on the~~
 510 ~~FCAT as defined in s. 1008.22(10).~~

511
 512 Weighted grades referred to in paragraphs (b), (c), and (d)
 513 shall be applied to those courses specifically listed or
 514 identified by the department as rigorous pursuant to s.
 515 1009.531(3) or weighted by the district school board for class
 516 ranking purposes.

517 (8) A student who selected one of the accelerated 3-year
 518 graduation options shall automatically move to the 4-year
 519 program set forth in s. 1003.428 or s. 1003.43, if applicable,
 520 if the student:

521 (a) Exercises his or her right to change to the 4-year
 522 program;

523 (b) Fails to earn 5 credits by the end of grade 9 or fails
 524 to earn 11 credits by the end of grade 10;

525 (c) Does not achieve a passing score of 3 or higher on an
 526 end-of-course assessment in language arts ~~the grade 10 FCAT~~
 527 ~~writing assessment; or~~

528 (d) By the end of grade 11 does not meet the requirements
 529 of subsections (1) and (6).

530 Section 7. Effective upon this act becoming a law, the
 531 State Board of Education shall appoint a task force to develop

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532 high school graduation standards for students who plan to enroll
533 in a trade school or postsecondary technical institution after
534 high school. In addition, the task force shall consider ways to
535 allow school districts to provide unique curriculum offerings
536 for specific career opportunities and needs that are present in
537 a school district's area. The task force shall be comprised of
538 no fewer than 15 members representing, but not limited to,
539 academic experts in workforce education, high school principals,
540 teachers, and industry experts and shall be chaired by the
541 Chancellor for Career and Adult Education. The task force shall
542 prepare a report with recommendations for high school graduation
543 standards for career-track students and ways to incorporate
544 unique career curriculum offerings into a school district's
545 curriculum to be submitted by January 1, 2013, to the President
546 of the Senate, the Speaker of the House of Representative, and
547 the Governor.

548 Section 8. Subsections (1), (2), and (3) of section
549 1003.433, Florida Statutes, are amended to read:

550 1003.433 Learning opportunities for out-of-state and out-
551 of-country transfer students and students needing additional
552 instruction to meet high school graduation requirements.—

553 (1) Students who enter a Florida public school at the
554 eleventh or twelfth grade from out of state or from a foreign
555 country shall not be required to spend additional time in a
556 Florida public school in order to meet the high school course
557 requirements if the student has met all requirements of the
558 school district, state, or country from which he or she is
559 transferring. Such students who are not proficient in English

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560 should receive immediate and intensive instruction in English
561 language acquisition. However, to receive a standard high school
562 diploma, a transfer student must achieve successful overall
563 academic performance based on end-of-course assessments, ~~earn a~~
564 2.0 or higher grade point average, student portfolios, and, if
565 determined by the State Board of Education, other measurable
566 indicators of student progress ~~and pass the grade 10 FCAT~~
567 ~~required in s. 1008.22(3) or an alternate assessment as~~
568 ~~described in s. 1008.22(10).~~

569 (2) Students who do not meet ~~have met~~ all requirements for
570 the standard high school diploma ~~except for passage of the grade~~
571 ~~10 FCAT or an alternate assessment~~ by the end of grade 12 must
572 be provided the following learning opportunities:

573 (a) Participation in an accelerated high school
574 equivalency diploma preparation program during the summer.

575 (b) Upon receipt of a certificate of completion, be
576 allowed to take the College Placement Test and be admitted to
577 remedial or credit courses at a Florida College System
578 institution, as appropriate.

579 (c) Participation in an adult general education program as
580 provided in s. 1004.93 for such time as the student requires to
581 master English, reading, mathematics, or any other subject
582 required for high school graduation. Students attending adult
583 basic, adult secondary, or vocational-preparatory instruction
584 are exempt from any requirement for the payment of tuition and
585 fees, including lab fees, pursuant to s. 1009.25. ~~A student~~
586 ~~attending an adult general education program shall have the~~
587 ~~opportunity to take the grade 10 FCAT an unlimited number of~~

588 ~~times in order to receive a standard high school diploma.~~
 589 (3) Students who have been enrolled in an ESOL program for
 590 less than 2 school years and have not met all requirements for
 591 the standard high school diploma ~~except for passage of the grade~~
 592 ~~10 FCAT or alternate assessment~~ may receive immersion English
 593 language instruction during the summer following their senior
 594 year. Students receiving such instruction are eligible to ~~take~~
 595 ~~the FCAT or alternate assessment and~~ receive a standard high
 596 school diploma upon achievement of successful overall academic
 597 performance pursuant to subsection (1) ~~passage of the grade 10~~
 598 ~~FCAT or the alternate assessment~~. This subsection shall be
 599 implemented to the extent funding is provided in the General
 600 Appropriations Act.

601 Section 9. Paragraph (a) of subsection (1), paragraph (c)
 602 of subsection (3), paragraphs (b) and (c) of subsection (4),
 603 paragraph (a) of subsection (7), paragraphs (b) and (c) of
 604 subsection (9), and subsections (10) through (13) of section
 605 1008.22, Florida Statutes, are amended to read:

606 1008.22 Student assessment program for public schools.—

607 (1) PURPOSE.—The primary purposes of the student
 608 assessment program are to provide information needed to improve
 609 the public schools by enhancing the learning gains of all
 610 students and to inform parents of the educational progress of
 611 their public school children. The program must be designed to:

612 (a) Assess the annual learning gains of each student
 613 toward achieving the Next Generation Sunshine State Standards
 614 appropriate for the student's grade level.

615 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall

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616 design and implement a statewide program of educational
617 assessment that provides information for the improvement of the
618 operation and management of the public schools, including
619 schools operating for the purpose of providing educational
620 services to youth in Department of Juvenile Justice programs.
621 The commissioner may enter into contracts for the continued
622 administration of the assessment, testing, and evaluation
623 programs authorized and funded by the Legislature. Contracts may
624 be initiated in 1 fiscal year and continue into the next and may
625 be paid from the appropriations of either or both fiscal years.
626 The commissioner is authorized to negotiate for the sale or
627 lease of tests, scoring protocols, test scoring services, and
628 related materials developed pursuant to law. Pursuant to the
629 statewide assessment program, the commissioner shall:

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

632 1. Subject area assessments for students in grades 3
633 through 5, subject area assessments and end-of-course
634 assessments for students in grades 6 through 12, and diagnostic
635 assessments for students in grades 6, 8, and 10 shall measure
636 ~~The Florida Comprehensive Assessment Test (FCAT) measures a~~
637 ~~student's content knowledge and skills in language arts reading,~~
638 ~~writing, science, and mathematics, and other core and noncore~~
639 subject areas as determined by the State Board of Education. The
640 content knowledge and skills assessed ~~by the FCAT~~ must be
641 aligned to the core curricular content established in the Next
642 Generation Sunshine State Standards. ~~Other content areas may be~~
643 ~~included as directed by the commissioner.~~ Comprehensive

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644 assessments of reading and mathematics shall be administered
645 annually in grades 3 through 10 ~~except, beginning with the 2010-~~
646 ~~2011 school year, the administration of grade 9 FCAT Mathematics~~
647 ~~shall be discontinued, and beginning with the 2011-2012 school~~
648 ~~year, the administration of grade 10 FCAT Mathematics shall be~~
649 ~~discontinued, except as required for students who have not~~
650 ~~attained minimum performance expectations for graduation as~~
651 ~~provided in paragraph (9)(c). FCAT Writing and FCAT Science~~
652 ~~shall be administered at least once at the elementary, middle,~~
653 ~~and high school levels except, beginning with the 2011-2012~~
654 ~~school year, the administration of FCAT Science at the high~~
655 ~~school level shall be discontinued.~~

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

664 (I) Statewide, standardized end-of-course assessments in
665 mathematics shall be administered according to this sub-sub-
666 subparagraph. Beginning with the 2010-2011 school year, all
667 students enrolled in Algebra I or an equivalent course must take
668 the Algebra I end-of-course assessment. ~~For students entering~~
669 ~~grade 9 during the 2010-2011 school year and who are enrolled in~~
670 ~~Algebra I or an equivalent,~~ Each student's performance on the
671 end-of-course assessment in Algebra I shall constitute 20 ~~30~~

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672 percent of the student's final course grade. ~~Beginning with~~
673 ~~students entering grade 9 in the 2011-2012 school year, a~~
674 ~~student who is enrolled in Algebra I or an equivalent must earn~~
675 ~~a passing score on the end-of-course assessment in Algebra I or~~
676 ~~attain an equivalent score as described in subsection (11) in~~
677 ~~order to earn course credit.~~ Beginning with the 2011-2012 school
678 year, all students enrolled in geometry or an equivalent course
679 must take the geometry end-of-course assessment. ~~For students~~
680 ~~entering grade 9 during the 2011-2012 school year, Each~~
681 student's performance on the end-of-course assessment in
682 geometry shall constitute 20 ~~30~~ percent of the student's final
683 course grade. ~~Beginning with students entering grade 9 during~~
684 ~~the 2012-2013 school year, a student must earn a passing score~~
685 ~~on the end-of-course assessment in geometry or attain an~~
686 ~~equivalent score as described in subsection (11) in order to~~
687 ~~earn course credit.~~

688 (II) Statewide, standardized end-of-course assessments in
689 science shall be administered according to this sub-sub-
690 subparagraph. Beginning with the 2011-2012 school year, all
691 students enrolled in Biology I or an equivalent course must take
692 the Biology I end-of-course assessment. ~~For the 2011-2012 school~~
693 ~~year, Each student's performance on the end-of-course assessment~~
694 in Biology I shall constitute 20 ~~30~~ percent of the student's
695 final course grade. ~~Beginning with students entering grade 9~~
696 ~~during the 2012-2013 school year, a student must earn a passing~~
697 ~~score on the end-of-course assessment in Biology I in order to~~
698 ~~earn course credit.~~

699 b. During the 2012-2013 school year, an end-of-course

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700 assessment in civics education shall be administered as a field
 701 test at the middle school level. Beginning with ~~During~~ the 2013-
 702 2014 school year, each student's performance on the statewide,
 703 standardized end-of-course assessment in civics education shall
 704 constitute 20 ~~30~~ percent of the student's final course grade.
 705 ~~Beginning with the 2014-2015 school year, a student must earn a~~
 706 ~~passing score on the end-of-course assessment in civics~~
 707 ~~education in order to pass the course and be promoted from the~~
 708 ~~middle grades.~~ The school principal of a middle school shall
 709 determine, in accordance with State Board of Education rule,
 710 whether a student who transfers to the middle school and who has
 711 successfully completed a civics education course at the
 712 student's previous school must take an end-of-course assessment
 713 in civics education.

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

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728 Project in the adoption or development of rigorous end-of-course
729 assessments that are aligned to the Next Generation Sunshine
730 State Standards.

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

747 3. The testing program shall measure student content
748 knowledge and skills adopted by the State Board of Education as
749 specified in paragraph (a) and measure and report student
750 performance levels of all students assessed ~~in reading, writing,~~
751 ~~mathematics, and science.~~ The commissioner shall provide for the
752 tests to be developed or obtained, as appropriate, through
753 contracts and project agreements with private vendors, public
754 vendors, public agencies, postsecondary educational
755 institutions, or school districts. The commissioner shall obtain

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

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

764 b. The State Board of Education shall develop diagnostic
765 assessments for students in grades 6, 8, and 10 in language
766 arts, mathematics, and science content knowledge and skills to
767 be used to keep students on track to graduate from high school.
768 The diagnostic assessments shall be administered during the
769 first month of the school year and shall be designed to identify
770 specific academic weaknesses in individual students and to
771 provide specific diagnostic information to help focus
772 instruction most effectively to meet the needs of individual
773 students. A school district that demonstrates success by keeping
774 85 percent or more of its students on track to graduate is
775 eligible for an exemption from the diagnostic assessment
776 requirements if the State Board of Education determines that the
777 district has sufficient local assessments to maintain success. A
778 district that meets the exemption criteria of this sub-
779 subparagraph shall receive an amount of discretionary funds from
780 the state equal to the amount that would be required to carry
781 out the diagnostic assessments.

782 c. To ensure that students are progressing and meeting
783 international benchmarks, the testing program may include use of

784 international assessments, including the Program for
 785 International Student Assessment and the Trends in International
 786 Mathematics and Science Study, as diagnostic tools.

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

802 6. The State Board of Education shall, by rule, designate
 803 a passing score for each ~~part of the grade 10 assessment test~~
 804 ~~and~~ end-of-course assessments. Any rule that has the effect of
 805 raising the required passing scores may apply only to students
 806 taking the assessment for the first time after the rule is
 807 adopted by the State Board of Education. Except as otherwise
 808 provided in this subparagraph and as provided in s.
 809 1003.428(8) (b) ~~or s. 1003.43(11) (b)~~, students must achieve
 810 successful overall academic performance based partially on end-
 811 of-course assessments ~~earn a passing score on grade 10 FCAT~~

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812 ~~Reading and grade 10 FCAT Mathematics~~ or attain equivalent
813 ~~concordant~~ scores as described in subsection (10) in order to
814 qualify for a standard high school diploma.

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

821 8. Participation in the testing program is mandatory for
822 all students attending public school, including students served
823 in Department of Juvenile Justice programs, except as otherwise
824 prescribed by the commissioner. ~~A student who has not earned~~
825 ~~passing scores on the grade 10 FCAT as provided in subparagraph~~
826 ~~6. must participate in each retake of the assessment until the~~
827 ~~student earns passing scores or achieves scores on a~~
828 ~~standardized assessment which are concordant with passing scores~~
829 ~~pursuant to subsection (10).~~ If a student does not participate
830 in the statewide assessment, the district must notify the
831 student's parent and provide the parent with information
832 regarding the implications of such nonparticipation. A parent
833 must provide signed consent for a student to receive classroom
834 instructional accommodations that would not be available or
835 permitted on the statewide assessments and must acknowledge in
836 writing that he or she understands the implications of such
837 instructional accommodations. The State Board of Education shall
838 adopt rules, based upon recommendations of the commissioner, for
839 the provision of test accommodations for students in exceptional

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840 education programs and for students who have limited English
841 proficiency. Accommodations that negate the validity of a
842 statewide assessment are not allowable in the administration of
843 a subject area assessment ~~the FCAT~~ or an end-of-course
844 assessment. However, instructional accommodations are allowable
845 in the classroom if included in a student's individual education
846 plan. Students using instructional accommodations in the
847 classroom that are not allowable as accommodations on ~~the FCAT~~
848 ~~or~~ an end-of-course assessment may have ~~the FCAT or~~ an end-of-
849 course assessment requirement waived pursuant to the
850 requirements of s. 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~.

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

854 10. District school boards must provide instruction to
855 prepare students in the core curricular content established in
856 the Next Generation Sunshine State Standards adopted under s.
857 1003.41, including the core content knowledge and skills
858 necessary for successful grade-to-grade progression and high
859 school graduation. If a student is provided with instructional
860 accommodations in the classroom that are not allowable as
861 accommodations in the statewide assessment program, as described
862 in the test manuals, the district must inform the parent in
863 writing and must provide the parent with information regarding
864 the impact on the student's ability to meet expected performance
865 levels ~~in reading, writing, mathematics, and science~~. The
866 commissioner shall conduct studies as necessary to verify that
867 the required core curricular content is part of the district

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868 instructional programs.

869 11. District school boards must provide opportunities for
870 students to demonstrate an acceptable performance level on an
871 alternative standardized subject area assessment or an end-of-
872 course assessment approved by the State Board of Education
873 following enrollment in summer academies.

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

879 13. For students seeking a special diploma pursuant to s.
880 1003.438, the Department of Education must develop or select and
881 implement an alternate assessment tool that accurately measures
882 the core curricular content established in the Next Generation
883 Sunshine State Standards for students with disabilities under s.
884 1003.438.

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

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

906 b. A comprehensive statewide assessment in FCAT writing
 907 may not be administered earlier than the week of March 1, and a
 908 comprehensive statewide assessment of any other subject may not
 909 be administered earlier than the week of April 15.

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

920
 921 The commissioner may, based on collaboration and input from
 922 school districts, design and implement student testing programs,
 923 for any grade level and subject area, necessary to effectively

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924 monitor educational achievement in the state, including the
925 measurement of educational achievement of the Next Generation
926 Sunshine State Standards for students with disabilities.
927 Development and refinement of assessments shall include
928 universal design principles and accessibility standards that
929 will prevent any unintended obstacles for students with
930 disabilities while ensuring the validity and reliability of the
931 test. These principles should be applicable to all technology
932 platforms and assistive devices available for the assessments.
933 The field testing process and psychometric analyses for the
934 statewide assessment program must include an appropriate
935 percentage of students with disabilities and an evaluation or
936 determination of the effect of test items on such students.

937 (4) STATEWIDE ASSESSMENT PREPARATION; PROHIBITED
938 ACTIVITIES.—Beginning with the 2008-2009 school year, a district
939 school board shall prohibit each public school from suspending a
940 regular program of curricula for purposes of administering
941 practice tests or engaging in other test-preparation activities
942 for a statewide assessment. However, a district school board may
943 authorize a public school to engage in the following test-
944 preparation activities for a statewide assessment:

945 (b) Providing individualized instruction in test-taking
946 strategies, without suspending the school's regular program of
947 curricula, for a student who is identified through performance
948 on a subject area assessment or an end-of-course assessment as
949 having a deficiency in test-taking skills ~~scores at Level 1 or~~
950 ~~Level 2 on a prior administration of the statewide assessment.~~

951 (c) Providing individualized instruction in the content

952 knowledge and skills assessed, without suspending the school's
 953 regular program of curricula, ~~for a student who scores at Level~~
 954 ~~1 or Level 2 on a prior administration of the statewide~~
 955 ~~assessment~~ or a student who, through a diagnostic assessment
 956 administered by the school district, is identified as having a
 957 deficiency in the content knowledge and skills assessed.

958 (7) REQUIRED ANALYSES.—The commissioner shall provide, at
 959 a minimum, for the following analyses of data produced by the
 960 student achievement testing program:

961 (a) The statistical system for the annual assessments
 962 shall use measures of student learning, such as subject area
 963 assessments and end-of-course assessments ~~the FCAT~~, to determine
 964 teacher, school, and school district statistical distributions,
 965 which shall be determined using available data from the
 966 assessments ~~FCAT~~, and other data collection as deemed
 967 appropriate by the Department of Education, to measure the
 968 differences in student prior year achievement compared to the
 969 current year achievement for the purposes of accountability and
 970 recognition.

971 (9) APPLICABILITY OF TESTING STANDARDS.—

972 (b) A student must attain the passing scores ~~on the~~
 973 ~~statewide assessment required for a standard high school diploma~~
 974 ~~or~~ for high school course credits under sub-sub-subparagraphs
 975 (3)(c)2.a.(I) and (II) which are in effect at the time the
 976 student enters grade 9. If a student transfers into a high
 977 school, the school principal shall determine, in accordance with
 978 State Board of Education rule, whether the student must take an
 979 end-of-course assessment in a course for which the student has

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980 credit that was earned from the previous school.

981 (c) If the commissioner revises a statewide assessment and
 982 the revisions require the State Board of Education to modify the
 983 passing scores required for ~~a standard high school diploma or~~
 984 ~~for~~ high school course credits under sub-sub-subparagraphs
 985 (3)(c)2.a.(I) and (II), the commissioner may, with approval of
 986 the state board, discontinue administration of the former
 987 assessment upon the graduation, based on normal student
 988 progression, of students participating in the final regular
 989 administration of the former assessment. The state board shall
 990 adopt by rule passing scores for the revised assessment which
 991 are statistically equivalent to passing scores on the
 992 discontinued assessment for a student required under paragraph
 993 (b) to attain passing scores on the discontinued assessment.

994 ~~(10) CONCORDANT SCORES FOR THE FCAT.~~

995 ~~(a) The Commissioner of Education shall analyze the~~
 996 ~~content and concordant data sets for nationally recognized high~~
 997 ~~school achievement tests, including, but not limited to, the~~
 998 ~~PSAT, PLAN, SAT, ACT, and College Placement Test, to assess if~~
 999 ~~concordant scores for FCAT scores can be determined for high~~
 1000 ~~school graduation. When content alignment and concordant scores~~
 1001 ~~can be determined, the Commissioner of Education shall adopt~~
 1002 ~~those scores as meeting the graduation requirement in lieu of~~
 1003 ~~achieving the FCAT passing score and may adopt those scores as~~
 1004 ~~being sufficient to achieve additional purposes as determined by~~
 1005 ~~rule. Each time that test content or scoring procedures change~~
 1006 ~~for the FCAT or for a high school achievement test for which a~~
 1007 ~~concordant score is determined, new concordant scores must be~~

1008 ~~determined.~~

1009 ~~(b) The State Board of Education may define by rule the~~
 1010 ~~allowable uses, other than to satisfy the high school graduation~~
 1011 ~~requirement, for concordant scores as described in this~~
 1012 ~~subsection. Such uses may include, but need not be limited to,~~
 1013 ~~achieving appropriate standardized test scores required for the~~
 1014 ~~awarding of Florida Bright Futures Scholarships and college~~
 1015 ~~placement.~~

1016 (10)~~(11)~~ EQUIVALENT SCORES FOR END-OF-COURSE ASSESSMENTS.—

1017 (a) The Commissioner of Education shall analyze the
 1018 content and equivalent data sets for nationally recognized high
 1019 school achievement tests and industry certification tests under
 1020 the Industry Certification Funding List, pursuant to rules
 1021 adopted by the State Board of Education, including, but not
 1022 limited to, ~~grade 10 FCAT Mathematics retakes until such retakes~~
 1023 ~~are discontinued pursuant to subsection (9),~~ the PSAT, the PLAN,
 1024 the SAT, the ACT, and the College Placement Test, to assess if
 1025 equivalent scores for end-of-course assessment scores can be
 1026 determined for passage of an end-of-course assessment. When
 1027 content alignment and equivalent scores can be determined, the
 1028 Commissioner of Education shall adopt those scores as meeting
 1029 the requirement to pass the end-of-course assessment and as
 1030 being sufficient to achieve additional purposes as determined by
 1031 rule. Each time that assessment content or scoring procedures
 1032 change for an end-of-course assessment or for a high school
 1033 achievement test or an industry certification test under the
 1034 Industry Certification Funding List, pursuant to rules adopted
 1035 by the State Board of Education for which an equivalent score is

1036 | determined, new equivalent scores must be determined.

1037 | (b) Use of an equivalent score adopted by the State Board
1038 | of Education under paragraph (a) for purposes of grade
1039 | adjustment, grade forgiveness, or course credit recovery is
1040 | contingent upon and subject to district school board rules.

1041 | (11)~~(12)~~ REPORTS.—The Department of Education shall
1042 | annually provide a report to the Governor, the President of the
1043 | Senate, and the Speaker of the House of Representatives on the
1044 | following:

1045 | (a) Longitudinal performance of students in mathematics
1046 | and reading.

1047 | (b) Longitudinal performance of students by grade level in
1048 | mathematics and reading.

1049 | (c) Longitudinal performance regarding efforts to close
1050 | the achievement gap.

1051 | (d) Other student performance data based on national norm-
1052 | referenced and criterion-referenced tests, when available, and
1053 | numbers of students who after 8th grade enroll in adult
1054 | education rather than other secondary education.

1055 | (12)~~(13)~~ RULES.—The State Board of Education shall adopt
1056 | rules pursuant to ss. 120.536(1) and 120.54 to implement the
1057 | provisions of this section.

1058 | Section 10. Subsection (1), paragraph (b) of subsection
1059 | (2), subsections (3) and (4), paragraphs (b) and (c) of
1060 | subsection (5), paragraphs (b) and (c) of subsection (6),
1061 | paragraph (b) of subsection (7), and paragraphs (a) and (b) of
1062 | subsection (8) of section 1008.25, Florida Statutes, are amended
1063 | to read:

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1064 1008.25 Public school student progression; remedial
 1065 instruction; reporting requirements.—

1066 (1) INTENT.—It is the intent of the Legislature that each
 1067 student's progression from one grade to another be determined,
 1068 in part, upon proficiency in language arts ~~reading, writing,~~
 1069 science, and mathematics; that district school board policies
 1070 facilitate such proficiency; and that each student and his or
 1071 her parent be informed of that student's academic progress.

1072 (2) COMPREHENSIVE PROGRAM.—Each district school board
 1073 shall establish a comprehensive program for student progression
 1074 which must include:

1075 (b) Specific levels of performance in language arts
 1076 ~~reading, writing,~~ science, and mathematics for each grade level,
 1077 including the levels of performance on statewide assessments as
 1078 defined by the commissioner, below which a student must receive
 1079 remediation or intervention services, or be retained within an
 1080 intensive program that is different from the previous year's
 1081 program and that takes into account the student's learning
 1082 style.

1083 (3) ALLOCATION OF RESOURCES.—District school boards shall
 1084 allocate remedial and supplemental instruction and intervention
 1085 resources to students in the following priority:

1086 (a) Students who are deficient in reading by the end of
 1087 grade 3.

1088 (b) Students who fail to meet performance levels required
 1089 for promotion consistent with the district school board's plan
 1090 for student progression required in paragraph (2) (b).

1091 (4) ASSESSMENT AND REMEDIATION.—

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1092 (a) Each student must participate in the statewide
 1093 assessment program ~~tests~~ required by s. 1008.22. Each student
 1094 who does not meet specific levels of performance as determined
 1095 by the district school board in language arts ~~FCAT reading,~~
 1096 ~~writing,~~ science, and mathematics for each grade level, ~~or who~~
 1097 ~~scores below Level 3 in FCAT reading or FCAT mathematics,~~ must
 1098 be provided with additional diagnostic assessments to determine
 1099 the nature of the student's difficulty, the areas of academic
 1100 need, and strategies for appropriate intervention and
 1101 instruction as described in paragraph (b).

1102 (b) The school in which the student is enrolled must
 1103 develop, in consultation with the student's parent, and must
 1104 implement a progress monitoring plan. A progress monitoring plan
 1105 is intended to provide the school district and the school
 1106 flexibility in meeting the academic needs of the student and to
 1107 reduce paperwork. A student who is not meeting the school
 1108 district or state requirements for proficiency in reading and
 1109 math shall be covered by one of the following plans to target
 1110 instruction and identify ways to improve his or her academic
 1111 achievement:

- 1112 1. A federally required student plan such as an individual
- 1113 education plan;
- 1114 2. A schoolwide system of progress monitoring for all
- 1115 students; or
- 1116 3. An individualized progress monitoring plan.

1117
 1118 The plan chosen must be designed to assist the student or the
 1119 school in meeting state and district expectations for

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1120 proficiency. If the student has been identified as having a
 1121 deficiency in reading, the K-12 comprehensive reading plan
 1122 required by s. 1011.62(9) shall include instructional and
 1123 support services to be provided to meet the desired levels of
 1124 performance. District school boards may require low-performing
 1125 students to attend remediation or intervention programs held
 1126 before or after regular school hours or during the summer if
 1127 transportation is provided.

1128 (c) Upon subsequent evaluation, if the documented
 1129 deficiency has not been remediated, the student may be retained.
 1130 Each student who does not meet the minimum performance
 1131 expectations defined by the Commissioner of Education for the
 1132 statewide assessment tests in language arts ~~reading, writing,~~
 1133 science, and mathematics must continue to be provided with
 1134 remedial or supplemental instruction or intervention services
 1135 until the expectations are met or the student graduates from
 1136 high school or is not subject to compulsory school attendance.

1137 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

1138 (b) ~~Beginning with the 2002-2003 school year,~~ If the
 1139 student's reading deficiency, as identified in paragraph (a), is
 1140 not remedied by the end of grade 3, as demonstrated ~~by scoring~~
 1141 ~~at Level 2 or higher~~ on the statewide subject area assessment
 1142 ~~test~~ in reading for grade 3, the student may ~~must~~ be retained at
 1143 the discretion of the principal after consultation with the
 1144 student's teacher and parent.

1145 (c) The parent of any student who exhibits a substantial
 1146 deficiency in reading, as described in paragraph (a), must be
 1147 notified in writing of the following:

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1148 | 1. That his or her child has been identified as having a
 1149 | substantial deficiency in reading.

1150 | 2. A description of the current services that are provided
 1151 | to the child.

1152 | 3. A description of the proposed supplemental
 1153 | instructional services and supports that will be provided to the
 1154 | child that are designed to remediate the identified area of
 1155 | reading deficiency.

1156 | 4. That if the child's reading deficiency is not
 1157 | remediated by the end of grade 3, the child may ~~must~~ be retained
 1158 | ~~unless he or she is exempt from mandatory retention for good~~
 1159 | ~~cause.~~

1160 | 5. Strategies for parents to use in helping their child
 1161 | succeed in reading proficiency.

1162 | 6. That the statewide subject area assessment ~~Florida~~
 1163 | ~~Comprehensive Assessment Test (FCAT)~~ is not the sole determiner
 1164 | of promotion and that additional evaluations, portfolio reviews,
 1165 | and assessments are available to the child to assist parents and
 1166 | the school district in knowing when a child is reading at or
 1167 | above grade level and ready for grade promotion.

1168 | 7. The district's specific criteria and policies for
 1169 | midyear promotion. Midyear promotion means promotion of a
 1170 | retained student at any time during the year of retention once
 1171 | the student has demonstrated ability to read at grade level.

1172 | (6) ELIMINATION OF SOCIAL PROMOTION.—

1173 | (b) The district school board may promote students ~~only~~
 1174 | ~~exempt students from mandatory retention~~, as provided in
 1175 | paragraph (5) (b), for good cause. Students promoted for good

1176 cause may include, but are not limited to, ~~exemptions shall be~~
 1177 ~~limited to~~ the following:

1178 1. Limited English proficient students who have had less
 1179 than 2 years of instruction in an English for Speakers of Other
 1180 Languages program.

1181 2. Students with disabilities whose individual education
 1182 plan indicates that participation in the statewide assessment
 1183 program is not appropriate, consistent with the requirements of
 1184 State Board of Education rule.

1185 3. Students who demonstrate an acceptable level of
 1186 performance on an alternative standardized reading assessment
 1187 approved by the State Board of Education.

1188 4. Students who demonstrate, through a student portfolio,
 1189 that the student is reading on grade level as evidenced by
 1190 demonstration of mastery of the Next Generation Sunshine State
 1191 Standards in reading ~~equal to at least a Level 2 performance on~~
 1192 ~~the FCAT.~~

1193 5. Students with disabilities ~~who participate in the FCAT~~
 1194 ~~and~~ who have an individual education plan or a Section 504 plan
 1195 that reflects that the student has received intensive
 1196 remediation or intervention services in reading for more than 2
 1197 years but still demonstrates a deficiency in reading and was
 1198 previously retained in kindergarten, grade 1, grade 2, or grade
 1199 3.

1200 6. Students who have received intensive remediation or
 1201 intervention services in reading for 2 or more years but still
 1202 demonstrate a deficiency in reading and who were previously
 1203 retained in kindergarten, grade 1, grade 2, or grade 3 for a

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1204 total of 2 years. Intensive reading instruction or intervention
 1205 services for students so promoted must include an altered
 1206 instructional day that includes specialized diagnostic
 1207 information and specific reading strategies for each student.
 1208 The district school board shall assist schools and teachers to
 1209 implement reading strategies that research has shown to be
 1210 successful in improving reading among low-performing readers.

1211 (c) Promotions for good cause ~~Requests for good cause~~
 1212 ~~exemptions for students from the mandatory retention requirement~~
 1213 as described in subparagraphs (b)3. and 4. shall be made
 1214 consistent with the following:

1215 1. Documentation shall be submitted from the student's
 1216 teacher to the school principal that indicates that the
 1217 promotion of the student is appropriate and is based upon the
 1218 student's academic record. In order to minimize paperwork
 1219 requirements, such documentation shall consist only of the
 1220 existing progress monitoring plan, individual educational plan,
 1221 if applicable, report card, or student portfolio.

1222 2. The school principal shall review and discuss such
 1223 recommendation with the teacher and make the determination as to
 1224 whether the student should be promoted or retained. If the
 1225 school principal determines that the student should be promoted,
 1226 the school principal shall make such recommendation in writing
 1227 to the district school superintendent. The district school
 1228 superintendent shall accept or reject the school principal's
 1229 recommendation in writing.

1230 (7) SUCCESSFUL PROGRESSION FOR RETAINED READERS.—

1231 (b) ~~Beginning with the 2004-2005 school year,~~ Each school

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1232 district shall:

1233 1. Conduct a review of student progress monitoring plans

1234 for all students who ~~did not score above Level 1 on the reading~~

1235 ~~portion of the FCAT and did not meet the criteria for a one of~~

1236 the good cause promotion ~~exemptions~~ in paragraph (6) (b). The

1237 review shall address additional supports and services, as

1238 described in this subsection, needed to remediate the identified

1239 areas of reading deficiency. The school district shall require a

1240 student portfolio to be completed for each such student.

1241 2. Provide students who are retained under the provisions

1242 of paragraph (5) (b) with intensive instructional services and

1243 supports to remediate the identified areas of reading

1244 deficiency, including a minimum of 90 minutes of daily,

1245 uninterrupted, scientifically research-based reading instruction

1246 and other strategies prescribed by the school district, which

1247 may include, but are not limited to:

1248 a. Small group instruction.

1249 b. Reduced teacher-student ratios.

1250 c. More frequent progress monitoring.

1251 d. Tutoring or mentoring.

1252 e. Transition classes containing 3rd and 4th grade

1253 students.

1254 f. Extended school day, week, or year.

1255 g. Summer reading camps.

1256 3. Provide written notification to the parent of any

1257 student who is retained under the provisions of paragraph (5) (b)

1258 that his or her child has not met the proficiency level required

1259 for promotion and the reasons the child is not eligible for a

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1260 good cause promotion ~~exemption~~ as provided in paragraph (6) (b).
 1261 The notification must comply with the provisions of s.
 1262 1002.20(15) and must include a description of proposed
 1263 interventions and supports that will be provided to the child to
 1264 remediate the identified areas of reading deficiency.

1265 4. Implement a policy for the midyear promotion of any
 1266 student retained under the provisions of paragraph (5) (b) who
 1267 can demonstrate that he or she is a successful and independent
 1268 reader, reading at or above grade level, and ready to be
 1269 promoted to grade 4. Tools that school districts may use in
 1270 reevaluating any student retained may include subsequent
 1271 assessments, alternative assessments, and portfolio reviews, in
 1272 accordance with rules of the State Board of Education. Students
 1273 promoted during the school year after November 1 must
 1274 demonstrate proficiency ~~above that required to score at Level 2~~
 1275 ~~on the grade 3 FCAT~~, as determined by the State Board of
 1276 Education. The State Board of Education shall adopt standards
 1277 that provide a reasonable expectation that the student's
 1278 progress is sufficient to master appropriate 4th grade level
 1279 reading skills.

1280 5. Provide students who are retained under the provisions
 1281 of paragraph (5) (b) with a high-performing teacher as determined
 1282 by student performance data and above-satisfactory performance
 1283 appraisals.

1284 6. In addition to required reading enhancement and
 1285 acceleration strategies, provide parents of students to be
 1286 retained with at least one of the following instructional
 1287 options:

1288 a. Supplemental tutoring in scientifically research-based
 1289 reading services in addition to the regular reading block,
 1290 including tutoring before and/or after school.

1291 b. A "Read at Home" plan outlined in a parental contract,
 1292 including participation in "Families Building Better Readers
 1293 Workshops" and regular parent-guided home reading.

1294 c. A mentor or tutor with specialized reading training.

1295 7. Establish a Reading Enhancement and Acceleration
 1296 Development (READ) Initiative. The focus of the READ Initiative
 1297 shall be to prevent the retention of grade 3 students and to
 1298 offer intensive accelerated reading instruction to grade 3
 1299 students who failed to meet standards for promotion to grade 4
 1300 and to each K-3 student who is assessed as exhibiting a reading
 1301 deficiency. The READ Initiative shall:

1302 a. Be provided to all K-3 students at risk of retention as
 1303 identified by the statewide assessment system used in Reading
 1304 First schools. The assessment must measure phonemic awareness,
 1305 phonics, fluency, vocabulary, and comprehension.

1306 b. Be provided during regular school hours in addition to
 1307 the regular reading instruction.

1308 c. Provide a state-identified reading curriculum that has
 1309 been reviewed by the Florida Center for Reading Research at
 1310 Florida State University and meets, at a minimum, the following
 1311 specifications:

1312 (I) Assists students assessed as exhibiting a reading
 1313 deficiency in developing the ability to read at grade level.

1314 (II) Provides skill development in phonemic awareness,
 1315 phonics, fluency, vocabulary, and comprehension.

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1316 (III) Provides scientifically based and reliable
1317 assessment.

1318 (IV) Provides initial and ongoing analysis of each
1319 student's reading progress.

1320 (V) Is implemented during regular school hours.

1321 (VI) Provides a curriculum in core academic subjects to
1322 assist the student in maintaining or meeting proficiency levels
1323 for the appropriate grade in all academic subjects.

1324 8. Establish at each school, where applicable, an
1325 Intensive Acceleration Class for retained grade 3 students ~~who~~
1326 ~~subsequently score at Level 1 on the reading portion of the~~
1327 ~~FCAT~~. The focus of the Intensive Acceleration Class shall be to
1328 increase a child's reading level at least two grade levels in 1
1329 school year. The Intensive Acceleration Class shall:

1330 a. Be provided to any student in grade 3 who does not meet
1331 the proficiency level in reading required for promotion scores
1332 ~~at Level 1 on the reading portion of the FCAT~~ and who was
1333 retained in grade 3 the prior year because of inadequate
1334 proficiency in reading scoring at Level 1 on the reading portion
1335 ~~of the FCAT~~.

1336 b. Have a reduced teacher-student ratio.

1337 c. Provide uninterrupted reading instruction for the
1338 majority of student contact time each day and incorporate
1339 opportunities to master the grade 4 Next Generation Sunshine
1340 State Standards in other core subject areas.

1341 d. Use a reading program that is scientifically research-
1342 based and has proven results in accelerating student reading
1343 achievement within the same school year.

1344 e. Provide intensive language and vocabulary instruction
 1345 using a scientifically research-based program, including use of
 1346 a speech-language therapist.

1347 f. Include weekly progress monitoring measures to ensure
 1348 progress is being made.

1349 g. Report to the Department of Education, in the manner
 1350 described by the department, the progress of students in the
 1351 class at the end of the first semester.

1352 9. Report to the State Board of Education, as requested,
 1353 on the specific intensive reading interventions and supports
 1354 implemented at the school district level. The Commissioner of
 1355 Education shall annually prescribe the required components of
 1356 requested reports.

1357 10. Provide a student who has been retained in grade 3 and
 1358 has received intensive instructional services but is still not
 1359 ready for grade promotion, as determined by the school district,
 1360 the option of being placed in a transitional instructional
 1361 setting. Such setting shall specifically be designed to produce
 1362 learning gains sufficient to meet grade 4 performance standards
 1363 while continuing to remediate the areas of reading deficiency.

1364 (8) ANNUAL REPORT.—

1365 (a) In addition to the requirements in paragraph (5) (b),
 1366 each district school board must annually report to the parent of
 1367 each student the progress of the student toward achieving state
 1368 and district expectations for proficiency in language arts
 1369 ~~reading, writing,~~ science, and mathematics. The district school
 1370 board must report to the parent the student's results on each
 1371 statewide assessment test. The evaluation of each student's

1372 progress must be based upon the student's classroom work,
 1373 observations, tests, district and state assessments, and other
 1374 relevant information. Progress reporting must be provided to the
 1375 parent in writing in a format adopted by the district school
 1376 board.

1377 (b) Each district school board must annually publish in
 1378 the local newspaper, and report in writing to the State Board of
 1379 Education by September 1 of each year, the following information
 1380 on the prior school year:

1381 1. The provisions of this section relating to public
 1382 school student progression and the district school board's
 1383 policies and procedures on student retention and promotion.

1384 2. By grade, the number and percentage of all students in
 1385 grades 3 through 12 ~~10~~ performing below proficiency levels for
 1386 the grade on statewide subject area assessments and end-of-
 1387 course assessments in language arts, mathematics, and science at
 1388 Levels 1 and 2 on the reading portion of the FCAT.

1389 3. By grade, the number and percentage of all students
 1390 retained in grades 3 through 12 ~~10~~.

1391 4. Information on the total number of students who were
 1392 promoted for good cause, by each category of good cause as
 1393 specified in paragraph (6) (b) .

1394 5. Any revisions to the district school board's policy on
 1395 student retention and promotion from the prior year.

1396 Section 11. Subsection (3) of section 1008.30, Florida
 1397 Statutes, is amended to read:

1398 1008.30 Common placement testing for public postsecondary
 1399 education.—

1400 (3) The State Board of Education shall adopt rules that
 1401 require high schools to evaluate before the beginning of grade
 1402 12 the college readiness of each student who indicates an
 1403 interest in postsecondary education ~~scores at Level 2 or Level 3~~
 1404 ~~on the reading portion of the grade 10 FCAT or Level 2, Level 3,~~
 1405 ~~or Level 4 on the mathematics assessments under s.~~
 1406 ~~1008.22(3)(e)~~. High schools shall perform this evaluation using
 1407 results from the corresponding component of the common placement
 1408 test prescribed in this section, or an equivalent test
 1409 identified by the State Board of Education. The State Board of
 1410 Education shall identify in rule the assessments necessary to
 1411 perform the evaluations required by this subsection and shall
 1412 work with the school districts to administer the assessments.
 1413 The State Board of Education shall establish by rule the minimum
 1414 test scores a student must achieve to demonstrate readiness.
 1415 Students who demonstrate readiness by achieving the minimum test
 1416 scores established by the state board and enroll in a Florida
 1417 College System institution within 2 years after ~~of~~ achieving
 1418 such scores shall not be required to retest or enroll in
 1419 remediation when admitted to any Florida College System
 1420 institution. The high school shall use the results of the test
 1421 to advise the students of any identified deficiencies and to
 1422 provide 12th grade students, and require them to complete,
 1423 appropriate postsecondary preparatory instruction prior to high
 1424 school graduation. The curriculum provided under this subsection
 1425 shall be identified in rule by the State Board of Education and
 1426 encompass Florida's Postsecondary Readiness Competencies. Other
 1427 elective courses may not be substituted for the selected

1428 postsecondary reading, mathematics, or writing preparatory
 1429 course unless the elective course covers the same competencies
 1430 included in the postsecondary reading, mathematics, or writing
 1431 preparatory course.

1432 Section 12. Paragraphs (b) and (c) of subsection (3) and
 1433 subsection (4) of section 1008.34, Florida Statutes, are amended
 1434 to read:

1435 1008.34 School grading system; school report cards;
 1436 district grade.—

1437 (3) DESIGNATION OF SCHOOL GRADES.—

1438 (b)1. Beginning with the 2014-2015 school year for schools
 1439 comprised of any combination of grades 3 through 8, 25 percent
 1440 of the school grade shall be based on subject area assessment
 1441 scores or end-of-course assessment scores in core and noncore
 1442 subjects administered under s. 1008.22, as applicable, and the
 1443 remaining 75 percent on the following factors:

1444 a. Student achievement scores, including achievement
 1445 scores for students seeking a special diploma;

1446 b. Student learning gains as measured by annual subject
 1447 area assessments in grades 3 through 5 or end-of-course
 1448 assessments in grades 6 through 8 and learning gains for
 1449 students seeking a special diploma as measured by alternate
 1450 assessment tools, if necessary;

1451 c. Improvement of the lowest 25th percentile of students
 1452 in the school on subject area assessments in grades 3 through 5
 1453 or end-of-course assessments in grades 6 through 8, unless these
 1454 students are exhibiting satisfactory performance;

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1455 d. The overall academic performance of the students in the
1456 school based on grade point average, student portfolios,
1457 readiness for grade promotion, and, if determined by the State
1458 Board of Education, other measurable indicators of student
1459 progress;

1460 e. The growth or decline in the components listed in sub-
1461 subparagraphs a.-d. from year to year; and

1462 f. The school's use of technology and innovative
1463 practices. A school's grade shall be based on a combination of:

1464 a. Student achievement scores, including achievement on
1465 all FCAT assessments administered under s. 1008.22(3)(c)1., end-
1466 of-course assessments administered under s. 1008.22(3)(c)2.a.,
1467 and achievement scores for students seeking a special diploma.

1468 b. Student learning gains in reading and mathematics as
1469 measured by FCAT and end-of-course assessments, as described in
1470 s. 1008.22(3)(c)1. and 2.a. Learning gains for students seeking
1471 a special diploma, as measured by an alternate assessment tool,
1472 shall be included not later than the 2009-2010 school year.

1473 e. Improvement of the lowest 25th percentile of students
1474 in the school in reading and mathematics on the FCAT or end-of-
1475 course assessments described in s. 1008.22(3)(c)2.a., unless
1476 these students are exhibiting satisfactory performance.

1477 2. Beginning with the 2011-2012 school year, for schools
1478 comprised of middle school grades 6 through 8 or grades 7 and 8,
1479 the school's grade shall include the performance and
1480 participation of its students enrolled in high school level
1481 courses with end-of-course assessments administered under s.
1482 1008.22(3)(c)2.a. Performance and participation must be weighted

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1483 | equally. As valid data becomes available, the school grades
 1484 | shall include the students' attainment of national industry
 1485 | certification identified in the Industry Certification Funding
 1486 | List pursuant to rules adopted by the State Board of Education.

1487 | 3. Beginning with the 2014-2015 ~~2009-2010~~ school year for
 1488 | schools comprised of high school grades 9, 10, 11, and 12, or
 1489 | grades 10, 11, and 12:

1490 | a. Fifty, ~~50~~ percent of the school grade shall be based on
 1491 | a combination of the following factors:

1492 | (I) Student achievement scores, including achievement
 1493 | scores for students seeking a special diploma;

1494 | (II) Student learning gains as measured by end-of-course
 1495 | assessments and learning gains for students seeking a special
 1496 | diploma as measured by alternate assessment tools, if necessary;
 1497 | and

1498 | (III) Improvement of the lowest 25th percentile of
 1499 | students in the school on end-of-course assessments, unless
 1500 | these students are exhibiting satisfactory performance. ~~listed~~
 1501 | in sub-subparagraphs 1.a. c. and

1502 | b. The remaining 50 percent of the school grade shall be
 1503 | based on the following factors:

1504 | (I) ~~a.~~ The high school graduation rate of the school;

1505 | (II) ~~b.~~ As valid data becomes available, the performance
 1506 | and participation of the school's students in College Board
 1507 | Advanced Placement courses, International Baccalaureate courses,
 1508 | dual enrollment courses, and Advanced International Certificate
 1509 | of Education courses; and the students' achievement of national
 1510 | industry certification identified in the Industry Certification

1511 Funding List, pursuant to rules adopted by the State Board of
 1512 Education;

1513 (III)~~e.~~ Postsecondary readiness of the school's students
 1514 as measured by the SAT, ACT, or the common placement test;

1515 (IV)~~d.~~ The high school graduation rate of at-risk students
 1516 who did not meet proficiency levels scored at Level 2 or lower
 1517 on the grade 8 end-of-course assessments in language arts,
 1518 mathematics, and science ~~FCAT Reading and Mathematics~~
 1519 ~~examinations;~~

1520 (V)~~e.~~ ~~As valid data becomes available,~~ The performance of
 1521 the school's students on statewide standardized end-of-course
 1522 assessments administered under s. 1008.22(3)(c)2.c. and d.; and

1523 (VI)~~f.~~ The growth or decline in the components listed in
 1524 sub-sub-paragraphs (I)-(V) ~~sub-subparagraphs a.-e.~~ from year
 1525 to year.

1526 (c) Student assessment data used in determining school
 1527 grades shall include:

1528 1. The aggregate scores of all eligible students enrolled
 1529 in the school who have been assessed on ~~the FCAT and~~ statewide,
 1530 standardized end-of-course assessments in courses required for
 1531 high school graduation, including, beginning with the 2010-2011
 1532 school year, the end-of-course assessment in Algebra I; and
 1533 beginning with the 2011-2012 school year, the end-of-course
 1534 assessments in geometry and Biology; and beginning with the
 1535 2013-2014 school year, on the statewide, standardized end-of-
 1536 course assessment in civics education at the middle school
 1537 level.

1538 2. The aggregate scores of all eligible students enrolled

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1539 | in the school who have been assessed on ~~the FCAT and~~ end-of-
1540 | course assessments as described in s. 1008.22(3)(c)2.a., and who
1541 | have scored at or in the lowest 25th percentile of students in
1542 | the school ~~in reading and mathematics~~, unless these students are
1543 | exhibiting satisfactory performance.

1544 | 3. The achievement scores and learning gains of eligible
1545 | students attending alternative schools that provide dropout
1546 | prevention and academic intervention services pursuant to s.
1547 | 1003.53. The term "eligible students" in this subparagraph does
1548 | not include students attending an alternative school who are
1549 | subject to district school board policies for expulsion for
1550 | repeated or serious offenses, who are in dropout retrieval
1551 | programs serving students who have officially been designated as
1552 | dropouts, or who are in programs operated or contracted by the
1553 | Department of Juvenile Justice. The student performance data for
1554 | eligible students identified in this subparagraph shall be
1555 | included in the calculation of the home school's grade. As used
1556 | in this subparagraph and s. 1008.341, the term "home school"
1557 | means the school to which the student would be assigned if the
1558 | student were not assigned to an alternative school. If an
1559 | alternative school chooses to be graded under this section,
1560 | student performance data for eligible students identified in
1561 | this subparagraph shall not be included in the home school's
1562 | grade but shall be included only in the calculation of the
1563 | alternative school's grade. ~~A school district that fails to~~
1564 | ~~assign the FCAT and end-of-course assessment as described in s.~~
1565 | ~~1008.22(3)(c)2.a. scores of each of its students to his or her~~
1566 | ~~home school or to the alternative school that receives a grade~~

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1567 ~~shall forfeit Florida School Recognition Program funds for 1~~
1568 ~~fiscal year.~~ School districts must require collaboration between
1569 the home school and the alternative school in order to promote
1570 student success. This collaboration must include an annual
1571 discussion between the principal of the alternative school and
1572 the principal of each student's home school concerning the most
1573 appropriate school assignment of the student.

1574 4. The achievement scores and learning gains of students
1575 designated as hospital- or homebound. Student assessment data
1576 for students designated as hospital- or homebound shall be
1577 assigned to their home school for the purposes of school grades.
1578 As used in this subparagraph, the term "home school" means the
1579 school to which a student would be assigned if the student were
1580 not assigned to a hospital- or homebound program.

1581 5. Beginning with the 2014-2015 school year for schools
1582 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1583 11, and 12, the data listed in subparagraphs 1.-3. and the
1584 following data as the Department of Education determines such
1585 data are valid and available:

1586 a. The high school graduation rate of the school as
1587 calculated by the Department of Education;

1588 b. The participation rate of all eligible students
1589 enrolled in the school and enrolled in College Board Advanced
1590 Placement courses; International Baccalaureate courses; dual
1591 enrollment courses; Advanced International Certificate of
1592 Education courses; and courses or sequences of courses leading
1593 to national industry certification identified in the Industry
1594 Certification Funding List, pursuant to rules adopted by the

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1595 State Board of Education;

1596 c. The aggregate scores of all eligible students enrolled

1597 in the school in College Board Advanced Placement courses,

1598 International Baccalaureate courses, and Advanced International

1599 Certificate of Education courses;

1600 d. Earning of college credit by all eligible students

1601 enrolled in the school in dual enrollment programs under s.

1602 1007.271;

1603 e. Earning of a national industry certification identified

1604 in the Industry Certification Funding List, pursuant to rules

1605 adopted by the State Board of Education;

1606 f. The aggregate scores of all eligible students enrolled

1607 in the school in reading, mathematics, and other subjects as

1608 measured by the SAT, the ACT, and the common placement test for

1609 postsecondary readiness;

1610 g. The high school graduation rate of all eligible at-risk

1611 students enrolled in the school who did not meet proficiency

1612 levels scored at Level 2 or lower on the grade 8 end-of-course

1613 assessments in language arts, mathematics, and science FCAT

1614 Reading and Mathematics examinations;

1615 h. The performance of the school's students on statewide

1616 standardized end-of-course assessments administered under s.

1617 1008.22(3)(c)2.c. and d.; and

1618 i. The growth or decline in the data components listed in

1619 sub-subparagraphs a.-h. from year to year.

1620

1621 The State Board of Education shall adopt appropriate criteria

1622 for each school grade. The criteria must also give added weight

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1623 to student achievement in language arts ~~reading~~. Schools
 1624 designated with a grade of "C," making satisfactory progress,
 1625 shall be required to demonstrate that adequate progress has been
 1626 made by students in the school who are in the lowest 25th
 1627 percentile on subject area assessments or end-of-course
 1628 assessments in language arts ~~reading and mathematics on the FCAT~~
 1629 and on end-of-course assessments as described in s.
 1630 1008.22(3)(c)2.a., unless these students are exhibiting
 1631 satisfactory performance. Beginning with the 2014-2015 ~~2009-2010~~
 1632 school year for schools comprised of high school grades 9, 10,
 1633 11, and 12, or grades 10, 11, and 12, the criteria for school
 1634 grades must also give added weight to the graduation rate of all
 1635 eligible at-risk students, as defined in this paragraph.
 1636 Beginning in the 2014-2015 ~~2009-2010~~ school year, in order for a
 1637 high school to be designated as having a grade of "A," making
 1638 excellent progress, the school must demonstrate that at-risk
 1639 students, as defined in this paragraph, in the school are making
 1640 adequate progress.

1641 (4) SCHOOL IMPROVEMENT RATINGS.—The annual report shall
 1642 identify each school's performance as having improved, remained
 1643 the same, or declined. This school improvement rating shall be
 1644 based on a comparison of the current year's and previous year's
 1645 student and school performance data. ~~Schools that improve at~~
 1646 ~~least one grade level are eligible for school recognition awards~~
 1647 ~~pursuant to s. 1008.36.~~

1648 Section 13. Subsections (2) and (3) of section 1008.341,
 1649 Florida Statutes, are amended to read:

1650 1008.341 School improvement rating for alternative

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1651 schools.—

1652 (2) SCHOOL IMPROVEMENT RATING.—An alternative school that
 1653 provides dropout prevention and academic intervention services
 1654 pursuant to s. 1003.53 shall receive a school improvement rating
 1655 pursuant to this section. However, an alternative school shall
 1656 not receive a school improvement rating if the number of its
 1657 students for whom student performance data is available for the
 1658 current year and previous year is less than the minimum sample
 1659 size necessary, based on accepted professional practice, for
 1660 statistical reliability and prevention of the unlawful release
 1661 of personally identifiable student data under s. 1002.22 or 20
 1662 U.S.C. s. 1232g. The school improvement rating shall identify an
 1663 alternative school as having one of the following ratings
 1664 defined according to rules of the State Board of Education:

1665 (a) "Improving" means the students attending the school
 1666 are making more academic progress than when the students were
 1667 served in their home schools.

1668 (b) "Maintaining" means the students attending the school
 1669 are making progress equivalent to the progress made when the
 1670 students were served in their home schools.

1671 (c) "Declining" means the students attending the school
 1672 are making less academic progress than when the students were
 1673 served in their home schools.

1674

1675 The school improvement rating shall be based on a comparison of
 1676 student performance data for the current year and previous year.

1677 ~~Schools that improve at least one level or maintain an~~
 1678 ~~"improving" rating pursuant to this section are eligible for~~

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1679 ~~school recognition awards pursuant to s. 1008.36.~~

1680 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data
 1681 used in determining an alternative school's school improvement
 1682 rating shall include:

1683 (a) The aggregate scores on statewide assessments
 1684 administered under s. 1008.22 for all eligible students who were
 1685 assigned to and enrolled in the school during the October or
 1686 February FTE count ~~and who have FCAT or comparable scores for~~
 1687 ~~the preceding school year.~~

1688 (b) The overall academic performance of all eligible
 1689 students in grades 3 through 12 based on grade point average,
 1690 student portfolios, readiness for grade promotion, readiness for
 1691 postsecondary education and careers, and, if determined by the
 1692 State Board of Education, other measurable indicators of student
 1693 progress. ~~The aggregate scores on statewide assessments~~
 1694 ~~administered under s. 1008.22 for all eligible students who were~~
 1695 ~~assigned to and enrolled in the school during the October or~~
 1696 ~~February FTE count and who have scored in the lowest 25th~~
 1697 ~~percentile of students in the state on FCAT Reading.~~

1698
 1699 The assessment scores of students who are subject to district
 1700 school board policies for expulsion for repeated or serious
 1701 offenses, who are in dropout retrieval programs serving students
 1702 who have officially been designated as dropouts, or who are in
 1703 programs operated or contracted by the Department of Juvenile
 1704 Justice may not be included in an alternative school's school
 1705 improvement rating.

1706 Section 14. Section 1008.36, Florida Statutes, is amended

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1707 to read:

1708 1008.36 Every Child Matters Program ~~Florida School~~
1709 ~~Recognition Program.~~—

1710 (1) The Legislature finds that in order to provide every
1711 student enrolled in K-12 public schools with the opportunity to
1712 achieve a successful public education, academic problems must be
1713 identified early, with remediation and intervention services to
1714 follow ~~there is a need for a performance incentive program for~~
1715 ~~outstanding faculty and staff in highly productive schools. The~~
1716 ~~Legislature further finds that performance-based incentives are~~
1717 ~~commonplace in the private sector and should be infused into the~~
1718 ~~public sector as a reward for productivity.~~

1719 (2) The Every Child Matters Program ~~Florida School~~
1720 ~~Recognition Program~~ is created to provide ~~financial awards to~~
1721 ~~public schools that:~~

1722 (a) A curriculum-based, year-round measurement of academic
1723 performance for all public school students enrolled in
1724 kindergarten through grade 12. ~~Sustain high performance by~~
1725 ~~receiving a school grade of "A," making excellent progress; or~~

1726 (b) Remediation and intervention services to all public
1727 school students enrolled in kindergarten through grade 12 who
1728 are not meeting grade-level performance expectations.
1729 ~~Demonstrate exemplary improvement due to innovation and effort~~
1730 ~~by improving at least one letter grade or by improving more than~~
1731 ~~one letter grade and sustaining the improvement the following~~
1732 ~~school year.~~

1733 (3) All public schools, including charter schools, ~~that~~
1734 ~~receive a school grade pursuant to s. 1008.34~~ are eligible to

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1735 participate in the program.

1736 (4) All ~~selected~~ schools shall receive financial
1737 assistance awards depending on the availability of funds
1738 appropriated ~~and the number and size of schools selected to~~
1739 ~~receive an award~~. Funds must be distributed to the school's
1740 fiscal agent and placed in the school's account and must be used
1741 for purposes listed in subsection (5) as determined jointly by
1742 the school's staff and school advisory council. ~~If school staff~~
1743 ~~and the school advisory council cannot reach agreement by~~
1744 ~~February 1, the awards must be equally distributed to all~~
1745 ~~classroom teachers currently teaching in the school. If a school~~
1746 ~~selected to receive a school recognition award is no longer in~~
1747 ~~existence at the time the award is paid, the district school~~
1748 ~~superintendent shall distribute the funds to teachers who taught~~
1749 ~~at the school in the previous year in the form of a bonus.~~

1750 (5) Every Child Matters Program funds ~~School recognition~~
1751 ~~awards~~ must be used for the following:

1752 (a) Administration of a regular formative assessment
1753 approved by the State Board of Education ~~Nonrecurring bonuses to~~
1754 ~~the faculty and staff;~~

1755 (b) Nonrecurring expenditures for remediation of low-
1756 performing students, including remediation programs and
1757 intervention services adopted and administered by the Department
1758 of Education;

1759 (c) ~~(b)~~ Nonrecurring expenditures for educational equipment
1760 or materials to assist in the remediation of low-performing
1761 students; maintaining and improving student performance; or

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1762 (d)~~(e)~~ Temporary personnel for the school to assist in the
1763 remediation of low-performing students; maintaining and
1764 improving student performance.

1765 (e) Contracts with private sector participants to provide
1766 remediation services if 90 percent of the personnel providing
1767 services reside in the state and the contracts include
1768 requirements to ensure that the private sector participants are
1769 accountable for performance; or

1770 (f) Transportation of students under a school district's
1771 controlled open enrollment plan pursuant to s. 1002.31.

1772 (6) The Department of Education shall provide training and
1773 informational resources for educators to administer the
1774 formative assessment pursuant to paragraph (5)(a) and shall be
1775 responsible for developing and implementing provisions for the
1776 collection and analysis of the assessment data.

1777 (7) The Department of Education shall establish policies
1778 and procedures for the development of individual education plans
1779 for low-performing students who receive remediation and
1780 intervention services pursuant to this section.

1781
1782 ~~Notwithstanding statutory provisions to the contrary, incentive~~
1783 ~~awards are not subject to collective bargaining.~~

1784 Section 15. Paragraph (b) of subsection (1) of section
1785 1009.531, Florida Statutes, is amended to read:

1786 1009.531 Florida Bright Futures Scholarship Program;
1787 student eligibility requirements for initial awards.-

1788 (1) Effective January 1, 2008, in order to be eligible for
1789 an initial award from any of the three types of scholarships

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1790 | under the Florida Bright Futures Scholarship Program, a student
 1791 | must:

1792 | (b) Earn a standard Florida high school diploma or its
 1793 | equivalent as described in s. 1003.428, s. 1003.429, s. 1003.43,
 1794 | or s. 1003.435 unless:

1795 | 1. The student completes a home education program
 1796 | according to s. 1002.41; or

1797 | 2. The student earns a high school diploma from a non-
 1798 | Florida school while living with a parent or guardian who is on
 1799 | military or public service assignment away from Florida.

1800 | Section 16. Paragraph (d) of subsection (7) and paragraph
 1801 | (c) of subsection (9) of section 1011.62, Florida Statutes, are
 1802 | amended to read:

1803 | 1011.62 Funds for operation of schools.—If the annual
 1804 | allocation from the Florida Education Finance Program to each
 1805 | district for operation of schools is not determined in the
 1806 | annual appropriations act or the substantive bill implementing
 1807 | the annual appropriations act, it shall be determined as
 1808 | follows:

1809 | (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

1810 | (d) Each district's allocation of sparsity supplement
 1811 | funds shall be adjusted in the following manner:

1812 | 1. A maximum discretionary levy per FTE value for each
 1813 | district shall be calculated by dividing the value of each
 1814 | district's maximum discretionary levy by its FTE student count.

1815 | 2. A state average discretionary levy value per FTE shall
 1816 | be calculated by dividing the total maximum discretionary levy
 1817 | value for all districts by the state total FTE student count.

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1818 3. A total potential funds per FTE for each district shall
 1819 be calculated by dividing the total potential funds, not
 1820 including Every Child Matters Program ~~Florida School Recognition~~
 1821 ~~Program~~ funds and the minimum guarantee funds, for each district
 1822 by its FTE student count.

1823 4. A state average total potential funds per FTE shall be
 1824 calculated by dividing the total potential funds, not including
 1825 Every Child Matters Program ~~Florida School Recognition Program~~
 1826 funds and the minimum guarantee funds, for all districts by the
 1827 state total FTE student count.

1828 5. For districts that have a levy value per FTE as
 1829 calculated in subparagraph 1. higher than the state average
 1830 calculated in subparagraph 2., a sparsity wealth adjustment
 1831 shall be calculated as the product of the difference between the
 1832 state average levy value per FTE calculated in subparagraph 2.
 1833 and the district's levy value per FTE calculated in subparagraph
 1834 1. and the district's FTE student count and -1. However, no
 1835 district shall have a sparsity wealth adjustment that, when
 1836 applied to the total potential funds calculated in subparagraph
 1837 3., would cause the district's total potential funds per FTE to
 1838 be less than the state average calculated in subparagraph 4.

1839 6. Each district's sparsity supplement allocation shall be
 1840 calculated by adding the amount calculated as specified in
 1841 paragraphs (a) and (b) and the wealth adjustment amount
 1842 calculated in this paragraph.

1843 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

1844 (c) Funds allocated under this subsection must be used to
 1845 provide a system of comprehensive reading instruction to

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1846 students enrolled in the K-12 programs, which may include the
 1847 following:

1848 1. The provision of highly qualified reading coaches.

1849 2. Professional development for school district teachers
 1850 in scientifically based reading instruction, including
 1851 strategies to teach reading in content areas and with an
 1852 emphasis on technical and informational text.

1853 3. The provision of summer reading camps for students who
 1854 are reading below grade level ~~score at Level 1 on FCAT Reading.~~

1855 4. The provision of supplemental instructional materials
 1856 that are grounded in scientifically based reading research.

1857 5. The provision of intensive interventions for middle and
 1858 high school students reading below grade level.

1859 Section 17. Paragraph (b) of subsection (1) of section
 1860 1012.22, Florida Statutes, is amended to read:

1861 1012.22 Public school personnel; powers and duties of the
 1862 district school board.—The district school board shall:

1863 (1) Designate positions to be filled, prescribe
 1864 qualifications for those positions, and provide for the
 1865 appointment, compensation, promotion, suspension, and dismissal
 1866 of employees as follows, subject to the requirements of this
 1867 chapter:

1868 (b) Time to act on nominations.—The district school board
 1869 shall act not later than 3 weeks following the receipt of ~~FCAT~~
 1870 ~~scores and data, including~~ school grades, or June 30, whichever
 1871 is later, on the district school superintendent's nominations of
 1872 supervisors, principals, and members of the instructional staff.

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1873 Section 18. Effective July 1, 2012, paragraph (d) is added
 1874 to subsection (1) of section 1012.335, Florida Statutes, and
 1875 subsection (2) of that section is amended, to read:

1876 1012.335 Contracts with instructional personnel hired on
 1877 or after July 1, 2011.—

1878 (1) DEFINITIONS.—As used in this section, the term:

1879 (d) "Professional performance contract" means an
 1880 employment contract for instructional personnel for a period of
 1881 3 school years, which may be renewed for additional 1-year
 1882 periods if the employee has not received two consecutive annual
 1883 performance evaluation ratings of unsatisfactory, two annual
 1884 performance evaluation ratings of unsatisfactory within a 3-year
 1885 period, or three annual performance evaluation ratings of needs
 1886 improvement or developing within a 5-year period under s.
 1887 1012.34.

1888 (2) EMPLOYMENT.—

1889 (a) Beginning July 1, 2012 ~~2011~~, each individual newly
 1890 hired as instructional personnel by the district school board
 1891 shall be awarded a probationary contract. Upon successful
 1892 completion of the probationary contract, the district school
 1893 board may award an annual contract pursuant to paragraph (c).

1894 (b) Beginning July 1, 2012 ~~2011~~, an annual contract may be
 1895 awarded pursuant to paragraph (c) for instructional personnel
 1896 who have successfully completed a probationary contract with the
 1897 district school board ~~and have received one or more annual~~
 1898 ~~contracts from the district school board.~~

1899 (c) Beginning July 1, 2012, an annual contract may be
 1900 awarded only if the employee:

1901 1. Holds an active professional certificate or temporary
 1902 certificate issued pursuant to s. 1012.56 and rules of the State
 1903 Board of Education.

1904 2. Has been recommended by the district school
 1905 superintendent for the annual contract based upon the
 1906 individual's evaluation under s. 1012.34 and approved by the
 1907 district school board.

1908 ~~3. Has not received two consecutive annual performance~~
 1909 ~~evaluation ratings of unsatisfactory, two annual performance~~
 1910 ~~evaluation ratings of unsatisfactory within a 3-year period, or~~
 1911 ~~three consecutive annual performance evaluation ratings of needs~~
 1912 ~~improvement or a combination of needs improvement and~~
 1913 ~~unsatisfactory under s. 1012.34.~~

1914 (d) Beginning July 1, 2012, instructional personnel
 1915 eligible for a recommendation of annual contract renewal by the
 1916 district school superintendent based upon the employee's
 1917 performance evaluation rating of highly effective or effective
 1918 shall be granted an annual contract unless a charge of just
 1919 cause, as provided in subsection (5), is brought based upon a
 1920 pattern of ineffective teaching or performance by the employee
 1921 under s. 1012.34. If the district school superintendent's
 1922 recommendation for annual contract renewal is denied by the
 1923 district school board, notwithstanding fiscal constraints, the
 1924 district school board shall provide the employee a written
 1925 explanation detailing the rationale for the nonrenewal.

1926 (e) Beginning July 1, 2012, upon completion of no less
 1927 than 3 years of employment in the same school district within a
 1928 5-year period, except for leave duly authorized and granted,

1929 instructional personnel recommended for additional employment
 1930 shall be awarded a professional performance contract.

1931 Instructional personnel may be required to serve a 4th year of
 1932 employment before becoming eligible to receive a professional
 1933 performance contract when determined by the district school
 1934 board for good reason.

1935 1. A professional performance contract may be offered by a
 1936 district school board to instructional personnel only if the
 1937 employee:

1938 a. Holds an active professional certificate or temporary
 1939 certificate issued pursuant to s. 1012.56 and rules of the State
 1940 Board of Education.

1941 b. Has been recommended by the district school
 1942 superintendent for further employment and approved by the
 1943 district school board based upon successful performance of
 1944 duties and demonstration of professional competence under s.
 1945 1012.34.

1946 c. Has not received two consecutive annual performance
 1947 evaluation ratings of unsatisfactory, two annual performance
 1948 evaluation ratings of unsatisfactory within a 3-year period, or
 1949 three annual performance evaluation ratings of needs improvement
 1950 or developing within a 5-year period under s. 1012.34.

1951 2. A district school board may issue a professional
 1952 performance contract after July 1, 2012, to any instructional
 1953 personnel staff member who has previously held a professional
 1954 performance contract, a professional service contract, or a
 1955 continuing contract in the same or another school district
 1956 within the state. Any instructional personnel staff member who

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1957 holds a professional service contract or a continuing contract
 1958 may, but is not required to, exchange such contract for a
 1959 professional performance contract in the same district.

1960 3. If a professional performance contract is not renewed
 1961 by the district school board based on an individual's
 1962 performance of duties and demonstration of professional
 1963 competence under s. 1012.34, upon the recommendation of the
 1964 district school superintendent and the approval of the district
 1965 school board, the individual may be offered up to three
 1966 additional annual contracts or may not be offered an additional
 1967 contract. At the time of making such recommendation to the
 1968 district school board, the district school superintendent shall
 1969 state the performance-based reason for his or her recommendation
 1970 and the district school board shall take final action on such
 1971 recommendation.

1972 Section 19. Effective August 1, 2013, section 1012.988,
 1973 Florida Statutes, is created to read:

1974 1012.988 Professional development to support the statewide
 1975 student assessment program and the performance of personnel.-

1976 (1) Each school district shall develop a professional
 1977 development program to:

1978 (a) Train instructional personnel, school administrators,
 1979 and other educational personnel in the use of subject area
 1980 assessments, end-of-course assessments, and diagnostic
 1981 assessments.

1982 (b) Assist instructional personnel who are employed on a
 1983 probationary contract, pursuant to s. 1012.335, to improve their

1984 professional skills and performance and promote student learning
 1985 growth.

1986 (c) Assist instructional and administrative personnel
 1987 whose performance evaluation results in a rating of needs
 1988 improvement, developing, or unsatisfactory, pursuant to s.
 1989 1012.34, to correct performance deficiencies. The program shall
 1990 include, but is not limited to, mentoring by high-performing
 1991 personnel, peer support, and peer review. Personnel with a
 1992 rating of needs improvement, developing, or unsatisfactory who
 1993 participate in the professional development program shall be
 1994 reevaluated according to the evaluation procedures and criteria
 1995 in s. 1012.34 after completion of the program.

1996 (2) The Department of Education shall offer school
 1997 districts research-based professional development methods and
 1998 inservice activities designed to support and strengthen the role
 1999 of educators in meeting the requirements of the statewide
 2000 student assessment program, to improve the professional skills
 2001 and performance of instructional and administrative personnel,
 2002 and to enhance the learning gains of all students.

2003 (3) Each school district's professional development
 2004 program must be submitted to the department for review; however,
 2005 approval power rests with the school district.

2006 (4) Each school district shall implement the professional
 2007 development program beginning with the 2014-2015 school year.

2008 Section 20. (1) Effective upon this act becoming a law,
 2009 the Commissioner of Education shall appoint a public school
 2010 assessment and accountability alignment committee to develop:

2011 (a) Standards for a revised statewide student assessment
 2012 program under s. 1008.22, Florida Statutes, consisting of
 2013 subject area assessments for students in grades 3 through 5,
 2014 subject area assessments and end-of-course assessments in core
 2015 and noncore subject areas for students in grades 6 through 12,
 2016 and diagnostic assessments for students in grades 6, 8, and 10.

2017 (b) Procedures for transitioning elementary schools from
 2018 the use of the Florida Comprehensive Assessment Test (FCAT) to
 2019 the use of subject area assessments and procedures for
 2020 transitioning middle schools and high schools from the use of
 2021 the FCAT to the use of subject area assessments and end-of-
 2022 course assessments.

2023 (c) Standards for revised formulas for determining school
 2024 grades and school improvement ratings under ss. 1008.34 and
 2025 1008.341, Florida Statutes.

2026 (2) The committee shall align the components of the
 2027 revised statewide student assessment program to best prepare
 2028 students to progress from one grade to the next and to
 2029 postsecondary education or careers after high school.

2030 (3) To ensure that the alignment committee represents a
 2031 cross-section of education stakeholders, it shall be composed of
 2032 individuals from:

2033 (a) The education community, including, but not limited
 2034 to, teachers and administrators representing elementary,
 2035 secondary, and higher education.

2036 (b) Education associations, including, but not limited to,
 2037 associations for teachers, school administrators, and district
 2038 school boards.

2039 (c) State government and local government.
 2040 (d) The business community.
 2041 (e) Independent education researchers or experts.
 2042 (4) Members of the alignment committee shall serve without
 2043 compensation but may be reimbursed for per diem and travel
 2044 expenses in accordance with s. 112.061, Florida Statutes.
 2045 (5) The alignment committee may conduct public hearings
 2046 around the state to obtain public input for the development of a
 2047 revised statewide student assessment program and formulas for
 2048 determining school grades and school improvement ratings.
 2049 (6) (a) By August 1, 2012, the alignment committee shall
 2050 begin work on the following:
 2051 1. Developing new subject area assessments for students in
 2052 grades 3 through 5, subject area assessments and end-of-course
 2053 assessments for students in grades 6 through 12, and diagnostic
 2054 assessments for students in grades 6, 8, and 10.
 2055 2. Transitioning to a revised method for determining
 2056 school grades and school improvement ratings based on factors
 2057 that include subject area assessments, end-of-course
 2058 assessments, overall student academic performance, and a
 2059 school's use of technology and innovative practices.
 2060 (b) By August 1, 2014, the State Board of Education shall
 2061 adopt rules pursuant to ss. 120.536(1) and 120.54, Florida
 2062 Statutes, to implement the revised statewide student assessment
 2063 program and school grading system as part of the state's public
 2064 school assessment and accountability system beginning with the
 2065 2014-2015 school year.

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2066 (7) The alignment committee shall expire upon completion
2067 of its activities but no later than August 1, 2015.

2068 Section 21. Except as otherwise expressly provided in this
2069 act and except for this section, which shall take effect upon
2070 this act becoming a law, this act shall take effect July 1,
2071 2014.