

1 A bill to be entitled
2 An act relating to public school education; amending ss.
3 1002.33, 1003.03, 1003.413, and 1003.4156, F.S., relating
4 to discontinuance of administration of the Florida
5 Comprehensive Assessment Test (FCAT), to conform to
6 changes made by the act; deleting requirement that
7 district school boards establish policies for intensive
8 reading and mathematics intervention courses in high
9 school; providing for intervention services; amending s.
10 1003.428, F.S.; requiring that students be advised of the
11 availability of certain courses for purposes of high
12 school graduation; providing new credit requirements for
13 high school graduation with a standard diploma; providing
14 for remediation and intervention services in certain
15 circumstances; revising general requirements for high
16 school graduation; conforming provisions relating to
17 discontinuance of FCAT administration; amending s.
18 1003.429, F.S.; requiring that students be advised of the
19 availability of certain courses for purposes of
20 accelerated high school graduation options; revising
21 general requirements for accelerated high school
22 graduation; amending ss. 1003.433, 1003.493, and 1007.35,
23 F.S., relating to discontinuance of FCAT administration
24 and revised general requirements for high school
25 graduation, to conform to changes made by the act;
26 amending s. 1008.22, F.S.; revising the statewide student
27 assessment program to discontinue use of the FCAT;
28 requiring the assessment program to consist of subject

29 area assessments for students in grades 3 through 5,
30 subject area assessments and end-of-course examinations in
31 core and noncore subjects for students in grades 6 through
32 12, and diagnostic assessments for students in grades 6,
33 8, and 10; requiring school districts to provide
34 intervention services to certain students; requiring the
35 State Board of Education to adopt rules that specify
36 passing scores on end-of-course examinations; providing
37 that results on end-of-course examinations are one
38 component of requirements for high school graduation;
39 providing for certain waivers; clarifying schedules for
40 assessment and reporting; revising provisions relating to
41 test-preparation activities; deleting provisions relating
42 to use of concordant scores for the FCAT; amending s.
43 1008.25, F.S.; requiring intervention services for certain
44 students as part of the comprehensive program for student
45 progression; conforming provisions relating to the
46 revision of the statewide student assessment program;
47 deleting mandatory retention for certain grade 3 students;
48 authorizing promotion for good cause; providing for
49 reporting; amending s. 1008.30, F.S.; revising provisions
50 relating to use of the common placement test to conform to
51 discontinuance of FCAT administration; amending ss.
52 1008.34 and 1008.341, F.S.; deleting use of the FCAT as a
53 basis for determining school grades and school improvement
54 ratings; providing for student results on subject area
55 assessments and end-of-course examinations to partially
56 determine school grades and school improvement ratings;

57 providing additional factors for such determination;
58 conforming provisions relating to revision of the Florida
59 School Recognition Program; amending s. 1008.345, F.S.;
60 conforming provisions relating to revision of the Florida
61 School Recognition Program; amending s. 1008.36, F.S.;
62 changing the Florida School Recognition Program to the
63 Every Child Matters Program; providing intent and purpose
64 of the program; providing for financial assistance to
65 schools providing remediation and intervention services to
66 certain students; specifying the uses of program funds;
67 providing Department of Education duties; amending s.
68 1009.531, F.S.; adding a cross-reference to high school
69 graduation requirements; amending s. 1011.62, F.S.;
70 conforming provisions relating to revision of the Florida
71 School Recognition Program and discontinuance of FCAT
72 administration; amending s. 1012.22, F.S.; conforming
73 provisions relating to discontinuance of FCAT
74 administration; providing for the appointment of a public
75 school assessment and accountability alignment committee
76 to develop standards for a revised statewide student
77 assessment program, procedures for transitioning to the
78 new program, and standards for determining school grades
79 and school improvement ratings; providing for membership;
80 providing duties of the alignment committee, the State
81 Board of Education, and the Department of Education;
82 providing a timetable for implementation; providing for
83 future expiration of the alignment committee; providing
84 effective dates.

HB 473

2010

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

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

1002.33 Charter schools.—

(20) SERVICES.—

(a) A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the federal lunch program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school, that any funds due to the charter school under the federal lunch program be paid to the charter school as soon as the charter school begins serving food under the federal lunch program, and that the charter school is paid at the same time and in the same manner under the federal lunch program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school,

113 including, but not limited to, subject area assessment scores,
 114 end-of-course examination ~~FCAT~~ scores, standardized test scores,
 115 previous public school student report cards, and student
 116 performance measures, shall be provided by the sponsor to a
 117 charter school in the same manner provided to other public
 118 schools in the district. A total administrative fee for the
 119 provision of such services shall be calculated based upon up to
 120 5 percent of the available funds defined in paragraph (17)(b)
 121 for all students. However, a sponsor may only withhold up to a
 122 5-percent administrative fee for enrollment for up to and
 123 including 500 students. For charter schools with a population of
 124 501 or more students, the difference between the total
 125 administrative fee calculation and the amount of the
 126 administrative fee withheld may only be used for capital outlay
 127 purposes specified in s. 1013.62(2). Each charter school shall
 128 receive 100 percent of the funds awarded to that school pursuant
 129 to s. 1012.225. Sponsors shall not charge charter schools any
 130 additional fees or surcharges for administrative and educational
 131 services in addition to the maximum 5-percent administrative fee
 132 withheld pursuant to this paragraph.

133 Section 2. Paragraph (c) of subsection (3) of section
 134 1003.03, Florida Statutes, is amended to read:

135 1003.03 Maximum class size.—

136 (3) IMPLEMENTATION OPTIONS.—District school boards must
 137 consider, but are not limited to, implementing the following
 138 items in order to meet the constitutional class size maximums
 139 described in subsection (1) and the two-student-per-year
 140 reduction required in subsection (2):

HB 473

2010

141 (c)1. Repeal district school board policies that require
 142 students to have more than 24 credits to graduate from high
 143 school.

144 2. Adopt policies to allow students to graduate from high
 145 school as soon as they meet the requirements ~~pass the grade 10~~
 146 ~~FCAT and complete the courses required~~ for high school
 147 graduation.

148 Section 3. Paragraph (d) of subsection (3) and paragraph
 149 (e) of subsection (4) of section 1003.413, Florida Statutes, are
 150 amended to read:

151 1003.413 Florida Secondary School Redesign Act.—

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

156 (d) Credit recovery courses and ~~intensive~~ reading and
 157 mathematics intervention services ~~courses~~ based on student
 158 performance on diagnostic assessments, subject area assessments,
 159 or end-of-course examinations ~~the FCAT~~. These courses and
 160 intervention services should be competency based and offered
 161 through innovative delivery systems, including computer-assisted
 162 instruction. School districts should use learning gains as well
 163 as other appropriate data and provide incentives to identify and
 164 reward high-performing teachers who teach credit recovery
 165 courses and provide ~~intensive~~ intervention services ~~courses~~.

166 (4) In order to support the successful implementation of
 167 this section by district school boards, the Department of
 168 Education shall:

HB 473

2010

169 (e) Use data to provide the Legislature with an annual
170 longitudinal analysis of the success of this reform effort,
171 including the progress of 6th grade students and 9th grade
172 students not meeting grade-level expectations on end-of-course
173 examinations or subject area assessments in scoring at Level 1
174 ~~on FCAT~~ reading or ~~FCAT~~ mathematics.

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

177 1003.4156 General requirements for middle grades
178 promotion.—

179 (1) ~~Beginning with students entering grade 6 in the 2006-~~
180 ~~2007 school year,~~ Promotion from a school composed of middle
181 grades 6, 7, and 8 requires that:

182 (b) For each year in which a student's performance on a
183 diagnostic assessment or a subject area assessment in student
184 scores at Level 1 on FCAT reading does not meet grade-level
185 expectations, the student must be enrolled in and complete an
186 intensive reading course the following year. Placement of
187 students Level 2 readers in either an intensive reading course
188 or a content area course in which reading strategies are
189 delivered shall be determined by diagnosis of reading needs. The
190 department shall provide guidance on appropriate strategies for
191 diagnosing and meeting the varying instructional needs of
192 students reading below grade level. Reading courses shall be
193 designed and offered pursuant to the comprehensive reading plan
194 required by s. 1011.62(9).

195 (c) For each year in which a student's performance on a
196 diagnostic assessment, a subject area assessment, or an end-of-

197 course examination in ~~student scores at Level 1 or Level 2 on~~
 198 ~~FCAT~~ mathematics does not meet grade-level expectations, the
 199 student must receive remediation the following year, which may
 200 be integrated into the student's required mathematics course.

201 Section 5. Subsections (1), (2), and (4) and paragraph (b)
 202 of subsection (8) of section 1003.428, Florida Statutes, are
 203 amended to read:

204 1003.428 General requirements for high school graduation;
 205 revised.—

206 (1) Except as otherwise authorized pursuant to s.
 207 1003.429, beginning with students entering their first year of
 208 high school in the 2007-2008 school year, graduation requires
 209 the successful completion of a minimum of 24 credits, an
 210 International Baccalaureate curriculum, or an Advanced
 211 International Certificate of Education curriculum. Students must
 212 be advised of the Advanced Placement, International
 213 Baccalaureate, Advanced International Certificate of Education,
 214 career academy coursework that leads to national industry
 215 certification, and dual enrollment courses available, as well as
 216 the availability of course offerings through the Florida Virtual
 217 School. Students must also be advised of eligibility
 218 requirements for state scholarship programs and postsecondary
 219 admissions.

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

223 (a) Sixteen core curriculum credits:

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

HB 473

2010

225 composition, reading for information, and literature.

226 2. Four credits in mathematics, one of which must be
227 Algebra I, a series of courses equivalent to Algebra I, or a
228 higher-level mathematics course. Beginning with students
229 entering grade 9 in the 2014-2015 school year, one of the four
230 credits must be Algebra I or a series of courses equivalent to
231 Algebra I as approved by the State Board of Education, one
232 credit must be geometry or a series of courses equivalent to
233 geometry as approved by the State Board of Education, and one
234 credit must be Algebra II or a series of courses equivalent to
235 Algebra II as approved by the State Board of Education. ~~School~~
236 ~~districts are encouraged to set specific goals to increase~~
237 ~~enrollments in, and successful completion of, geometry and~~
238 ~~Algebra II.~~

239 3. Three credits in science, two of which must have a
240 laboratory component. Beginning with students entering grade 9
241 in the 2014-2015 school year, one of the three credits must be
242 Biology I or a series of courses equivalent to Biology I as
243 approved by the State Board of Education, one credit must be
244 chemistry or physics or a series of courses equivalent to
245 chemistry or physics as approved by the State Board of
246 Education, and one credit must be a higher-level science course.
247 At least two of the science courses must have a laboratory
248 component.

249 4. Three credits in social studies as follows: one credit
250 in American history; one credit in world history; one-half
251 credit in economics; and one-half credit in American government.

252 5. One credit in fine or performing arts, speech and

HB 473

2010

253 | debate, or a practical arts course that incorporates artistic
254 | content and techniques of creativity, interpretation, and
255 | imagination. Eligible practical arts courses shall be identified
256 | through the Course Code Directory.

257 | 6. One credit in physical education to include integration
258 | of health. Participation in an interscholastic sport at the
259 | junior varsity or varsity level for two full seasons shall
260 | satisfy the one-credit requirement in physical education if the
261 | student passes a competency test on personal fitness with a
262 | score of "C" or better. The competency test on personal fitness
263 | must be developed by the Department of Education. A district
264 | school board may not require that the one credit in physical
265 | education be taken during the 9th grade year. Completion of one
266 | semester with a grade of "C" or better in a marching band class,
267 | in a physical activity class that requires participation in
268 | marching band activities as an extracurricular activity, or in a
269 | dance class shall satisfy one-half credit in physical education
270 | or one-half credit in performing arts. This credit may not be
271 | used to satisfy the personal fitness requirement or the
272 | requirement for adaptive physical education under an individual
273 | education plan (IEP) or 504 plan. Completion of 2 years in a
274 | Reserve Officer Training Corps (R.O.T.C.) class, a significant
275 | component of which is drills, shall satisfy the one-credit
276 | requirement in physical education and the one-credit requirement
277 | in performing arts. This credit may not be used to satisfy the
278 | personal fitness requirement or the requirement for adaptive
279 | physical education under an individual education plan (IEP) or
280 | 504 plan.

HB 473

2010

281 (b) Eight credits in majors, minors, or electives:
282 1. Four credits in a major area of interest, such as
283 sequential courses in a career and technical program, fine and
284 performing arts, or academic content area, selected by the
285 student as part of the education plan required by s. 1003.4156.
286 Students may revise major areas of interest each year as part of
287 annual course registration processes and should update their
288 education plan to reflect such revisions. Annually by October 1,
289 the district school board shall approve major areas of interest
290 and submit the list of majors to the Commissioner of Education
291 for approval. Each major area of interest shall be deemed
292 approved unless specifically rejected by the commissioner within
293 60 days. Upon approval, each district's major areas of interest
294 shall be available for use by all school districts and shall be
295 posted on the department's website.

296 2. Four credits in elective courses selected by the
297 student as part of the education plan required by s. 1003.4156.
298 These credits may be combined to allow for a second major area
299 of interest pursuant to subparagraph 1., a minor area of
300 interest, elective courses, or ~~intensive~~ reading or mathematics
301 intervention courses as described in this subparagraph.

302 a. Minor areas of interest are composed of three credits
303 selected by the student as part of the education plan required
304 by s. 1003.4156 and approved by the district school board.

305 b. Elective courses are selected by the student in order
306 to pursue a complete education program as described in s.
307 1001.41(3) and to meet eligibility requirements for
308 scholarships.

HB 473

2010

309 c. For each year in which a student's performance on a
310 diagnostic assessment or subject area assessment in ~~student~~
311 scores at Level 1 on FCAT reading does not meet grade-level
312 expectations, the student must receive remediation and
313 intervention services as soon as feasible but no later than ~~be~~
314 ~~enrolled in and complete an intensive reading course~~ the
315 following year. Placement of students ~~Level 2 readers~~ in either
316 a ~~an intensive~~ reading course or a content area course in which
317 reading strategies are delivered shall be determined by
318 diagnosis of reading needs. The department shall provide
319 guidance on appropriate strategies for diagnosing and meeting
320 the varying instructional needs of students reading below grade
321 level. Reading courses shall be designed and offered pursuant to
322 the comprehensive reading plan required by s. 1011.62(9).

323 d. For each year in which a student's performance on a
324 diagnostic assessment, a subject area assessment, or an end-of-
325 course examination in ~~student scores at Level 1 or Level 2 on~~
326 ~~FCAT~~ mathematics does not meet grade-level expectations, the
327 student must receive remediation and intervention services as
328 soon as feasible but no later than the following year.

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

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

334 (a) Successful completion of the academic credit or
335 curriculum requirements of subsections (1) and (2).

HB 473

2010

336 (b) Successful overall academic performance based on end-
337 of-course examinations, grade point average, student portfolios,
338 and, if determined by the State Board of Education, other
339 measurable indicators of student progress. ~~Earning passing~~
340 ~~scores on the FCAT, as defined in s. 1008.22(3)(c), or scores on~~
341 ~~a standardized test that are concordant with passing scores on~~
342 ~~the FCAT as defined in s. 1008.22(10).~~

343 (c) Completion of all other applicable requirements
344 prescribed by the district school board pursuant to s. 1008.25.

345 (d) Achievement of a cumulative grade point average of 2.0
346 on a 4.0 scale, or its equivalent, in the courses required by
347 this section.

348

349 Each district school board shall adopt policies designed to
350 assist students in meeting the requirements of this subsection.
351 These policies may include, but are not limited to: forgiveness
352 policies, summer school or before or after school attendance,
353 special counseling, volunteers or peer tutors, school-sponsored
354 help sessions, homework hotlines, and study skills classes.
355 Forgiveness policies for required courses shall be limited to
356 replacing a grade of "D" or "F," or the equivalent of a grade of
357 "D" or "F," with a grade of "C" or higher, or the equivalent of
358 a grade of "C" or higher, earned subsequently in the same or
359 comparable course. Forgiveness policies for elective courses
360 shall be limited to replacing a grade of "D" or "F," or the
361 equivalent of a grade of "D" or "F," with a grade of "C" or
362 higher, or the equivalent of a grade of "C" or higher, earned
363 subsequently in another course. The only exception to these

364 forgiveness policies shall be made for a student in the middle
 365 grades who takes any high school course for high school credit
 366 and earns a grade of "C," "D," or "F" or the equivalent of a
 367 grade of "C," "D," or "F." In such case, the district
 368 forgiveness policy must allow the replacement of the grade with
 369 a grade of "C" or higher, or the equivalent of a grade of "C" or
 370 higher, earned subsequently in the same or comparable course. In
 371 all cases of grade forgiveness, only the new grade shall be used
 372 in the calculation of the student's grade point average. Any
 373 course grade not replaced according to a district school board
 374 forgiveness policy shall be included in the calculation of the
 375 cumulative grade point average required for graduation.

376 (8)

377 (b) A student with a disability, as defined in s.
 378 1007.02(2), for whom the individual education plan (IEP)
 379 committee determines that an end-of-course examination ~~the FCAT~~
 380 cannot accurately measure the student's abilities taking into
 381 consideration all allowable accommodations, shall have the end-
 382 of-course examination results that are used as a partial basis
 383 for determining successful overall academic performance under
 384 ~~FCAT requirement of~~ paragraph (4) (b) waived for the purpose of
 385 receiving a standard high school diploma, if the student:

386 1. completes the minimum number of credits and other
 387 requirements prescribed by subsections (1), (2), and (3).

388 2. ~~Does not meet the requirements of paragraph (4) (b)~~
 389 ~~after one opportunity in 10th grade and one opportunity in 11th~~
 390 ~~grade.~~

391 Section 6. Subsections (1) and (6), paragraph (c) of

HB 473

2010

392 subsection (7), and subsection (8) of section 1003.429, Florida
 393 Statutes, are amended to read:

394 1003.429 Accelerated high school graduation options.—

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

399 (a) Completion of the general requirements for high school
 400 graduation pursuant to s. 1003.428 or s. 1003.43;

401 (b) Completion of a 3-year standard college preparatory
 402 program requiring successful completion of a minimum of 18
 403 academic credits in grades 9 through 12. At least 6 of the 18
 404 credits required for completion of this program must be received
 405 in classes that are offered pursuant to the International
 406 Baccalaureate Program, the Advanced Placement Program, dual
 407 enrollment, or the Advanced International Certificate of
 408 Education Program, or specifically listed or identified by the
 409 Department of Education as rigorous pursuant to s. 1009.531(3).
 410 Students must be advised of the Advanced Placement,
 411 International Baccalaureate, Advanced International Certificate
 412 of Education, career academy coursework that leads to national
 413 industry certification, and dual enrollment courses available,
 414 as well as the availability of course offerings through the
 415 Florida Virtual School. The 18 credits required for completion
 416 of this program shall be primary requirements and shall be
 417 distributed as follows:

418 1. Four credits in English, with major concentration in
 419 composition and literature;

420 2. Three credits in mathematics at the Algebra I level or
 421 higher from the list of courses that qualify for state
 422 university admission;

423 3. Three credits in natural science, two of which must
 424 have a laboratory component;

425 4. Three credits in social sciences, which must include
 426 one credit in American history, one credit in world history,
 427 one-half credit in American government, and one-half credit in
 428 economics;

429 5. Two credits in the same second language unless the
 430 student is a native speaker of or can otherwise demonstrate
 431 competency in a language other than English. If the student
 432 demonstrates competency in another language, the student may
 433 replace the language requirement with two credits in other
 434 academic courses; and

435 6. Three credits in electives; or

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

440 1. Four credits in English, with major concentration in
 441 composition and literature;

442 2. Three credits in mathematics, one of which must be
 443 Algebra I;

444 3. Three credits in natural science, two of which must
 445 have a laboratory component;

446 4. Three credits in social sciences, which must include
 447 one credit in American history, one credit in world history,

448 one-half credit in American government, and one-half credit in
 449 economics;

450 5. Three credits in a single vocational or career
 451 education program, three credits in career and technical
 452 certificate dual enrollment courses, or five credits in
 453 vocational or career education courses; and

454 6. Two credits in electives unless five credits are earned
 455 pursuant to subparagraph 5.

456
 457 Any student who selected an accelerated graduation program
 458 before July 1, 2004, may continue that program, and all
 459 statutory program requirements that were applicable when the
 460 student made the program choice shall remain applicable to the
 461 student as long as the student continues that program.

462 (6) Students pursuing accelerated 3-year high school
 463 graduation options pursuant to paragraph (1) (b) or paragraph
 464 (1) (c) are required to:

465 (a) Achieve successful overall academic performance based
 466 on end-of-course examinations, grade point average, student
 467 portfolios, and, if determined by the State Board of Education,
 468 other measurable indicators of student progress. ~~Earn passing~~
 469 ~~scores on the FCAT as defined in s. 1008.22(3)(c) or scores on a~~
 470 ~~standardized test that are concordant with passing scores on the~~
 471 ~~FCAT as defined in s. 1008.22(10).~~

472 (b)1. Achieve a cumulative weighted grade point average of
 473 3.5 on a 4.0 scale, or its equivalent, in the courses required
 474 for the college preparatory accelerated 3-year high school
 475 graduation option pursuant to paragraph (1) (b); or

476 2. Achieve a cumulative weighted grade point average of
 477 3.0 on a 4.0 scale, or its equivalent, in the courses required
 478 for the career preparatory accelerated 3-year high school
 479 graduation option pursuant to paragraph (1)(c).

480 (c) Receive a weighted or unweighted grade that earns at
 481 least 3.0 points, or its equivalent, to earn course credit
 482 toward the 18 credits required for the college preparatory
 483 accelerated 3-year high school graduation option pursuant to
 484 paragraph (1)(b).

485 (d) Receive a weighted or unweighted grade that earns at
 486 least 2.0 points, or its equivalent, to earn course credit
 487 toward the 18 credits required for the career preparatory
 488 accelerated 3-year high school graduation option pursuant to
 489 paragraph (1)(c).

490
 491 Weighted grades referred to in paragraphs (b), (c), and (d)
 492 shall be applied to those courses specifically listed or
 493 identified by the department as rigorous pursuant to s.
 494 1009.531(3) or weighted by the district school board for class
 495 ranking purposes.

496 (7) If, at the end of grade 10, a student is not on track
 497 to meet the credit, assessment, or grade-point-average
 498 requirements of the accelerated graduation option selected, the
 499 school shall notify the student and parent of the following:

500 (c) The right of the student to change to the 4-year
 501 program set forth in s. 1003.428 or s. 1003.43.

HB 473

2010

502 (8) A student who selected one of the accelerated 3-year
 503 graduation options shall automatically move to the 4-year
 504 program set forth in s. 1003.428 or s. 1003.43 if the student:

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

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

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

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

514 Section 7. Subsections (1), (2), and (3) of section
 515 1003.433, Florida Statutes, are amended to read:

516 1003.433 Learning opportunities for out-of-state and out-
 517 of-country transfer students and students needing additional
 518 instruction to meet high school graduation requirements.—

519 (1) Students who enter a Florida public school at the
 520 eleventh or twelfth grade from out of state or from a foreign
 521 country shall not be required to spend additional time in a
 522 Florida public school in order to meet the high school course
 523 requirements if the student has met all requirements of the
 524 school district, state, or country from which he or she is
 525 transferring. Such students who are not proficient in English
 526 should receive immediate and intensive instruction in English
 527 language acquisition. However, to receive a standard high school
 528 diploma, a transfer student must achieve successful overall
 529 academic performance based on end-of-course examinations, ~~earn~~ a

HB 473

2010

530 2.0 or higher grade point average, student portfolios, and, if
531 determined by the State Board of Education, other measurable
532 indicators of student progress ~~and pass the grade 10 FCAT~~
533 ~~required in s. 1008.22(3) or an alternate assessment as~~
534 ~~described in s. 1008.22(10).~~

535 (2) Students who do not meet ~~have met~~ all requirements for
536 the standard high school diploma ~~except for passage of the grade~~
537 ~~10 FCAT or an alternate assessment~~ by the end of grade 12 must
538 be provided the following learning opportunities:

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

541 (b) Upon receipt of a certificate of completion, be
542 allowed to take the College Placement Test and be admitted to
543 remedial or credit courses at a state community college, as
544 appropriate.

545 (c) Participation in an adult general education program as
546 provided in s. 1004.93 for such time as the student requires to
547 master English, reading, mathematics, or any other subject
548 required for high school graduation. Students attending adult
549 basic, adult secondary, or vocational-preparatory instruction
550 are exempt from any requirement for the payment of tuition and
551 fees, including lab fees, pursuant to s. 1009.25. ~~A student~~
552 ~~attending an adult general education program shall have the~~
553 ~~opportunity to take the grade 10 FCAT an unlimited number of~~
554 ~~times in order to receive a standard high school diploma.~~

555 (3) Students who have been enrolled in an ESOL program for
556 less than 2 school years and have not met all requirements for
557 the standard high school diploma ~~except for passage of the grade~~

558 | ~~10 FCAT or alternate assessment~~ may receive immersion English
 559 | language instruction during the summer following their senior
 560 | year. Students receiving such instruction are eligible to ~~take~~
 561 | ~~the FCAT or alternate assessment and~~ receive a standard high
 562 | school diploma upon achievement of successful overall academic
 563 | performance pursuant to subsection (1) ~~passage of the grade 10~~
 564 | ~~FCAT or the alternate assessment~~. This subsection shall be
 565 | implemented to the extent funding is provided in the General
 566 | Appropriations Act.

567 | Section 8. Paragraph (k) of subsection (4) of section
 568 | 1003.493, Florida Statutes, is amended to read:

569 | 1003.493 Career and professional academies.—

570 | (4) Each career and professional academy must:

571 | (k) Include an evaluation plan developed jointly with the
 572 | Department of Education and the local workforce board. The
 573 | evaluation plan must include an assessment tool based on
 574 | national industry standards, such as the Career Academy National
 575 | Standards of Practice, and outcome measures, including, but not
 576 | limited to, achievement of industry certifications, graduation
 577 | rates, enrollment in postsecondary education, business and
 578 | industry satisfaction, employment and earnings, awards of
 579 | postsecondary credit and scholarships, and end-of-course
 580 | examination ~~FCAT~~ achievement levels and learning gains. The
 581 | Department of Education shall use Workforce Florida, Inc., and
 582 | Enterprise Florida, Inc., in identifying industry experts to
 583 | participate in developing and implementing such assessments.

584 | Section 9. Paragraph (c) of subsection (6) of section
 585 | 1007.35, Florida Statutes, is amended to read:

586 1007.35 Florida Partnership for Minority and
 587 Underrepresented Student Achievement.—

588 (6) The partnership shall:

589 (c) Provide teacher training and materials that are
 590 aligned with the Next Generation Sunshine State Standards and
 591 are consistent with best theory and practice regarding multiple
 592 learning styles and research on learning, instructional
 593 strategies, instructional design, and classroom assessment.
 594 Curriculum materials must be based on current, accepted, and
 595 essential academic knowledge. ~~Materials for prerequisite courses~~
 596 ~~should, at a minimum, address the skills assessed on the Florida~~
 597 ~~Comprehensive Assessment Test (FCAT).~~

598 Section 10. Paragraph (a) of subsection (1), paragraphs
 599 (c) and (g) of subsection (3), paragraphs (b) and (c) of
 600 subsection (4), paragraph (a) of subsection (7), and subsections
 601 (9) through (12) of section 1008.22, Florida Statutes, are
 602 amended to read:

603 1008.22 Student assessment program for public schools.—

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

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

612 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
 613 design and implement a statewide program of educational

HB 473

2010

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

627 (c) Develop and implement a student achievement testing
628 program consisting of subject area assessments for students in
629 grades 3 through 5, subject area assessments and end-of-course
630 examinations for students in grades 6 through 12, and diagnostic
631 assessments for students in grades 6, 8, and 10 ~~known as the~~
632 ~~Florida Comprehensive Assessment Test (FCAT) as part of the~~
633 ~~statewide assessment program~~ to measure a student's content
634 knowledge and skills in language arts, reading, writing,
635 science, and mathematics, and other core and noncore subject
636 areas as determined by the State Board of Education. Subject
637 area assessments and end-of-course examinations ~~Other content~~
638 ~~areas may be included as directed by the commissioner.~~
639 ~~Comprehensive assessments of reading and mathematics shall be~~
640 ~~administered annually in grades 3 through 10. Comprehensive~~
641 ~~assessments of writing and science shall be administered at~~

642 ~~least once at the elementary, middle, and high school levels.~~
643 ~~End-of-course assessments for a subject may be administered in~~
644 ~~addition to the comprehensive assessments required for that~~
645 ~~subject under this paragraph. An end-of-course assessment must~~
646 be rigorous, statewide, standardized, and developed or approved
647 by the department. The content knowledge and skills assessed by
648 comprehensive subject area assessments and end-of-course
649 examinations ~~assessments~~ must be aligned to the core curricular
650 content established in the Next Generation Sunshine State
651 Standards. The commissioner may select one or more nationally
652 developed comprehensive examinations, which may include, but
653 need not be limited to, examinations for a College Board
654 Advanced Placement course, International Baccalaureate course,
655 or Advanced International Certificate of Education course or
656 industry-approved examinations to earn national industry
657 certifications as defined in s. 1003.492, for use as end-of-
658 course examinations ~~assessments~~ under this paragraph, if the
659 commissioner determines that the content knowledge and skills
660 assessed by the examinations meet or exceed the grade level
661 expectations for the core curricular content established for the
662 course in the Next Generation Sunshine State Standards. The
663 commissioner may collaborate with the American Diploma Project
664 in the adoption or development of rigorous end-of-course
665 examinations ~~assessments~~ that are aligned to the Next Generation
666 Sunshine State Standards. The testing program must be designed
667 as follows:

- 668 1. The tests shall measure student skills and competencies
669 adopted by the State Board of Education as specified in

HB 473

2010

670 paragraph (a). The tests must ~~measure and~~ report student
671 proficiency levels of all students assessed ~~in reading, writing,~~
672 ~~mathematics, and science~~. The commissioner shall provide for the
673 tests to be developed or obtained, as appropriate, through
674 contracts and project agreements with private vendors, public
675 vendors, public agencies, postsecondary educational
676 institutions, or school districts. The commissioner shall obtain
677 input with respect to the design and implementation of the
678 testing program from education stakeholders and experts, state
679 educators, assistive technology experts, and the public.

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

685 b. Diagnostic assessments shall be given to students in
686 grades 6, 8, and 10 in language arts, mathematics, and science
687 content knowledge and skills and shall be used to keep students
688 on track to graduate from high school. The diagnostic
689 assessments shall be designed to identify specific academic
690 weaknesses in individual students and to provide specific
691 diagnostic information to help focus instruction most
692 effectively to meet the needs of individual students.

693 c. To ensure that students are progressing and meeting
694 international benchmarks, the testing program may include use of
695 international assessments, including the Program for
696 International Student Assessment and the Trends in International
697 Mathematics and Science Study, as diagnostic tools.

HB 473

2010

698 3. Beginning with the 2008-2009 school year, the
699 commissioner shall discontinue administration of the selected-
700 response test items on the comprehensive assessments of writing.
701 Beginning with the 2012-2013 school year, the comprehensive
702 assessments of writing shall be composed of a combination of
703 selected-response test items, short-response performance tasks,
704 and extended-response performance tasks, which shall measure a
705 student's content knowledge of writing, including, but not
706 limited to, paragraph and sentence structure, sentence
707 construction, grammar and usage, punctuation, capitalization,
708 spelling, parts of speech, verb tense, irregular verbs, subject-
709 verb agreement, and noun-pronoun agreement.

710 4. A score shall be designated for each subject area
711 tested and end-of-course examination, below which score a
712 student's performance is deemed inadequate. The school districts
713 shall provide appropriate remedial instruction and intervention
714 services to students who score below these levels.

715 5. Except as provided in s. 1003.428(8)(b) ~~or s.~~
716 ~~1003.43(11)(b)~~, students must achieve successful overall
717 academic performance based partially on end-of-course
718 examinations ~~earn a passing score on the grade 10 assessment~~
719 ~~test described in this paragraph or attain concordant scores as~~
720 ~~described in subsection (10) in reading, writing, and~~
721 ~~mathematics~~ to qualify for a standard high school diploma. ~~The~~
722 ~~State Board of Education shall designate a passing score for~~
723 ~~each part of the grade 10 assessment test. In establishing~~
724 ~~passing scores, the state board shall consider any possible~~
725 ~~negative impact of the test on minority students. The State~~

HB 473

2010

726 Board of Education shall adopt rules which specify the passing
727 scores for end-of-course examinations ~~the grade 10 FCAT~~. Any
728 ~~such rules, which have the effect of raising the required~~
729 ~~passing scores, shall apply only to students taking the grade 10~~
730 ~~FCAT for the first time after such rules are adopted by the~~
731 ~~State Board of Education.~~

732 6. Participation in the testing program is mandatory for
733 all students attending public school, including students served
734 in Department of Juvenile Justice programs, except as otherwise
735 prescribed by the commissioner. If a student does not
736 participate in the statewide assessment, the district must
737 notify the student's parent and provide the parent with
738 information regarding the implications of such nonparticipation.
739 A parent must provide signed consent for a student to receive
740 classroom instructional accommodations that would not be
741 available or permitted on the statewide assessments and must
742 acknowledge in writing that he or she understands the
743 implications of such instructional accommodations. The State
744 Board of Education shall adopt rules, based upon recommendations
745 of the commissioner, for the provision of test accommodations
746 for students in exceptional education programs and for students
747 who have limited English proficiency. Accommodations that negate
748 the validity of a statewide assessment are not allowable in the
749 administration of subject area assessments and end-of-course
750 examinations ~~the FCAT~~. However, instructional accommodations are
751 allowable in the classroom if included in a student's individual
752 education plan. Students using instructional accommodations in
753 the classroom that are not allowable as accommodations on end-

HB 473

2010

754 of-course examinations ~~the FCAT~~ may have end-of-course
755 examination requirements ~~the FCAT requirement~~ waived pursuant to
756 the requirements of s. 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~.

757 7. A student seeking an adult high school diploma must
758 meet the same testing requirements that a regular high school
759 student must meet.

760 8. District school boards must provide instruction to
761 prepare students to demonstrate proficiency in the core
762 curricular content established in the Next Generation Sunshine
763 State Standards adopted under s. 1003.41, including the core
764 content knowledge and skills necessary for successful grade-to-
765 grade progression and high school graduation. If a student is
766 provided with instructional accommodations in the classroom that
767 are not allowable as accommodations in the statewide assessment
768 program, as described in the test manuals, the district must
769 inform the parent in writing and must provide the parent with
770 information regarding the impact on the student's ability to
771 meet expected proficiency levels ~~in reading, writing, and~~
772 ~~mathematics~~. The commissioner shall conduct studies as necessary
773 to verify that the required core curricular content is part of
774 the district instructional programs.

775 9. District school boards must provide opportunities for
776 students to demonstrate an acceptable level of performance on an
777 alternative standardized subject area assessment or end-of-
778 course examination approved by the State Board of Education
779 following enrollment in summer academies.

780 10. The Department of Education must develop, or select,
781 and implement a common battery of assessment tools that will be

HB 473

2010

782 used in all juvenile justice programs in the state. These tools
783 must accurately measure the core curricular content established
784 in the Next Generation Sunshine State Standards.

785 11. For students seeking a special diploma pursuant to s.
786 1003.438, the Department of Education must develop or select and
787 implement an alternate assessment tool that accurately measures
788 the core curricular content established in the Next Generation
789 Sunshine State Standards for students with disabilities under s.
790 1003.438.

791 12. The Commissioner of Education shall establish
792 schedules for the administration of statewide assessments and
793 the reporting of student test results. The commissioner shall,
794 by August 1 of each year, notify each school district in writing
795 and publish on the department's Internet website the testing and
796 reporting schedules for, at a minimum, the school year following
797 the upcoming school year. The testing and reporting schedules
798 shall require that:

799 a. There is the latest possible administration of
800 statewide subject area assessments and the earliest possible
801 reporting to the school districts of student test results which
802 is feasible within available technology and specific
803 appropriations; however, test results must be made available no
804 later than the final day of the regular school year for
805 students.

806 b. Beginning with the 2010-2011 school year, a
807 comprehensive statewide assessment of writing is not
808 administered earlier than the week of March 1 and a
809 comprehensive statewide assessment of any other subject is not

HB 473

2010

810 administered earlier than the week of April 15.

811 c. A statewide standardized end-of-course examination
812 ~~assessment~~ is administered within the last 2 weeks of the course
813 and test results are reported as soon as possible but no later
814 than the final day of the semester or regular school year, as
815 applicable.

816

817 The commissioner may, based on collaboration and input from
818 school districts, design and implement student testing programs,
819 for any grade level and subject area, necessary to effectively
820 monitor educational achievement in the state, including the
821 measurement of educational achievement of the Next Generation
822 Sunshine State Standards for students with disabilities.

823 Development and refinement of assessments shall include
824 universal design principles and accessibility standards that
825 will prevent any unintended obstacles for students with
826 disabilities while ensuring the validity and reliability of the
827 test. These principles should be applicable to all technology
828 platforms and assistive devices available for the assessments.
829 The field testing process and psychometric analyses for the
830 statewide assessment program must include an appropriate
831 percentage of students with disabilities and an evaluation or
832 determination of the effect of test items on such students.

833 (g) Conduct ongoing analysis of the ~~Study the cost and~~
834 student achievement impact of ~~secondary~~ end-of-course
835 examinations ~~assessments~~, including web-based and performance
836 formats, and report such information to the Legislature ~~prior to~~
837 ~~implementation.~~

HB 473

2010

838 (4) STATEWIDE ASSESSMENT PREPARATION; PROHIBITED
839 ACTIVITIES.—Beginning with the 2008-2009 school year, a district
840 school board shall prohibit each public school from suspending a
841 regular program of curricula for purposes of administering
842 practice tests or engaging in other test-preparation activities
843 for a statewide assessment. However, a district school board may
844 authorize a public school to engage in the following test-
845 preparation activities for a statewide assessment:

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

852 (c) Providing individualized instruction in the content
853 knowledge and skills assessed, without suspending the school's
854 regular program of curricula, for a ~~student who scores at Level~~
855 ~~1 or Level 2 on a prior administration of the statewide~~
856 ~~assessment or~~ a student who, through a subject area assessment,
857 an end-of-course examination, or a diagnostic assessment
858 administered by the school district, is identified as having a
859 deficiency in the content knowledge and skills assessed.

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

863 (a) The statistical system for the annual assessments
864 shall use measures of student learning, such as subject area
865 assessments and end-of-course examinations ~~the FCAT,~~ to

HB 473

2010

866 determine teacher, school, and school district statistical
867 distributions, which shall be determined using available data
868 from the assessments and examinations ~~the FCAT~~, and other data
869 collection as deemed appropriate by the Department of Education,
870 to measure the differences in student prior year achievement
871 compared to the current year achievement for the purposes of
872 accountability and recognition.

873 (9) APPLICABILITY OF TESTING STANDARDS.—

874 ~~(a)~~ If the Commissioner of Education revises a statewide
875 assessment and the revisions require the State Board of
876 Education to modify the assessment's proficiency levels ~~or~~
877 ~~modify the passing scores required for a standard high school~~
878 ~~diploma~~, until the state board adopts the modifications by rule,
879 the commissioner shall use calculations for scoring the
880 assessment which adjust student scores on the revised assessment
881 for statistical equivalence to student scores on the former
882 assessment.

883 ~~(b)~~ ~~A student must attain the passing scores on the~~
884 ~~statewide assessment required for a standard high school diploma~~
885 ~~which are in effect at the time the student enters grade 9 if~~
886 ~~the student's enrollment is continuous.~~

887 ~~(c)~~ ~~If the commissioner revises a statewide assessment and~~
888 ~~the revisions require the State Board of Education to modify the~~
889 ~~passing scores required for a standard high school diploma, the~~
890 ~~commissioner may, with approval of the state board, discontinue~~
891 ~~administration of the former assessment upon the graduation,~~
892 ~~based on normal student progression, of students participating~~
893 ~~in the final regular administration of the former assessment.~~

HB 473

2010

894 ~~The state board shall adopt by rule passing scores for the~~
895 ~~revised assessment which are statistically equivalent to passing~~
896 ~~scores on the discontinued assessment for a student required~~
897 ~~under paragraph (b) to attain passing scores on the discontinued~~
898 ~~assessment.~~

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

900 ~~(a) The State Board of Education shall analyze the content~~
901 ~~and concordant data sets for widely used high school achievement~~
902 ~~tests, including, but not limited to, the PSAT, PLAN, SAT, ACT,~~
903 ~~and College Placement Test, to assess if concordant scores for~~
904 ~~FCAT scores can be determined for high school graduation,~~
905 ~~college placement, and scholarship awards. In cases where~~
906 ~~content alignment and concordant scores can be determined, the~~
907 ~~Commissioner of Education shall adopt those scores as meeting~~
908 ~~the graduation requirement in lieu of achieving the FCAT passing~~
909 ~~score and may adopt those scores as being sufficient to achieve~~
910 ~~additional purposes as determined by rule. Each time that test~~
911 ~~content or scoring procedures change for the FCAT or for a high~~
912 ~~school achievement test for which a concordant score is~~
913 ~~determined, new concordant scores must be determined.~~

914 ~~(b) In order to use a concordant subject area score~~
915 ~~pursuant to this subsection to satisfy the assessment~~
916 ~~requirement for a standard high school diploma as provided in s.~~
917 ~~1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must~~
918 ~~take each subject area of the grade 10 FCAT a total of three~~
919 ~~times without earning a passing score. The requirements of this~~
920 ~~paragraph shall not apply to a new student who enters the~~
921 ~~Florida public school system in grade 12, who may either achieve~~

922 ~~a passing score on the FCAT or use an approved subject area~~
 923 ~~concordant score to fulfill the graduation requirement.~~

924 ~~(c) The State Board of Education may define by rule the~~
 925 ~~allowable uses, other than to satisfy the high school graduation~~
 926 ~~requirement, for concordant scores as described in this~~
 927 ~~subsection. Such uses may include, but need not be limited to,~~
 928 ~~achieving appropriate standardized test scores required for the~~
 929 ~~awarding of Florida Bright Futures Scholarships and college~~
 930 ~~placement.~~

931 (10)~~(11)~~ REPORTS.—The Department of Education shall
 932 annually provide a report to the Governor, the President of the
 933 Senate, and the Speaker of the House of Representatives on the
 934 following:

935 (a) Longitudinal performance of students in mathematics
 936 and reading.

937 (b) Longitudinal performance of students by grade level in
 938 mathematics and reading.

939 (c) Longitudinal performance regarding efforts to close
 940 the achievement gap.

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

945 (11)~~(12)~~ RULES.—The State Board of Education shall adopt
 946 rules pursuant to ss. 120.536(1) and 120.54 to implement the
 947 provisions of this section.

948 Section 11. Subsection (1), paragraph (b) of subsection
 949 (2), subsections (3) and (4), paragraphs (b) and (c) of

HB 473

2010

950 subsection (5), paragraphs (b) and (c) of subsection (6),
951 paragraph (b) of subsection (7), and paragraphs (a) and (b) of
952 subsection (8) of section 1008.25, Florida Statutes, are amended
953 to read:

954 1008.25 Public school student progression; remedial
955 instruction; reporting requirements.—

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

962 (2) COMPREHENSIVE PROGRAM.—Each district school board
963 shall establish a comprehensive program for student progression
964 which must include:

965 (b) Specific levels of performance in language arts
966 ~~reading, writing,~~ science, and mathematics for each grade level,
967 including the levels of performance on statewide assessments as
968 defined by the commissioner, below which a student must receive
969 remediation or intervention services, or be retained within an
970 intensive program that is different from the previous year's
971 program and that takes into account the student's learning
972 style.

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

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

HB 473

2010

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

981 (4) ASSESSMENT AND REMEDIATION.—

982 (a) Each student must participate in the statewide
 983 assessment program ~~tests~~ required by s. 1008.22. Each student
 984 who does not meet specific levels of performance as determined
 985 by the district school board in language arts ~~reading, writing,~~
 986 ~~science,~~ and mathematics for each grade level, ~~or who scores~~
 987 ~~below Level 3 in reading or math,~~ must be provided with
 988 additional diagnostic assessments to determine the nature of the
 989 student's difficulty, the areas of academic need, and strategies
 990 for appropriate intervention and instruction as described in
 991 paragraph (b) .

992 (b) The school in which the student is enrolled must
 993 develop, in consultation with the student's parent, and must
 994 implement a progress monitoring plan. A progress monitoring plan
 995 is intended to provide the school district and the school
 996 flexibility in meeting the academic needs of the student and to
 997 reduce paperwork. A student who is not meeting the school
 998 district or state requirements for proficiency in reading and
 999 math shall be covered by one of the following plans to target
 1000 instruction and identify ways to improve his or her academic
 1001 achievement:

1002 1. A federally required student plan such as an individual
 1003 education plan;

1004 2. A schoolwide system of progress monitoring for all
 1005 students; or

1006 3. An individualized progress monitoring plan.

1007
 1008 The plan chosen must be designed to assist the student or the
 1009 school in meeting state and district expectations for
 1010 proficiency. If the student has been identified as having a
 1011 deficiency in reading, the K-12 comprehensive reading plan
 1012 required by s. 1011.62(9) shall include instructional and
 1013 support services to be provided to meet the desired levels of
 1014 performance. District school boards may require low-performing
 1015 students to attend remediation or intervention programs held
 1016 before or after regular school hours or during the summer if
 1017 transportation is provided.

1018 (c) Upon subsequent evaluation, if the documented
 1019 deficiency has not been remediated, the student may be retained.
 1020 Each student who does not meet the minimum performance
 1021 expectations defined by the Commissioner of Education for the
 1022 statewide assessment tests in language arts ~~reading, writing,~~
 1023 science, and mathematics must continue to be provided with
 1024 remedial or supplemental instruction or intervention services
 1025 until the expectations are met or the student graduates from
 1026 high school or is not subject to compulsory school attendance.

1027 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

1028 (b) ~~Beginning with the 2002-2003 school year,~~ If the
 1029 student's reading deficiency, as identified in paragraph (a), is
 1030 not remedied by the end of grade 3, as demonstrated ~~by scoring~~
 1031 ~~at Level 2 or higher~~ on the statewide subject area assessment
 1032 ~~test~~ in reading for grade 3, the student may ~~must~~ be retained at
 1033 the discretion of the principal after consultation with the

1034 student's teacher and parent.

1035 (c) The parent of any student who exhibits a substantial
 1036 deficiency in reading, as described in paragraph (a), must be
 1037 notified in writing of the following:

1038 1. That his or her child has been identified as having a
 1039 substantial deficiency in reading.

1040 2. A description of the current services that are provided
 1041 to the child.

1042 3. A description of the proposed supplemental
 1043 instructional services and supports that will be provided to the
 1044 child that are designed to remediate the identified area of
 1045 reading deficiency.

1046 4. That if the child's reading deficiency is not
 1047 remediated by the end of grade 3, the child may ~~must~~ be retained
 1048 ~~unless he or she is exempt from mandatory retention for good~~
 1049 ~~cause.~~

1050 5. Strategies for parents to use in helping their child
 1051 succeed in reading proficiency.

1052 6. That the statewide subject area assessment ~~Florida~~
 1053 ~~Comprehensive Assessment Test (FCAT)~~ is not the sole determiner
 1054 of promotion and that additional evaluations, portfolio reviews,
 1055 and assessments are available to the child to assist parents and
 1056 the school district in knowing when a child is reading at or
 1057 above grade level and ready for grade promotion.

1058 7. The district's specific criteria and policies for
 1059 midyear promotion. Midyear promotion means promotion of a
 1060 retained student at any time during the year of retention once
 1061 the student has demonstrated ability to read at grade level.

1062 (6) ELIMINATION OF SOCIAL PROMOTION.—

1063 (b) The district school board may promote students ~~only~~
 1064 ~~exempt students from mandatory retention,~~ as provided in
 1065 paragraph (5)(b), for good cause. Students promoted for good
 1066 cause may include, but are not limited to, ~~exemptions shall be~~
 1067 ~~limited to~~ the following:

1068 1. Limited English proficient students who have had less
 1069 than 2 years of instruction in an English for Speakers of Other
 1070 Languages program.

1071 2. Students with disabilities whose individual education
 1072 plan indicates that participation in the statewide assessment
 1073 program is not appropriate, consistent with the requirements of
 1074 State Board of Education rule.

1075 3. Students who demonstrate an acceptable level of
 1076 performance on an alternative standardized reading assessment
 1077 approved by the State Board of Education.

1078 4. Students who demonstrate, through a student portfolio,
 1079 that the student is reading on grade level as evidenced by
 1080 demonstration of mastery of the Next Generation Sunshine State
 1081 Standards in reading ~~equal to at least a Level 2 performance on~~
 1082 ~~the FCAT.~~

1083 5. Students with disabilities ~~who participate in the FCAT~~
 1084 ~~and~~ who have an individual education plan or a Section 504 plan
 1085 that reflects that the student has received intensive
 1086 remediation or intervention services in reading for more than 2
 1087 years but still demonstrates a deficiency in reading and was
 1088 previously retained in kindergarten, grade 1, grade 2, or grade
 1089 3.

1090 6. Students who have received intensive remediation or
 1091 intervention services in reading for 2 or more years but still
 1092 demonstrate a deficiency in reading and who were previously
 1093 retained in kindergarten, grade 1, grade 2, or grade 3 for a
 1094 total of 2 years. Intensive reading instruction or intervention
 1095 services for students so promoted must include an altered
 1096 instructional day that includes specialized diagnostic
 1097 information and specific reading strategies for each student.
 1098 The district school board shall assist schools and teachers to
 1099 implement reading strategies that research has shown to be
 1100 successful in improving reading among low-performing readers.

1101 (c) Promotions for good cause ~~Requests for good cause~~
 1102 ~~exemptions for students from the mandatory retention requirement~~
 1103 as described in subparagraphs (b)3. and 4. shall be made
 1104 consistent with the following:

1105 1. Documentation shall be submitted from the student's
 1106 teacher to the school principal that indicates that the
 1107 promotion of the student is appropriate and is based upon the
 1108 student's academic record. In order to minimize paperwork
 1109 requirements, such documentation shall consist only of the
 1110 existing progress monitoring plan, individual educational plan,
 1111 if applicable, report card, or student portfolio.

1112 2. The school principal shall review and discuss such
 1113 recommendation with the teacher and make the determination as to
 1114 whether the student should be promoted or retained. If the
 1115 school principal determines that the student should be promoted,
 1116 the school principal shall make such recommendation in writing
 1117 to the district school superintendent. The district school

HB 473

2010

1118 superintendent shall accept or reject the school principal's
 1119 recommendation in writing.

1120 (7) SUCCESSFUL PROGRESSION FOR RETAINED READERS.—

1121 (b) ~~Beginning with the 2004-2005 school year,~~ Each school
 1122 district shall:

1123 1. Conduct a review of student progress monitoring plans
 1124 ~~for all students who did not score above Level 1 on the reading~~
 1125 ~~portion of the FCAT and did not meet the criteria for one of the~~
 1126 ~~good cause exemptions in paragraph (6) (b).~~ The review shall
 1127 address additional supports and services, as described in this
 1128 subsection, needed to remediate the identified areas of reading
 1129 deficiency. The school district shall require a student
 1130 portfolio to be completed for each such student.

1131 2. Provide students who are retained under the provisions
 1132 of paragraph (5) (b) with intensive instructional services and
 1133 supports to remediate the identified areas of reading
 1134 deficiency, including a minimum of 90 minutes of daily,
 1135 uninterrupted, scientifically research-based reading instruction
 1136 and other strategies prescribed by the school district, which
 1137 may include, but are not limited to:

- 1138 a. Small group instruction.
- 1139 b. Reduced teacher-student ratios.
- 1140 c. More frequent progress monitoring.
- 1141 d. Tutoring or mentoring.
- 1142 e. Transition classes containing 3rd and 4th grade
 1143 students.
- 1144 f. Extended school day, week, or year.
- 1145 g. Summer reading camps.

HB 473

2010

1146 3. Provide written notification to the parent of any
1147 student who is retained under the provisions of paragraph (5) (b)
1148 that his or her child has not met the proficiency level required
1149 for promotion and the reasons the child is not eligible for a
1150 good cause promotion ~~exemption~~ as provided in paragraph (6) (b).
1151 The notification must comply with the provisions of s.
1152 1002.20(15) and must include a description of proposed
1153 interventions and supports that will be provided to the child to
1154 remediate the identified areas of reading deficiency.

1155 4. Implement a policy for the midyear promotion of any
1156 student retained under the provisions of paragraph (5) (b) who
1157 can demonstrate that he or she is a successful and independent
1158 reader, reading at or above grade level, and ready to be
1159 promoted to grade 4. Tools that school districts may use in
1160 reevaluating any student retained may include subsequent
1161 assessments, alternative assessments, and portfolio reviews, in
1162 accordance with rules of the State Board of Education. Students
1163 promoted during the school year after November 1 must
1164 demonstrate proficiency ~~above that required to score at Level 2~~
1165 ~~on the grade 3 FCAT~~, as determined by the State Board of
1166 Education. The State Board of Education shall adopt standards
1167 that provide a reasonable expectation that the student's
1168 progress is sufficient to master appropriate 4th grade level
1169 reading skills.

1170 5. Provide students who are retained under the provisions
1171 of paragraph (5) (b) with a high-performing teacher as determined
1172 by student performance data and above-satisfactory performance
1173 appraisals.

HB 473

2010

1174 6. In addition to required reading enhancement and
1175 acceleration strategies, provide parents of students to be
1176 retained with at least one of the following instructional
1177 options:

1178 a. Supplemental tutoring in scientifically research-based
1179 reading services in addition to the regular reading block,
1180 including tutoring before and/or after school.

1181 b. A "Read at Home" plan outlined in a parental contract,
1182 including participation in "Families Building Better Readers
1183 Workshops" and regular parent-guided home reading.

1184 c. A mentor or tutor with specialized reading training.

1185 7. Establish a Reading Enhancement and Acceleration
1186 Development (READ) Initiative. The focus of the READ Initiative
1187 shall be to prevent the retention of grade 3 students and to
1188 offer intensive accelerated reading instruction to grade 3
1189 students who failed to meet standards for promotion to grade 4
1190 and to each K-3 student who is assessed as exhibiting a reading
1191 deficiency. The READ Initiative shall:

1192 a. Be provided to all K-3 students at risk of retention as
1193 identified by the statewide assessment system used in Reading
1194 First schools. The assessment must measure phonemic awareness,
1195 phonics, fluency, vocabulary, and comprehension.

1196 b. Be provided during regular school hours in addition to
1197 the regular reading instruction.

1198 c. Provide a state-identified reading curriculum that has
1199 been reviewed by the Florida Center for Reading Research at
1200 Florida State University and meets, at a minimum, the following
1201 specifications:

HB 473

2010

1202 (I) Assists students assessed as exhibiting a reading
1203 deficiency in developing the ability to read at grade level.

1204 (II) Provides skill development in phonemic awareness,
1205 phonics, fluency, vocabulary, and comprehension.

1206 (III) Provides scientifically based and reliable
1207 assessment.

1208 (IV) Provides initial and ongoing analysis of each
1209 student's reading progress.

1210 (V) Is implemented during regular school hours.

1211 (VI) Provides a curriculum in core academic subjects to
1212 assist the student in maintaining or meeting proficiency levels
1213 for the appropriate grade in all academic subjects.

1214 8. Establish at each school, where applicable, an
1215 Intensive Acceleration Class for retained grade 3 students ~~who~~
1216 ~~subsequently score at Level 1 on the reading portion of the~~
1217 ~~FCAT~~. The focus of the Intensive Acceleration Class shall be to
1218 increase a child's reading level at least two grade levels in 1
1219 school year. The Intensive Acceleration Class shall:

1220 a. Be provided to any student in grade 3 who does not meet
1221 the proficiency level in reading required for promotion scores
1222 ~~at Level 1 on the reading portion of the FCAT~~ and who was
1223 retained in grade 3 the prior year because of inadequate
1224 proficiency in reading scoring at Level 1 on the reading portion
1225 ~~of the FCAT~~.

1226 b. Have a reduced teacher-student ratio.

1227 c. Provide uninterrupted reading instruction for the
1228 majority of student contact time each day and incorporate
1229 opportunities to master the grade 4 Next Generation Sunshine

1230 State Standards in other core subject areas.

1231 d. Use a reading program that is scientifically research-

1232 based and has proven results in accelerating student reading

1233 achievement within the same school year.

1234 e. Provide intensive language and vocabulary instruction

1235 using a scientifically research-based program, including use of

1236 a speech-language therapist.

1237 f. Include weekly progress monitoring measures to ensure

1238 progress is being made.

1239 g. Report to the Department of Education, in the manner

1240 described by the department, the progress of students in the

1241 class at the end of the first semester.

1242 9. Report to the State Board of Education, as requested,

1243 on the specific intensive reading interventions and supports

1244 implemented at the school district level. The Commissioner of

1245 Education shall annually prescribe the required components of

1246 requested reports.

1247 10. Provide a student who has been retained in grade 3 and

1248 has received intensive instructional services but is still not

1249 ready for grade promotion, as determined by the school district,

1250 the option of being placed in a transitional instructional

1251 setting. Such setting shall specifically be designed to produce

1252 learning gains sufficient to meet grade 4 performance standards

1253 while continuing to remediate the areas of reading deficiency.

1254 (8) ANNUAL REPORT.—

1255 (a) In addition to the requirements in paragraph (5) (b),

1256 each district school board must annually report to the parent of

1257 each student the progress of the student toward achieving state

1258 and district expectations for proficiency in language arts
 1259 ~~reading, writing,~~ science, and mathematics. The district school
 1260 board must report to the parent the student's results on each
 1261 statewide assessment test. The evaluation of each student's
 1262 progress must be based upon the student's classroom work,
 1263 observations, tests, district and state assessments, and other
 1264 relevant information. Progress reporting must be provided to the
 1265 parent in writing in a format adopted by the district school
 1266 board.

1267 (b) Each district school board must annually publish in
 1268 the local newspaper, and report in writing to the State Board of
 1269 Education by September 1 of each year, the following information
 1270 on the prior school year:

1271 1. The provisions of this section relating to public
 1272 school student progression and the district school board's
 1273 policies and procedures on student retention and promotion.

1274 2. By grade, the number and percentage of all students in
 1275 grades 3 through 12 ~~10~~ performing below proficiency levels for
 1276 the grade on statewide subject area assessments and end-of-
 1277 course examinations in language arts, mathematics, and science
 1278 ~~at Levels 1 and 2 on the reading portion of the FCAT.~~

1279 3. By grade, the number and percentage of all students
 1280 retained in grades 3 through 12 ~~10~~.

1281 4. Information on the total number of students who were
 1282 promoted for good cause, by each category of good cause as
 1283 specified in paragraph (6) (b).

1284 5. Any revisions to the district school board's policy on
 1285 student retention and promotion from the prior year.

1286 Section 12. Subsection (3) of section 1008.30, Florida
 1287 Statutes, is amended to read:

1288 1008.30 Common placement testing for public postsecondary
 1289 education.—

1290 (3) The State Board of Education shall adopt rules that
 1291 require high schools to evaluate before the beginning of grade
 1292 12 the college readiness of each student who indicates an
 1293 interest in postsecondary education ~~and scores at Level 2 or~~
 1294 ~~Level 3 on the reading portion of the grade 10 FCAT or Level 2,~~
 1295 ~~Level 3, or Level 4 on the mathematics portion of the grade 10~~
 1296 ~~FCAT.~~ High schools shall perform this evaluation using results
 1297 from the corresponding component of the common placement test
 1298 prescribed in this section, or an equivalent test identified by
 1299 the State Board of Education. The Department of Education shall
 1300 purchase or develop the assessments necessary to perform the
 1301 evaluations required by this subsection and shall work with the
 1302 school districts to administer the assessments. The State Board
 1303 of Education shall establish by rule the minimum test scores a
 1304 student must achieve to demonstrate readiness. Students who
 1305 demonstrate readiness by achieving the minimum test scores
 1306 established by the state board and enroll in a community college
 1307 within 2 years of achieving such scores shall not be required to
 1308 enroll in remediation courses as a condition of acceptance to
 1309 any community college. The high school shall use the results of
 1310 the test to advise the students of any identified deficiencies
 1311 and to the maximum extent practicable provide 12th grade
 1312 students access to appropriate remedial instruction prior to
 1313 high school graduation. The remedial instruction provided under

1314 this subsection shall be a collaborative effort between
 1315 secondary and postsecondary educational institutions. To the
 1316 extent courses are available, the Florida Virtual School may be
 1317 used to provide the remedial instruction required by this
 1318 subsection.

1319 Section 13. Paragraphs (b) and (c) of subsection (3) and
 1320 subsection (4) of section 1008.34, Florida Statutes, are amended
 1321 to read:

1322 1008.34 School grading system; school report cards;
 1323 district grade.—

1324 (3) DESIGNATION OF SCHOOL GRADES.—

1325 (b)1. Beginning with the 2014-2015 school year for schools
 1326 comprised of any combination of grades 3 through 8, 25 percent
 1327 of the school grade shall be based on subject area assessment
 1328 scores or end-of-course examination scores in core and noncore
 1329 subjects administered under s. 1008.22, as applicable, and the
 1330 remaining 75 percent on the following factors:

1331 a. Student achievement scores, including achievement
 1332 scores for students seeking a special diploma;

1333 b. Student learning gains as measured by annual subject
 1334 area assessments in grades 3 through 5 or end-of-course
 1335 examinations in grades 6 through 8 and learning gains for
 1336 students seeking a special diploma as measured by alternate
 1337 assessment tools, if necessary;

1338 c. Improvement of the lowest 25th percentile of students
 1339 in the school on subject area assessments in grades 3 through 5
 1340 or end-of-course examinations in grades 6 through 8, unless
 1341 these students are exhibiting satisfactory performance;

HB 473

2010

1342 d. The overall academic performance of the students in the
1343 school based on grade point average, student portfolios,
1344 readiness for grade promotion, and, if determined by the State
1345 Board of Education, other measurable indicators of student
1346 progress;

1347 e. The growth or decline in the components listed in sub-
1348 subparagraphs a.-d. from year to year; and

1349 f. The school's use of technology and innovative
1350 practices. A school's grade shall be based on a combination of:

1351 a. Student achievement scores, including achievement
1352 scores for students seeking a special diploma.

1353 b. Student learning gains as measured by annual FCAT
1354 assessments in grades 3 through 10; learning gains for students
1355 seeking a special diploma, as measured by an alternate
1356 assessment tool, shall be included not later than the 2009-2010
1357 school year.

1358 c. Improvement of the lowest 25th percentile of students
1359 in the school in reading, mathematics, or writing on the FCAT,
1360 unless these students are exhibiting satisfactory performance.

1361 2. Beginning with the 2014-2015 ~~2009-2010~~ school year for
1362 schools comprised of high school grades 9, 10, 11, and 12, or
1363 grades 10, 11, and 12:

1364 a. Fifty, ~~50~~ percent of the school grade shall be based on
1365 a combination of the following factors:

1366 (I) Student achievement scores, including achievement
1367 scores for students seeking a special diploma;

1368 (II) Student learning gains as measured by end-of-course
1369 examinations and learning gains for students seeking a special

HB 473

2010

1370 diploma as measured by alternate assessment tools, if necessary;

1371 and

1372 (III) Improvement of the lowest 25th percentile of
 1373 students in the school on end-of-course examinations, unless
 1374 these students are exhibiting satisfactory performance. listed
 1375 ~~in sub-subparagraphs 1.a. c. and~~

1376 b. The remaining 50 percent of the school grade shall be
 1377 based on the following factors:

1378 (I) a. The high school graduation rate of the school;

1379 (II) b. As valid data becomes available, the performance
 1380 and participation of the school's students in College Board
 1381 Advanced Placement courses, International Baccalaureate courses,
 1382 dual enrollment courses, and Advanced International Certificate
 1383 of Education courses; and the students' achievement of industry
 1384 certification, as determined by the Agency for Workforce
 1385 Innovation under s. 1003.492(2) in a career and professional
 1386 academy, as described in s. 1003.493;

1387 (III) c. Postsecondary readiness of the school's students
 1388 as measured by the SAT, ACT, or the common placement test;

1389 (IV) d. The high school graduation rate of at-risk students
 1390 who did not meet proficiency levels scored at Level 2 or lower
 1391 on the grade 8 end-of-course FCAT Reading and Mathematics
 1392 examinations in language arts, mathematics, and science;

1393 (V) e. ~~As valid data becomes available,~~ The performance of
 1394 the school's students on statewide standardized end-of-course
 1395 examinations ~~assessments~~ administered under s. 1008.22; and

HB 473

2010

1396 ~~(VI) f.~~ The growth or decline in the components listed in
1397 sub-sub-subparagraphs (I)-(VI) ~~sub-subparagraphs a.-e.~~ from year
1398 to year.

1399 (c) Student assessment data used in determining school
1400 grades shall include:

1401 1. The aggregate scores of all eligible students enrolled
1402 in the school who have been assessed on subject area assessments
1403 or end-of-course examinations ~~the FCAT~~.

1404 2. The aggregate scores of all eligible students enrolled
1405 in the school who have been assessed on subject area assessments
1406 or end-of-course examinations ~~the FCAT~~ and who have scored at or
1407 in the lowest 25th percentile of students in the school ~~in~~
1408 ~~reading, mathematics, or writing~~, unless these students are
1409 exhibiting satisfactory performance.

1410 3. ~~Effective with the 2005-2006 school year,~~ The subject
1411 area assessment achievement scores, end-of-course examination
1412 scores, and learning gains of eligible students attending
1413 alternative schools that provide dropout prevention and academic
1414 intervention services pursuant to s. 1003.53. The term "eligible
1415 students" in this subparagraph does not include students
1416 attending an alternative school who are subject to district
1417 school board policies for expulsion for repeated or serious
1418 offenses, who are in dropout retrieval programs serving students
1419 who have officially been designated as dropouts, or who are in
1420 programs operated or contracted by the Department of Juvenile
1421 Justice. The student performance data for eligible students
1422 identified in this subparagraph shall be included in the
1423 calculation of the home school's grade. As used in this section

HB 473

2010

1424 and s. 1008.341, the term "home school" means the school to
1425 which the student would be assigned if the student were not
1426 assigned to an alternative school. If an alternative school
1427 chooses to be graded under this section, student performance
1428 data for eligible students identified in this subparagraph shall
1429 not be included in the home school's grade but shall be included
1430 only in the calculation of the alternative school's grade. ~~A~~
1431 ~~school district that fails to assign the FCAT scores of each of~~
1432 ~~its students to his or her home school or to the alternative~~
1433 ~~school that receives a grade shall forfeit Florida School~~
1434 ~~Recognition Program funds for 1 fiscal year.~~ School districts
1435 must require collaboration between the home school and the
1436 alternative school in order to promote student success. This
1437 collaboration must include an annual discussion between the
1438 principal of the alternative school and the principal of each
1439 student's home school concerning the most appropriate school
1440 assignment of the student.

1441 4. Beginning with the 2014-2015 ~~2009-2010~~ school year for
1442 schools comprised of high school grades 9, 10, 11, and 12, or
1443 grades 10, 11, and 12, the data listed in subparagraphs 1.-3.
1444 and the following data as the Department of Education determines
1445 such data are valid and available:

1446 a. The high school graduation rate of the school as
1447 calculated by the Department of Education;

1448 b. The participation rate of all eligible students
1449 enrolled in the school and enrolled in College Board Advanced
1450 Placement courses; International Baccalaureate courses; dual
1451 enrollment courses; Advanced International Certificate of

HB 473

2010

1452 Education courses; and courses or sequence of courses leading to
 1453 industry certification, as determined by the Agency for
 1454 Workforce Innovation under s. 1003.492(2) in a career and
 1455 professional academy, as described in s. 1003.493;

1456 c. The aggregate scores of all eligible students enrolled
 1457 in the school in College Board Advanced Placement courses,
 1458 International Baccalaureate courses, and Advanced International
 1459 Certificate of Education courses;

1460 d. Earning of college credit by all eligible students
 1461 enrolled in the school in dual enrollment programs under s.
 1462 1007.271;

1463 e. Earning of an industry certification, as determined by
 1464 the Agency for Workforce Innovation under s. 1003.492(2) in a
 1465 career and professional academy, as described in s. 1003.493;

1466 f. The aggregate scores of all eligible students enrolled
 1467 in the school in reading, mathematics, and other subjects as
 1468 measured by the SAT, the ACT, and the common placement test for
 1469 postsecondary readiness;

1470 g. The high school graduation rate of all eligible at-risk
 1471 students enrolled in the school who did not meet proficiency
 1472 levels scored at Level 2 or lower on the grade 8 end-of-course
 1473 examinations in language arts, mathematics, and science FCAT
 1474 Reading and Mathematics examinations;

1475 h. The performance of the school's students on statewide
 1476 standardized end-of-course examinations ~~assessments~~ administered
 1477 under s. 1008.22; and

1478 i. The growth or decline in the data components listed in
 1479 sub-subparagraphs a.-h. from year to year.

HB 473

2010

1480
1481 The State Board of Education shall adopt appropriate criteria
1482 for each school grade. The criteria must also give added weight
1483 to student achievement in language arts ~~reading~~. Schools
1484 designated with a grade of "C," making satisfactory progress,
1485 shall be required to demonstrate that adequate progress has been
1486 made by students in the school who are in the lowest 25th
1487 percentile on subject area assessments or end-of-course
1488 examinations in language arts ~~reading~~, mathematics, or science
1489 ~~writing on the FCAT~~, unless these students are exhibiting
1490 satisfactory performance. Beginning with the 2014-2015 ~~2009-2010~~
1491 school year for schools comprised of high school grades 9, 10,
1492 11, and 12, or grades 10, 11, and 12, the criteria for school
1493 grades must also give added weight to the graduation rate of all
1494 eligible at-risk students, as defined in this paragraph.
1495 Beginning in the 2014-2015 ~~2009-2010~~ school year, in order for a
1496 high school to be designated as having a grade of "A," making
1497 excellent progress, the school must demonstrate that at-risk
1498 students, as defined in this paragraph, in the school are making
1499 adequate progress.

1500 (4) SCHOOL IMPROVEMENT RATINGS.—The annual report shall
1501 identify each school's performance as having improved, remained
1502 the same, or declined. This school improvement rating shall be
1503 based on a comparison of the current year's and previous year's
1504 student and school performance data. ~~Schools that improve at~~
1505 ~~least one grade level are eligible for school recognition awards~~
1506 ~~pursuant to s. 1008.36.~~

1507 Section 14. Subsections (2) and (3) of section 1008.341,

1508 Florida Statutes, are amended to read:
 1509 1008.341 School improvement rating for alternative
 1510 schools.—
 1511 (2) SCHOOL IMPROVEMENT RATING.—An alternative school that
 1512 provides dropout prevention and academic intervention services
 1513 pursuant to s. 1003.53 shall receive a school improvement rating
 1514 pursuant to this section. However, an alternative school shall
 1515 not receive a school improvement rating if the number of its
 1516 students for whom student performance data is available for the
 1517 current year and previous year is less than the minimum sample
 1518 size necessary, based on accepted professional practice, for
 1519 statistical reliability and prevention of the unlawful release
 1520 of personally identifiable student data under s. 1002.22 or 20
 1521 U.S.C. s. 1232g. The school improvement rating shall identify an
 1522 alternative school as having one of the following ratings
 1523 defined according to rules of the State Board of Education:
 1524 (a) "Improving" means the students attending the school
 1525 are making more academic progress than when the students were
 1526 served in their home schools.
 1527 (b) "Maintaining" means the students attending the school
 1528 are making progress equivalent to the progress made when the
 1529 students were served in their home schools.
 1530 (c) "Declining" means the students attending the school
 1531 are making less academic progress than when the students were
 1532 served in their home schools.
 1533
 1534 The school improvement rating shall be based on a comparison of
 1535 student performance data for the current year and previous year.

HB 473

2010

1536 ~~Schools that improve at least one level or maintain an~~
1537 ~~"improving" rating pursuant to this section are eligible for~~
1538 ~~school recognition awards pursuant to s. 1008.36.~~

1539 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data
1540 used in determining an alternative school's school improvement
1541 rating shall include:

1542 (a) The aggregate scores of all eligible students who were
1543 assigned to and enrolled in the school during the October or
1544 February FTE count, who have been assessed on subject area
1545 assessments in grades 3 through 5 or end-of-course examinations
1546 in grades 6 through 12 ~~the FCAT~~, and who have ~~FCAT~~ or comparable
1547 scores for the preceding school year.

1548 (b) The aggregate scores of all eligible students who were
1549 assigned to and enrolled in the school during the October or
1550 February FTE count, who have been assessed on subject area
1551 assessments in grades 3 through 5 or end-of-course examinations
1552 in grades 6 through 12, ~~the FCAT~~ and who have scored in the
1553 lowest 25th percentile of students in the state ~~on FCAT Reading~~.

1554 (c) The overall academic performance of all eligible
1555 students in grades 3 through 12 based on grade point average,
1556 student portfolios, readiness for grade promotion, readiness for
1557 postsecondary education and careers, and, if determined by the
1558 State Board of Education, other measurable indicators of student
1559 progress.

1560
1561 The assessment scores of students who are subject to district
1562 school board policies for expulsion for repeated or serious
1563 offenses, who are in dropout retrieval programs serving students

HB 473

2010

1564 who have officially been designated as dropouts, or who are in
 1565 programs operated or contracted by the Department of Juvenile
 1566 Justice may not be included in an alternative school's school
 1567 improvement rating.

1568 Section 15. Paragraph (b) of subsection (7) of section
 1569 1008.345, Florida Statutes, is amended to read:

1570 1008.345 Implementation of state system of school
 1571 improvement and education accountability.—

1572 (7)

1573 (b) Schools that have improved at least two grades ~~and~~
 1574 ~~that meet the criteria of the Florida School Recognition Program~~
 1575 ~~pursuant to s. 1008.36~~ may be given deregulated status as
 1576 specified in s. 1003.63(5), (7), (8), (9), and (10).

1577 Section 16. Section 1008.36, Florida Statutes, is amended
 1578 to read:

1579 1008.36 Every Child Matters Program ~~Florida School~~
 1580 ~~Recognition Program.~~—

1581 (1) The Legislature finds that in order to provide every
 1582 student enrolled in K-12 public schools with the opportunity to
 1583 achieve a successful public education, academic problems must be
 1584 identified early, with remediation and intervention services to
 1585 follow ~~there is a need for a performance incentive program for~~
 1586 ~~outstanding faculty and staff in highly productive schools. The~~
 1587 ~~Legislature further finds that performance-based incentives are~~
 1588 ~~commonplace in the private sector and should be infused into the~~
 1589 ~~public sector as a reward for productivity.~~

HB 473

2010

1590 (2) The Every Child Matters Program ~~Florida School~~
1591 ~~Recognition Program~~ is created to provide ~~financial awards to~~
1592 ~~public schools that:~~

1593 (a) A curriculum-based, year-round measurement of academic
1594 performance for all public school students enrolled in
1595 kindergarten through grade 12. Sustain high performance by
1596 receiving a school grade of "A," making excellent progress; or

1597 (b) Remediation and intervention services to all public
1598 school students enrolled in kindergarten through grade 12 who
1599 are not meeting grade-level performance expectations.

1600 ~~Demonstrate exemplary improvement due to innovation and effort~~
1601 ~~by improving at least one letter grade or by improving more than~~
1602 ~~one letter grade and sustaining the improvement the following~~
1603 ~~school year.~~

1604 (3) All public schools, including charter schools, ~~that~~
1605 ~~receive a school grade pursuant to s. 1008.34~~ are eligible to
1606 participate in the program.

1607 (4) All ~~selected~~ schools shall receive financial
1608 assistance awards depending on the availability of funds
1609 ~~appropriated and the number and size of schools selected to~~
1610 ~~receive an award.~~ Funds must be distributed to the school's
1611 fiscal agent and placed in the school's account and must be used
1612 for purposes listed in subsection (5) as determined jointly by
1613 the school's staff and school advisory council. ~~If school staff~~
1614 ~~and the school advisory council cannot reach agreement by~~
1615 ~~November 1, the awards must be equally distributed to all~~
1616 ~~classroom teachers currently teaching in the school.~~

HB 473

2010

1617 (5) Every Child Matters Program funds ~~School recognition~~
1618 ~~awards~~ must be used for the following:

1619 (a) Administration of a regular formative assessment
1620 approved by the State Board of Education ~~Nonrecurring bonuses to~~
1621 ~~the faculty and staff;~~

1622 (b) Nonrecurring expenditures for remediation of low-
1623 performing students, including remediation programs and
1624 intervention services adopted and administered by the Department
1625 of Education;

1626 ~~(c)-(b)~~ Nonrecurring expenditures for educational equipment
1627 or materials to assist in the remediation of low-performing
1628 students; maintaining and improving student performance; or

1629 ~~(d)-(e)~~ Temporary personnel for the school to assist in the
1630 remediation of low-performing students; maintaining and
1631 improving student performance.

1632 (e) Contracts with private sector participants to provide
1633 remediation services if 90 percent of the personnel providing
1634 services reside in the state and the contracts include
1635 requirements to ensure that the private sector participants are
1636 accountable for performance; or

1637 (f) Transportation of students pursuant to s. 1002.31(3).

1638 (6) The Department of Education shall provide training and
1639 informational resources for educators to administer the
1640 formative assessment pursuant to paragraph (5)(a) and shall be
1641 responsible for developing and implementing provisions for the
1642 collection and analysis of the assessment data.

1643 (7) The Department of Education shall establish policies
1644 and procedures for the development of individual education plans

HB 473

2010

1645 for low-performing students who receive remediation and
 1646 intervention services pursuant to this section.

1647
 1648 ~~Notwithstanding statutory provisions to the contrary, incentive~~
 1649 ~~awards are not subject to collective bargaining.~~

1650 Section 17. Paragraph (b) of subsection (1) of section
 1651 1009.531, Florida Statutes, is amended to read:

1652 1009.531 Florida Bright Futures Scholarship Program;
 1653 student eligibility requirements for initial awards.—

1654 (1) Effective January 1, 2008, in order to be eligible for
 1655 an initial award from any of the three types of scholarships
 1656 under the Florida Bright Futures Scholarship Program, a student
 1657 must:

1658 (b) Earn a standard Florida high school diploma or its
 1659 equivalent as described in s. 1003.428, s. 1003.429, s. 1003.43,
 1660 or s. 1003.435 unless:

1661 1. The student completes a home education program
 1662 according to s. 1002.41; or

1663 2. The student earns a high school diploma from a non-
 1664 Florida school while living with a parent or guardian who is on
 1665 military or public service assignment away from Florida.

1666 Section 18. Paragraph (d) of subsection (7) and paragraph
 1667 (c) of subsection (9) of section 1011.62, Florida Statutes, are
 1668 amended to read:

1669 1011.62 Funds for operation of schools.—If the annual
 1670 allocation from the Florida Education Finance Program to each
 1671 district for operation of schools is not determined in the
 1672 annual appropriations act or the substantive bill implementing

1673 the annual appropriations act, it shall be determined as
 1674 follows:

1675 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

1676 (d) Each district's allocation of sparsity supplement
 1677 funds shall be adjusted in the following manner:

1678 1. A maximum discretionary levy per FTE value for each
 1679 district shall be calculated by dividing the value of each
 1680 district's maximum discretionary levy by its FTE student count.

1681 2. A state average discretionary levy value per FTE shall
 1682 be calculated by dividing the total maximum discretionary levy
 1683 value for all districts by the state total FTE student count.

1684 3. A total potential funds per FTE for each district shall
 1685 be calculated by dividing the total potential funds, not
 1686 including Every Child Matters Program ~~Florida School Recognition~~
 1687 ~~Program~~ funds and the minimum guarantee, for each district by
 1688 its FTE student count.

1689 4. A state average total potential funds per FTE shall be
 1690 calculated by dividing the total potential funds, not including
 1691 Every Child Matters Program ~~Florida School Recognition Program~~
 1692 funds and the minimum guarantee, for all districts by the state
 1693 total FTE student count.

1694 5. For districts that have a levy value per FTE as
 1695 calculated in subparagraph 1. higher than the state average
 1696 calculated in subparagraph 2., a sparsity wealth adjustment
 1697 shall be calculated as the product of the difference between the
 1698 state average levy value per FTE calculated in subparagraph 2.
 1699 and the district's levy value per FTE calculated in subparagraph
 1700 1. and the district's FTE student count and -1. However, no

HB 473

2010

1701 district shall have a sparsity wealth adjustment that, when
 1702 applied to the total potential funds calculated in subparagraph
 1703 3., would cause the district's total potential funds per FTE to
 1704 be less than the state average calculated in subparagraph 4.

1705 6. Each district's sparsity supplement allocation shall be
 1706 calculated by adding the amount calculated as specified in
 1707 paragraphs (a) and (b) and the wealth adjustment amount
 1708 calculated in this paragraph.

1709 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

1710 (c) Funds allocated under this subsection must be used to
 1711 provide a system of comprehensive reading instruction to
 1712 students enrolled in the K-12 programs, which may include the
 1713 following:

1714 1. The provision of highly qualified reading coaches.

1715 2. Professional development for school district teachers
 1716 in scientifically based reading instruction, including
 1717 strategies to teach reading in content areas and with an
 1718 emphasis on technical and informational text.

1719 3. The provision of summer reading camps for students who
 1720 are reading below grade level ~~score at Level 1 on FCAT Reading.~~

1721 4. The provision of supplemental instructional materials
 1722 that are grounded in scientifically based reading research.

1723 5. The provision of intensive interventions for middle and
 1724 high school students reading below grade level.

1725 Section 19. Paragraph (b) of subsection (1) of section
 1726 1012.22, Florida Statutes, is amended to read:

1727 1012.22 Public school personnel; powers and duties of the
 1728 district school board.—The district school board shall:

HB 473

2010

1729 (1) Designate positions to be filled, prescribe
1730 qualifications for those positions, and provide for the
1731 appointment, compensation, promotion, suspension, and dismissal
1732 of employees as follows, subject to the requirements of this
1733 chapter:

1734 (b) Time to act on nominations.—The district school board
1735 shall act not later than 3 weeks following the receipt of ~~FCAT~~
1736 ~~scores and data, including~~ school grades, or June 30, whichever
1737 is later, on the district school superintendent's nominations of
1738 supervisors, principals, and members of the instructional staff.

1739 Section 20. (1) Effective upon this act becoming a law,
1740 the Commissioner of Education shall appoint a public school
1741 assessment and accountability alignment committee to develop:

1742 (a) Standards for a revised statewide student assessment
1743 program under s. 1008.22, Florida Statutes, consisting of
1744 subject area assessments for students in grades 3 through 5,
1745 subject area assessments and end-of-course examinations in core
1746 and noncore subject areas for students in grades 6 through 12,
1747 and diagnostic assessments for students in grades 6, 8, and 10.

1748 (b) Procedures for transitioning elementary schools from
1749 the use of the Florida Comprehensive Assessment Test to the use
1750 of subject area assessments and procedures for transitioning
1751 middle schools and high schools from the use of the Florida
1752 Comprehensive Assessment Test to the use of subject area
1753 assessments and end-of-course examinations.

1754 (c) Standards for revised formulas for determining school
1755 grades and school improvement ratings under ss. 1008.34 and
1756 1008.341, Florida Statutes.

HB 473

2010

1757 (2) The committee shall align the components of the
1758 revised statewide student assessment program to best prepare
1759 students to progress from one grade to the next and to
1760 postsecondary education or careers after high school.

1761 (3) To ensure that the alignment committee represents a
1762 cross-section of education stakeholders, it shall be composed of
1763 individuals from:

1764 (a) The education community, including, but not limited
1765 to, teachers and administrators representing elementary,
1766 secondary, and higher education.

1767 (b) Education associations, including, but not limited to,
1768 associations for teachers, school administrators, and district
1769 school boards.

1770 (c) State government and local government.

1771 (d) The business community.

1772 (e) Independent education researchers or experts.

1773 (4) Members of the alignment committee shall serve without
1774 compensation but may be reimbursed for per diem and travel
1775 expenses in accordance with s. 112.061, Florida Statutes.

1776 (5) The alignment committee may conduct public hearings
1777 around the state to obtain public input for the development of a
1778 revised statewide student assessment program and formulas for
1779 determining school grades and school improvement ratings.

1780 (6) (a) By August 1, 2010, the alignment committee shall
1781 begin work on the following:

1782 1. Developing new subject area assessments for students in
1783 grades 3 through 5, subject area assessments and end-of-course
1784 examinations for students in grades 6 through 12, and diagnostic

HB 473

2010

1785 assessments for students in grades 6, 8, and 10.

1786 2. Transitioning to a revised method for determining
1787 school grades and school improvement ratings based on factors
1788 that include subject area assessments, end-of-course
1789 examinations, overall student academic performance, and a
1790 school's use of technology and innovative practices.

1791 (b) By August 1, 2013:

1792 1. The State Board of Education shall adopt rules pursuant
1793 to ss. 120.536(1) and 120.54, Florida Statutes, to implement the
1794 revised statewide student assessment program and school grading
1795 system as part of the state's public school assessment and
1796 accountability system beginning with the 2014-2015 school year.

1797 2. The Department of Education and school districts shall
1798 begin training and professional development for teachers, school
1799 administrators, and other educational personnel in use of the
1800 new subject area assessments, end-of-course examinations, and
1801 diagnostic assessments.

1802 (7) The alignment committee shall expire upon completion
1803 of its activities but no later than August 1, 2013.

1804 Section 21. Except as otherwise expressly provided in this
1805 act, this act shall take effect July 1, 2014.