

CHAPTER 97-2

Committee Substitute for Senate Bill No. 458

An act relating to student standards; amending s. 11.42, F.S.; correcting a cross reference; amending s. 229.565, F.S., relating to educational evaluation procedures; revising provisions relating to student performance standards; providing for the Commissioner of Education to adopt rules; deleting obsolete language; correcting a cross reference; amending s. 229.57, F.S.; revising provisions relating to the student assessment program in the public schools; revising the statewide student achievement testing program and providing test requirements; revising requirements of the school district testing programs; amending s. 230.2305, F.S.; correcting a cross reference; amending s. 232.245, F.S., relating to pupil progression; conforming provisions relating to the cumulative grade point average required for graduation; requiring intensive reading instruction under certain circumstances; authorizing retention under certain circumstances; amending s. 232.2454, F.S.; revising provisions relating to student performance standards; amending s. 232.246, F.S., relating to requirements for high school graduation; revising certain credit requirements; providing for satisfaction of certain requirements; raising the required cumulative grade point average for 9th graders entering during the 1997-1998 school year and thereafter; raising the required cumulative grade point average that must be earned prospectively by students who entered the 9th grade before the 1997-1998 school year; restricting credit for certain courses; correcting cross references; amending s. 232.2462, F.S.; providing requirements for receipt of high school credit through articulated acceleration; amending s. 232.2463, F.S.; revising provisions relating to the high school grading system; amending s. 232.425, F.S.; raising the grade point average required for participation in interscholastic extracurricular student activities; providing for participation based on conduct and on school board policy under certain circumstances; amending s. 233.011, F.S.; deleting obsolete language; correcting cross references; amending s. 233.065, F.S.; allowing the posting and reading of historic documents subject to certain restrictions; amending s. 240.116, F.S.; requiring the adoption of guidelines relating to dual enrollment; amending s. 240.1161, F.S., relating to district interinstitutional articulation agreements; adding a component; deleting obsolete language; clarifying language; amending s. 240.117, F.S., relating to the common placement test for postsecondary education; revising a dual enrollment requirement; amending s. 240.118, F.S.; requiring the recommendation of statutory changes to reduce postsecondary remediation; amending s. 240.529, F.S.; requiring standards for preparation of teachers to instruct students in higher-level mathematics concepts; providing an effective date.

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

Section 1. Paragraph (b) of subsection (3) of section 11.42, Florida Statutes, 1996 Supplement, is amended to read:

11.42 The Auditor General.—

(3)

(b)1. No person shall be employed as a financial auditor who does not possess the qualifications to take the examination for a certificate as certified public accountant under the laws of this state, and no person shall be employed or retained as legal adviser, on either a full-time or a part-time basis, who is not a member of The Florida Bar.

2. Notwithstanding the provisions of subparagraph 1., employees in the positions associated with the Florida Education Finance Program full-time enrollment verification function that is assigned to the Auditor General pursuant to s. 229.565~~(2)~~(3) may continue to meet the job qualifications that existed prior to such transfer for a period of 3 years after such transfer. Thereafter, they shall meet the requirements of subparagraph 1. This subparagraph is repealed on July 1, 1998.

Section 2. Section 229.565, Florida Statutes, is amended to read:

229.565 Educational evaluation procedures.—

(1) STUDENT PERFORMANCE STANDARDS.—

(a) The State Board of Education shall approve student performance standards in the various program categories and chronological grade levels which the Commissioner of Education designates as necessary for maintaining a good educational system. The standards must apply, without limitation, to language arts, mathematics, science, social studies, the arts, health and physical education, and foreign language reading, writing, mathematics, science, history, government, geography, economics, and computer literacy. The commissioner shall obtain opinions and advice from citizens, educators, and members of the business community in developing the standards. For purposes of this section, the term “student performance standard” means a statement describing a skill or competency students are expected to learn.

(b) The student performance standards must address the skills and competencies that a student must learn in order to graduate from high school. The commissioner shall also develop performance standards for students who learn a higher level of skills and competencies.

~~(c) Section 3, chapter 83-327, Laws of Florida, shall be implemented in the 1983-1984 school year and thereafter only to the extent specifically funded and authorized by law.~~

~~(2) STANDARDS OF EXCELLENCE.—The State Board of Education shall approve performance standards of excellence in, but not limited to, mathematics and science, which the Commissioner of Education determines shall best indicate the status of the state system of public education. This~~

provision shall be implemented in the 1983-1984 school year and thereafter only to the extent specifically funded and authorized by law.

(2)(3) EDUCATION EVALUATION.—The Commissioner of Education, or the Auditor General as provided in paragraph (a), shall periodically examine and evaluate procedures, records, and programs in each district to determine compliance with law and rules established by the state board, or by the Commissioner of Education, and in each correctional institution operated by the Department of Corrections to determine compliance with law and rules established by the Department of Corrections for the Correctional Education Program pursuant to s. 944.801. Such evaluations shall include, but not be limited to:

(a) Reported full-time equivalent membership in each program category. This evaluation shall be conducted by the Auditor General for the Florida Education Finance Program full-time enrollment verification function.

(b) The organization of all special programs to ensure compliance with law and the criteria established and approved by the state board pursuant to the provisions of this section and s. 230.23(4)(m).

(c) The procedures for identification and placement of students in educational alternative programs for students who are disruptive or unsuccessful in a normal school environment and for diagnosis and placement of students in special programs for exceptional students, to determine that the district is following the criteria for placement established by rules of the state board and the procedures for placement established by that district school board and by the Commissioner of Education.

~~(d) Procedures for screening, identification, and assignment of instructional strategies of the Florida Primary Education Program, or an approved alternative program as provided in s. 230.2312, and any other provisions of the program.~~

~~(d)(e)~~ An evaluation of the standards by which the school district evaluates basic and special programs for quality, efficiency, and effectiveness.

~~(e)(f)~~ Determination of the ratio of administrators to teachers in each school district.

~~(f)(g)~~ Compliance with the cost accounting and reporting requirements of s. 237.34 and the extent to which the percentage expenditure requirements therein are being met.

~~(g)(h)~~ Clearly defined data collection and documentation requirements, including specifications of which records and information need to be kept and how long the records need to be retained. The information and documentation needs for evaluation shall be presented to the school districts and explained well in advance of the actual audit date.

~~(h)(i)~~ Determination of school district achievement in meeting the performance standards specified in s. 232.2454(1).

(3)(4) ASSISTANCE AND ADJUSTMENTS.—If discrepancies or deficiencies are found, the Commissioner of Education shall provide information and assistance to the superintendent and personnel of the district in correcting the cited deficiencies. Priority for such assistance shall be given to providing the most deficient individual school programs with research-based problem identification strategies and alternatives to improve student performance. Such alternatives shall be systematically drawn from research related to school effectiveness, teacher effectiveness, or management effectiveness. If it is determined that the approved criteria and procedures for the placement of students and the conduct of programs have not been followed by the district, appropriate adjustments in the full-time equivalent student count for that district shall be made, and any excess funds shall be deducted from subsequent allocations of state funds to that district. As provided for by rules of the State Board of Education, if errors in a specific program of a district recur in consecutive years due to lack of corrective action by the district, adjustments may be made based upon statistical estimates of error projected to the overall district program.

(4)(5) PREKINDERGARTEN EARLY INTERVENTION PROGRAM.—The commissioner shall annually examine and evaluate the procedures, records, and programs of each district which has established a prekindergarten early intervention program to determine the district's compliance with s. 230.2305 and with the approved district plan for the prekindergarten early intervention program.

Section 3. Subsections (3), (4), (5), and (6) of section 229.57, Florida Statutes, are amended to read:

229.57 Student assessment program.—

(3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner is directed to design and implement a statewide program of educational assessment that provides information for the improvement of the operation and management of the public schools. The program must be designed, as far as possible, so as not to conflict with ongoing district assessment programs and so as to use information obtained from district programs. Pursuant to the statewide assessment program, the commissioner shall:

(a) Submit to the state board a list that specifies student skills and competencies to which the goals for education specified in the state plan apply, including, but not limited to, reading, writing, and mathematics. The skills and competencies must include problem-solving and higher-order skills as appropriate. The commissioner shall select such skills and competencies after receiving recommendations from educators, citizens, and members of the business community. ~~Such skills and competencies must include, without limitation, those which comprise minimum standards of student performance.~~ The commissioner shall submit to the state board revisions to the list of student skills and competencies in order to maintain continuous progress toward improvements in student proficiency.

(b) Develop and implement a uniform system of indicators to describe the performance of public school students and the characteristics of the public

school districts and the public schools. These indicators must include, without limitation, information gathered by the comprehensive management information system created pursuant to s. 229.555 and student achievement information obtained pursuant to this section.

(c) Develop and implement a student achievement testing program as part of the statewide assessment program, to be administered at designated times at the elementary, middle, and high school levels to measure each spring, of grades 4, 7, and 10 in reading, writing, and mathematics. The testing program must be designed so that as follows:

1. The tests measure student skills and competencies adopted by the state board as specified in paragraph (a). The tests must measure and report student proficiency levels in reading, writing, and mathematics. Other content areas may be included as directed by the commissioner. The commissioner shall provide for the tests to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary institutions, or school districts. The commissioner shall obtain input with respect to the design and implementation of the testing program from state educators and the public.

2. The tests are criterion-referenced and include, to the extent determined by the commissioner, items that require the student to produce information or perform tasks in such a way that the skills and competencies he or she uses can be measured.

~~1. For grades 4 and 7, the testing program must use nationally normed achievement tests that are administered by school districts in accordance with subsection (4). The State Board of Education shall adopt rules specifying the procedures to be used in reviewing available tests and rules designating a list of tests that are acceptable for this purpose. Each school district must administer one of the designated tests to fulfill the requirements of this section. The commissioner shall take steps to assure that the designated tests are administered in a uniform and acceptable manner and shall designate the dates of administration of these tests.~~

~~2. For grade 10, the testing program must use a nationally normed student achievement test selected through an appropriate bidding process. The commissioner shall designate the criteria to be considered in the bidding process, including, without limitation, the degree to which the nationally normed test is compatible with college-level communication and computation skills defined pursuant to s. 229.551(3)(f), the degree of relationship with the skills measured by the college-level communication and computation skills examination prescribed by s. 240.107, the technical quality of the test, the adequacy of normative data, and the security of the test forms to be used in this state. The content of the tests must include testing of problem-solving and higher-order skills to the extent possible. Participation in the 10th grade testing program is mandatory for all students in public schools except as may be otherwise prescribed by the commissioner for students not pursuing regular high school diplomas.~~

3. Each The testing program, whether at the elementary, middle, or high school level, includes programs for grades 4, 7, and 10 must include a test

of writing in which students are required to produce writings which are then scored by appropriate methods.

4. ~~For the tests for grades 4 and 7, A score is must be~~ designated for each subject area tested, below which score a student's performance is deemed inadequate. The school districts shall provide appropriate remedial instruction to students who score below these levels.

5. All 11th grade students ~~shall be required to take a~~ high school competency test ~~tests~~ developed by the state board to test minimum student performance skills and competencies in reading, writing, and mathematics. The test must be based on the skills and competencies adopted by the state board pursuant to paragraph (a). Upon recommendation of the commissioner, the state board shall designate a passing score for each part of the high school competency test. In establishing passing scores, the state board shall consider any possible negative impact of the ~~test tests~~ on minority students. A student must earn a passing score on each part taken to qualify for a regular high school diploma. ~~The commissioner shall recommend rules to the state board for the provision of test adaptations and modifications of procedures as necessary for students in exceptional education programs and for students who have limited English proficiency.~~ The school districts shall provide appropriate remedial instruction to students who do not pass part of the competency test.

6. Participation in the testing program is mandatory for all students, except as otherwise prescribed by the commissioner. The commissioner shall recommend rules to the state board for the provision of test adaptations and modifications of procedures as necessary for students in exceptional education programs and for students who have limited English proficiency.

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

The commissioner may design and implement student testing programs for any other grade level levels and subject area areas, based on procedures designated by the commissioner to monitor educational achievement in the state a census or sampling.

(d) Obtain or develop a career planning assessment to be administered to students, at their option, in grades 7 and 10 to assist them in preparing for further education or entering the workforce. The statewide student assessment program must include career planning assessment ~~as a free service to schools.~~

(e) Conduct ongoing research to develop improved methods of assessing student performance, including, without limitation, the use of technology to administer tests, the use of electronic transfer of data, the development of work-product assessments, and the development of process assessments.

(f) Conduct ongoing research and analysis of student achievement data, including, without limitation, monitoring trends in student achievement, identifying school programs that are successful, and analyzing correlates of school achievement.

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

(4) DISTRICT TESTING PROGRAMS.—Each district shall periodically assess student performance and achievement within each school of the district. ~~The Such~~ assessment programs must be based upon local goals and objectives that are compatible with the state plan for education and that supplement the skills and competencies adopted by the State Board of Education. In grades 4 and ~~8~~ 7, each district shall administer a nationally normed achievement test selected from a list approved by the state board; the data resulting from these tests must be provided to the Department of Education according to procedures specified by the commissioner. The commissioner may request achievement data for other grade levels as necessary.

(5) SCHOOL TESTING PROGRAMS.—Each public school administering an achievement test, whether at the elementary, middle, or high school level, and each public school administering grades 4, 7, and 10 as well as the high school competency test, shall prepare an analysis of the resultant data after each administration. The analysis must identify strengths and needs in the educational program and trends over time. The analysis must be used in conjunction with the budgetary planning processes developed pursuant to s. 229.555 and the development of the programs of remediation described in s. 233.051.

(6) ANNUAL REPORTS.—The commissioner shall prepare annual reports of the results of the statewide assessment program ~~in grades 4, 7, and 10~~ which describe student achievement in the state, each district, and each school. The commissioner shall prescribe the design and content of these reports which must include, without limitation, descriptions of the performance of students at both low levels and exemplary levels, as well as the performance of students scoring in the middle 50 percent of the test population.

Section 4. Subsection (8) of section 230.2305, Florida Statutes, 1996 Supplement, is amended to read:

230.2305 Prekindergarten early intervention program.—

(8) MONITORING AND TECHNICAL ASSISTANCE.—Pursuant to s. 229.565~~(4)~~(5), the Commissioner of Education shall monitor each district prekindergarten early intervention program at least annually to determine compliance with the district plan and the provisions of this section. If a program is not brought into compliance within 3 months after the commissioner's evaluation citing specific deficiencies, the commissioner must withhold such funds as have been allocated to the school board for its prekindergarten early intervention program and which have not yet been released. The department shall develop manuals and guidelines for the development of district plans and shall provide ongoing technical assistance to ensure that each district program maintains high standards of quality and effectiveness.

Section 5. Subsection (3) of section 232.245, Florida Statutes, is amended, and subsection (4) is added to said section, to read:

232.245 Pupil progression.—

(3) Each district comprehensive program for pupil progression shall attempt ~~reflect an effort~~ to identify those students at each grade level in grades 9 through 12 who have attained a cumulative grade point average at ~~of~~ 1.5 or below the minimum cumulative grade point average required for graduation pursuant to s. 232.246(5). The program must ~~shall further~~ include provisions for assisting such students to achieve the required ~~the~~ 1.5 cumulative grade point average required for graduation pursuant to s. 232.246.

(4) Beginning with the 1997-1998 school year, any student who exhibits substantial deficiency in reading skills, based on locally determined assessments conducted at the beginning of grade 2, grade 3, and grade 4, or based on teacher recommendation, must be given intensive reading instruction immediately following the identification of the reading deficiency. The student's reading proficiency must be reassessed by locally determined assessment or based on teacher recommendation at the beginning of the grade following the intensive reading instruction, and the student must continue to be given intensive reading instruction until the reading deficiency is remedied. If the student's reading deficiency is not remedied by the end of grade 5, the student may be retained.

Section 6. Subsection (2) of section 232.2454, Florida Statutes, is amended to read:

232.2454 District student performance standards, instruments, and assessment procedures.—

(2) Each district school board shall adopt student performance standards for each course academic program in grades 9 through 12 for which credit toward high school graduation is awarded. The board shall also establish policies that require ~~as to~~ student mastery of performance standards before credit for a course program may be awarded. Teacher observations, classroom assignments, and examinations may be considered appropriate methods of assessing student mastery.

Section 7. Subsections (1), (5), (9), and (10) of section 232.246, Florida Statutes, are amended, and paragraph (d) is added to subsection (7) of said section, to read:

232.246 General requirements for high school graduation.—

(1) Graduation requires successful completion of either a minimum of 24 academic credits in grades 9 through 12 or shall be required for graduation, provided that student completion of an International Baccalaureate curriculum shall be deemed to meet the curricular requirements of this subsection. The 24 credits shall be distributed as follows:

(a) Four credits in English, with major concentration in composition and literature.

(b) Three credits in mathematics. Effective for students entering the 9th grade in the 1997-1998 school year and thereafter, one of these credits must be Algebra I, a series of courses equivalent to Algebra I, or a higher-level mathematics course.

(c) Three credits in science, two of which must have a laboratory component. The State Board of Education may grant an annual waiver of the laboratory requirement to a school district that certifies that its laboratory facilities are inadequate, provided the district submits a capital outlay plan to provide adequate facilities and makes the funding of this plan a priority of the school board.

(d) One credit in American history.

(e) One credit in world history, including a comparative study of the history, doctrines, and objectives of all major political systems.

(f) One-half credit in economics, including a comparative study of the history, doctrines, and objectives of all major economic systems. The Florida Council on Economic Education shall provide technical assistance to the department and local school boards in developing curriculum materials for the study of economics.

(g) One-half credit in American government, including study of the Constitution of the United States. For students entering the 9th grade in the 1997-1998 school year and thereafter, the study of Florida government, including study of the State Constitution, the three branches of state government, and municipal and county government, shall be included as part of the required study of American government.

(h)1. One credit in practical arts career education or exploratory career education. Any vocational course as defined in s. 228.041(22) may be taken to satisfy the high school graduation requirement for one credit in practical arts or exploratory career education provided in this subparagraph;

2. One credit in performing fine arts to be selected from music, dance, drama, painting, or sculpture. A course in any art form, in addition to painting or sculpture, that requires manual dexterity, or a course in speech and debate, may be taken to satisfy the high school graduation requirement for one credit in performing arts pursuant to this subparagraph; or

3. One-half credit each in practical arts career education or exploratory career education and performing fine arts, as defined in this paragraph.

Such credit for practical arts career education or exploratory career education or for performing fine arts shall be made available in the 9th grade, and students shall be scheduled into a 9th grade course as a priority.

(i) One-half credit in life management skills to include consumer education, positive emotional development, nutrition, prevention of human immunodeficiency virus infection and acquired immune deficiency syndrome and other sexually transmissible diseases, benefits of sexual abstinence and consequences of teenage pregnancy, information and instruction on breast

cancer detection and breast self-examination, cardiopulmonary resuscitation, drug education, and the hazards of smoking. Such credit shall be given for a course to be taken by all students in either the 9th or 10th grade.

(j) One-half credit in physical education to include assessment, improvement, and maintenance of personal fitness. Participation in an interscholastic sport, whether at the freshman, junior-varsity, or varsity level, for a full season, shall satisfy the one-half credit requirement in physical education.

(k) Nine elective credits.

School boards may award a maximum of one-half credit in social studies and one-half elective credit for student completion of nonpaid voluntary community or school service work. Students choosing this option must ~~shall~~ complete a minimum of 75 hours of service in order to earn the one-half credit in either category of instruction. Credit may not be earned for service provided as a result of court action. School boards that approve the award of credit for student volunteer service shall develop guidelines regarding the award of the ~~such~~ credit and school principals are ~~shall be~~ responsible for approving specific volunteer activities. A course designated in the Course Code Directory as grade 9 through grade 12 which is taken below the 9th grade may be used to satisfy high school graduation requirements or Florida Academic Scholar's Certificate Program requirements as specified in a district's pupil progression plan.

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

(a) Earning passing scores on the high school competency test defined in s. 229.57(3)(c).

(b) Completion of all other applicable requirements prescribed by the district school board pursuant to s. 232.245.

(c) Achievement of Effective for the 1988-1989 school year and each year thereafter, a cumulative grade point average of 1.5 on a 4.0 scale, or its equivalent, for students entering 9th grade before the 1997-1998 school year; however, these students must earn a cumulative grade point average of 2.0 on a 4.0 scale, or its equivalent, in the courses required by subsection (1) that are taken after July 1, 1997 or have an overall cumulative grade point average of 2.0 or above.

(d) Achievement of a cumulative grade point average of 2.0 on a 4.0 scale, or its equivalent, in the courses required by subsection (1), for students entering 9th grade in the 1997-1998 school year and thereafter required courses for graduation.

(e) For purposes of paragraphs (c) and (d):

1. Each district shall adopt policies ~~which are~~ designed to assist students in meeting these requirements ~~this requirement~~. ~~These~~ Such policies may include, but are ~~shall not be~~ limited to: forgiveness policies, summer school

attendance, special counseling, volunteer and/or peer tutors, school-sponsored help sessions, homework hotlines, and study skills classes.

2. At the end of each semester, the parent or guardian of each student in grades 9, 10, 11, and 12 who has a cumulative grade point average of less than 0.5 above the cumulative grade point average required for graduation ~~2.0~~ shall be notified that the student is at risk of not meeting the requirements for graduation. The notice shall contain an explanation of the policies the district has ~~put~~ in place to assist the student in meeting the grade point average requirement.

3. Special assistance to obtain a high school equivalency diploma pursuant to s. 229.814 ~~may~~ shall be given only when in such cases where the student has completed all requirements for graduation except the attainment of the required ~~a~~ 1.5 cumulative grade point average.

The standards required in this subsection, and any subsequent modifications ~~thereto~~, shall be reprinted in the Florida Administrative Code even though ~~such standards are~~ not defined as “rules.”

(7) No student may be granted credit toward high school graduation for enrollment in the following courses or programs:

(d) Any Level I course unless the student's assessment indicates that a more rigorous course of study would be inappropriate, in which case a written assessment of the need must be included in the student's individual educational plan or in a student performance plan, signed by the principal, the guidance counselor, and the parent or guardian of the student, or the student if the student is 18 years of age or older.

(9) A student who meets all requirements prescribed in subsections (1), ~~(4)(5)~~, and ~~(5)(6)~~ shall be awarded a standard diploma in a form prescribed by the state board. A school board may attach the Florida gold seal vocational endorsement to a standard diploma pursuant to s. 239.217 or, instead in lieu of the standard diploma, award differentiated diplomas to those exceeding the prescribed minimums. A student who completes the minimum number of credits and other requirements prescribed by subsections (1) and ~~(4)(5)~~, but who is unable to meet the standards of paragraph ~~(5)(6)(a)~~, paragraph ~~(5)(6)(b)~~, or paragraph ~~(5)(c)(6)(d)~~, shall be awarded a certificate of completion in a form prescribed by the state board. However, any student who is otherwise entitled to a certificate of completion may elect to remain in the secondary school either as a full-time student or a part-time student for up to 1 additional year and receive special instruction designed to remedy his or her identified deficiencies. This special instruction shall be funded from the state compensatory education funds of the district.

(10) The public hearing and consideration required in ~~paragraphs (a) and (b) of subsection (6) and in subsection (8)(9)~~ shall not be construed to amend or nullify the requirements of security relating to the contents of examinations or assessment instruments and related materials or data as prescribed in s. 232.248.

Section 8. Paragraph (a) of subsection (1) of section 232.2462, Florida Statutes, is amended to read:

232.2462 Attendance requirement for receipt of high school credit; definition of "credit".—

(1)(a) For the purposes of requirements for high school graduation, one full credit means a minimum of 150 hours of bona fide instruction in a designated course of study which contains student performance standards as provided for in s. 232.2454. Six semester credit hours of instruction earned through enrollment pursuant to s. 240.116, which satisfy the requirement of a district's interinstitutional articulation agreement under s. 240.1161, shall also equal one full credit.

Section 9. Section 232.2463, Florida Statutes, is amended to read:

232.2463 High school grading system.—The grading system and interpretation of letter grades used in public high schools shall be as follows:

(1) Grade "A" equals 94 percent through 100 percent, has a grade point average value of 4, and is defined as "outstanding progress."

(2) Grade "B" equals 85 percent through 93 percent, has a grade point average value of 3, and is defined as "above average progress."

(3) Before the 1997-1998 school year, grade "C" equals 75 percent through 84 percent, has a grade point average value of 2, and is defined as "average progress." For the 1997-1998 school year and each year thereafter, grade "C" equals 77 percent through 84 percent, has a grade point average value of 2, and is defined as "average progress."

(4) Before the 1997-1998 school year, grade "D" equals 65 percent through 74 percent, has a grade point average value of 1, and is defined as "lowest acceptable progress." For the 1997-1998 school year and each year thereafter, grade "D" equals 70 percent through 76 percent, has a grade point average value of 1, and is defined as "lowest acceptable progress."

(5) Before the 1997-1998 school year, grade "F" equals zero percent through 64 percent, has a grade point average value of zero, and is defined as "failure." For the 1997-1998 school year and each year thereafter, grade "F" equals zero percent through 69 percent, has a grade point average value of zero, and is defined as "failure."

(6) Grade "I" equals zero percent, has a grade point average value of zero, and is defined as "incomplete."

For the purposes of class ranking, school districts may exercise a weighted grading system.

Section 10. Subsection (3) of section 232.425, Florida Statutes, 1996 Supplement, is amended to read:

232.425 Student standards for participation in interscholastic extracurricular student activities; regulation.—

(3)(a) To be eligible to participate in interscholastic extracurricular student activities, a student entering the 9th grade during the 1997-1998 school year and thereafter must maintain a cumulative grade point average of 2.0 or above 1.5 on a 4.0 scale, or its equivalent, in the courses required by s. 232.246(1). In order to be eligible under this section, students who entered the 9th grade prior to the 1997-1998 school year must maintain a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 232.246(1) that are taken after July 1, 1997 or have an overall cumulative grade point average of 2.0 or above. Eligibility for the first semester of the 1997-1998 school year for those students who entered the 9th grade prior to the 1997-1998 school year shall be based on the school board's policy in effect for the 1996-1997 school year. Additionally, a student must maintain satisfactory conduct and, if a student is convicted of, or is found to have committed, a felony or a delinquent act which would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities is contingent upon established and published school board policy, and must pass five subjects for the grading period immediately preceding participation; except that student eligibility for the first grading period of each new school year shall be based on passing five subjects and maintaining the required grade point average the previous school year, including subjects completed during the interim summer school session.

(b) Any student who is exempt from attending a full school day under s. 228.041(13) must maintain the a 1.5 grade point average required by this section and pass each class for which he or she is enrolled.

(c) An individual home education student ~~is~~ shall be eligible to participate at a public school, and may develop an agreement to participate at a nonpublic school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

1. The home education student must meet the requirements of the home education program pursuant to s. 232.02(4).

2. During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a community college, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 232.02(4).

3. The home education student must meet the same residency requirements as other students in the school at which he or she participates.

4. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.

5. The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the

school ~~before~~ prior to the beginning date of the season for the activity in which he or she wishes to participate.

6. A student who transfers from a home education program to a public school ~~before~~ prior to or during the first grading period of the school year ~~is shall~~ be academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or nonpublic school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities ~~is shall~~ be ineligible to participate in such activities as a home education student until ~~such time as~~ the student has successfully completed one grading period in home education pursuant to subparagraph 2. to become eligible to participate as a home education student.

Section 11. Paragraph (a) of subsection (2) of section 233.011, Florida Statutes, is amended to read:

233.011 Accountability in curriculum, educational instructional materials, and testing.—

(2)(a) Subject to State Board of Education review and approval, the Department of Education shall provide ~~develop~~, by ~~April 1, 1985~~, guidelines for the identification or development, evaluation, oversight, and revision of:

1. Curriculum frameworks as specified in subsection (3).
2. Student performance standards as specified in ss. 232.2454(4) and 229.565(1) ~~and (2)~~.
3. Model standards and procedures for the adoption of state and district instructional materials and software consistent with curriculum frameworks and student performance standards as specified in this paragraph. Such models shall provide the diverse student populations of the state with the highest quality instructional materials and software in the most cost-effective manner possible. Such models shall include a component to ensure the production of instructional materials and software by the state, or a consortium of states, when economical or superior quality instructional materials or software are unavailable from commercial sources by special contract.
4. Model standards and procedures for state and district adoption, analysis, and use of nationally normed student achievement tests or other nationally normed assessment instruments, as specified in subsection (4).
5. Criteria and procedures to determine ~~which~~ the individual school programs ~~which~~ are most deficient in student performance. Such criteria and procedures shall take into account testing results under the provisions of ss. 229.565 and 232.2454, and subsection (4).
6. Model training procedures for state-level and district-level personnel assigned responsibilities for evaluating and selecting instructional materials, software, and norm-referenced achievement measures.

7. Standards for effective evaluation and comparable evaluation and testing procedures among districts.

Section 12. Section 233.065, Florida Statutes, is amended to read:

233.065 Patriotic programs, rules and regulations.—

(1) The school board of any district is hereby authorized to adopt rules and regulations pertaining to and requiring to be used in all of the schools of the district any program of a patriotic nature to encourage greater respect for the Government of the United States, its national anthem and flag, subject always to other existing pertinent laws of the United States or of the state; provided, that when the national anthem is played, students and all civilians shall always stand at attention, men removing the headdress; and provided, further, that the pledge of allegiance to the flag, "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all," be rendered by standing with the right hand over the heart. The pledge of allegiance to the flag, as stated herein, shall be required to be said at the beginning of the day in every elementary and secondary public school in the state. Further, upon written request by a parent or guardian, a student may be excused from reciting the pledge. However, civilians will always show full respect to the flag when the pledge is given by merely standing at attention, men removing the headdress, as provided by s. 7 of U.S. Pub. L. No. 623, approved June 22, 1942, as amended by U.S. Pub. L. No. 829, approved December 22, 1942.

(2) Each district school board may allow any teacher or administrator to read, or to post in a public school building or classroom or at any school-related event, any excerpt or portion of the following historic material: the national motto; the national anthem; the pledge of allegiance; the Constitution of the State of Florida, including the Preamble; the Constitution of the United States, including the Preamble; the Bill of Rights; the Declaration of Independence; the Mayflower Compact; the Emancipation Proclamation; the writings, speeches, documents, and proclamations of the presidents of the United States, the signers of the Constitution of the United States and the Declaration of Independence, and civil rights leaders; and decisions of the United States Supreme Court. However, any material that is read, posted, or taught pursuant to this provision may be presented only from a historical perspective and in a nonproselytizing manner. When less than an entire document is used, the excerpt or portion must include as much material as is reasonably necessary to reflect the sentiment of the entire document and avoid expressing statements out of the context in which they were originally made. If the material refers to laws or judicial decisions that have been superseded, the material must be accompanied by a statement indicating that such law or decision is no longer the law of the land. No material shall be selected to advance a particular religious, political, or sectarian purpose. The Department of Education shall distribute a copy of this subsection to each school district, whereupon each school superintendent shall distribute a copy to all teachers and administrators.

Section 13. Paragraph (a) of subsection (2) of section 240.116, Florida Statutes, 1996 Supplement, is amended to read:

240.116 Articulated acceleration.—

(2)(a)1. The dual enrollment program ~~is shall be~~ the enrollment of an eligible secondary student in a postsecondary course creditable toward a vocational certificate or an associate or baccalaureate degree. For the purpose of this ~~subparagraph~~ paragraph, an eligible secondary student is ~~defined as~~ a student who is enrolled in a Florida public secondary school or in a Florida nonpublic secondary school which is in compliance with s. 229.808 and conducts a secondary curriculum pursuant to s. 232.246. Students enrolled in postsecondary instruction that is not creditable toward the high school diploma ~~may shall~~ not be classified as dual enrollments. Students ~~who are shall be~~ permitted to enroll in dual enrollment courses may take courses conducted during school hours, after school hours, and during the summer term. Any student so enrolled ~~is shall be~~ exempt from the payment of registration, matriculation, and laboratory fees. With the exception of vocational-preparatory instruction, college-preparatory instruction, and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, are shall be ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.

2. The Department of Education shall adopt guidelines designed to achieve comparability across school districts of both student qualifications and teacher qualifications for dual enrollment courses. Student qualifications must demonstrate readiness for college-level coursework if the student is to be enrolled in college courses. Student qualifications must demonstrate readiness for vocational-level coursework if the student is to be enrolled in vocational courses. In addition to the common placement examination, student qualifications for college credit dual enrollment courses must include a 3.0 unweighted grade point average, and student qualifications for vocational certificate dual enrollment courses must include a 2.0 unweighted grade point average.

Section 14. Section 240.1161, Florida Statutes, is amended to read:

240.1161 District interinstitutional articulation agreements.—

(1) Superintendents ~~Each superintendent~~ of schools and community college ~~presidents are president shall be~~ responsible for the development and implementation of a comprehensive articulated acceleration program for the students enrolled in their respective school districts and service areas. Within this general responsibility, ~~each the~~ superintendent and president shall develop a comprehensive interinstitutional articulation agreement for the school district and community college that serves the school district. The superintendent and president are encouraged to establish an articulation committee for the purpose of developing this agreement. Each state university president is encouraged to designate a university representative to participate in the development of the interinstitutional articulation agreements for each school district within the university service area.

(2) The district interinstitutional articulation agreement for each any school year ~~must shall~~ be completed before ~~prior to~~ high school registration for the fall term of the following school year. ~~The initial agreement drafted pursuant to this section shall be completed no later than April 1, 1988.~~ The initial agreement and each subsequent agreement must shall include, but is not be limited to, the following components:

- (a) A ratification or modification of all existing articulation agreements.
 - (b) A delineation of courses and programs composed of dual enrollment students.
 - (c) An identification of eligibility criteria for student participation in dual enrollment courses and programs.
 - (d) A delineation of institutional responsibilities regarding student screening prior to enrollment and monitoring student performance subsequent to enrollment in dual enrollment courses and programs.
 - (e) An identification of the criteria by which the quality of dual enrollment courses and programs are to be judged and a delineation of institutional responsibilities for the maintenance of instructional quality.
 - (f) A delineation of institutional responsibilities for assuming the cost of dual enrollment courses and programs that includes such responsibilities for student instructional materials.
 - (g) An identification of responsibility for providing student transportation if the dual enrollment instruction is conducted at a facility other than the high school campus.
 - (h) A delineation of the process for converting college credit hours earned through dual enrollment and early admission programs to high school credit based on mastery of course outcomes.
- (3) The superintendent of schools ~~is shall be~~ responsible for incorporating, either directly or by reference, all dual enrollment courses contained within the district interinstitutional articulation agreement within the district pupil progression plan.
- (4) Courses and programs may be added to or deleted from the district interinstitutional articulation agreement at any time. Such additions and deletions must shall be mutually approved by the superintendent of schools and community college president before ~~prior to~~ incorporation into the agreement.
- (5) School districts and community colleges may enter into additional interinstitutional articulation agreements with state universities for the purposes of this section. School districts may also enter into interinstitutional articulation agreements with eligible independent colleges and universities pursuant to s. 236.081(1)(j). State universities and community colleges may enter into interinstitutional articulation agreements with non-public secondary schools, pursuant to s. 240.116.

(6) The Department of Education shall approve any course for inclusion in the dual enrollment program that is contained within the common course designation and numbering system. However, college-preparatory and other forms of precollegiate instruction, and physical education and other courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, ~~may shall~~ not be so approved, but must. ~~Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the dual enrollment program.~~

Section 15. Subsection (5) of section 240.117, Florida Statutes, is amended to read:

240.117 Common placement testing for public postsecondary education.—

(5) ~~A No student may not shall~~ be enrolled in a college credit ~~mathematics or English~~ course on a dual enrollment basis unless the student has demonstrated adequate precollegiate preparation on the ~~section of the~~ basic computation and communication skills assessment required pursuant to subsections subsection (1) and (2) that is appropriate for successful student participation in the course.

Section 16. Subsection (5) is added to section 240.118, Florida Statutes, to read:

240.118 Postsecondary feedback of information to high schools.—

(5) The Commissioner of Education shall annually recommend to the Legislature statutory changes to reduce the incidence of postsecondary remediation in mathematics, reading, and writing for first-time enrolled recent high school graduates.

Section 17. Subsection (2) and paragraph (a) of subsection (3) of section 240.529, Florida Statutes, are amended, and paragraph (d) is added to subsection (4) of said section, to read:

240.529 Public accountability and state approval for teacher preparation programs.—

(2) DEVELOPMENT OF TEACHER PREPARATION PROGRAMS.—A system ~~shall be~~ developed by the Department of Education in collaboration with institutions of higher education ~~shall to~~ assist departments and colleges of education in the restructuring of their programs to meet the need for producing quality teachers now and in the future. The system must be designed to shall assist teacher educators in conceptualizing, developing, implementing, and evaluating programs that meet state-adopted standards. The Education Standards Commission ~~has shall have~~ primary responsibility for recommending these standards to the State Board of Education for adoption. These standards shall emphasize quality indicators drawn from research, professional literature, recognized guidelines, Florida essential teaching competencies, effective classroom practices, and the outcomes of the state system of school improvement and education accountability and

“Blueprint 2000,” as well as performance measures. Departments and colleges of education shall ensure that teacher preparation programs and courses emphasizing “Blueprint 2000” concepts and standards receive priority funding.

(3) INITIAL STATE PROGRAM APPROVAL.—

(a) A program approval process, based on standards adopted pursuant to subsection (2) ~~must, shall~~ be established for postsecondary teacher preparation programs. ~~This program approval process shall be phased in according to timelines determined by the Department of Education, and, by July 1, 1995, shall be fully implemented for all teacher preparation programs in the state. Each program shall choose one of the following options:~~

1. An approval process that incorporates those provisions and requirements necessary for recognition by the National Council for the Accreditation of Teacher Education and that provides for joint accreditation and program approval review by the state and the National Council for the Accreditation of Teacher Education for those units seeking initial or continuing accreditation. The approval process must ~~shall~~ be consistent with the intent set forth in subsection (1); or

2. An alternative program approval process developed by the department. This alternative approval process must ~~shall~~ be consistent with the intent set forth in subsection (1) and ~~shall be~~ based primarily upon significant, objective, and quantifiable graduate performance measures. This approval process may ~~shall~~ not be based on National Council for the Accreditation of Teacher Education provisions and requirements.

For purposes of this section, the term “unit” is defined by the National Association for the Accreditation of Teacher Education and means the college, school, department, or other administrative body within the institution that is primarily responsible for the preparation of teachers and other professional education personnel. The term “program” is defined by the State Board of Education and means a set of courses, activities, or other experiences designed to help individuals develop the competencies required for a specified type of certification coverage.

(4) CONTINUED PROGRAM APPROVAL.—Beginning July 1, 1995, and notwithstanding the provisions of subsection (3), failure by a public or nonpublic teacher preparation program to meet the criteria for continued program approval shall result in loss of program approval. The Department of Education in collaboration with the departments and colleges of education shall develop procedures for continued program approval that document the continuous improvement of program processes and graduates’ performance.

(d) Beginning July 1, 1997, continued approval for a teacher preparation program is contingent upon standards being in place that are designed to adequately prepare elementary, middle, and high school teachers to instruct their students in higher-level mathematics concepts at the appropriate grade level.

Section 18. This act shall take effect July 1, 1997.

Approved by the Governor April 2, 1997.

Filed in Office Secretary of State April 2, 1997.