

1 A bill to be entitled
2 An act relating to education; creating s. 1007.012,
3 F.S.; creating the Florida Flexible Option Initiative;
4 providing the purpose of the initiative; providing
5 legislative intent; providing that implementing the
6 initiative allows students to satisfy certain
7 requirements; defining the term "Florida-accredited
8 charter course" as it relates to the initiative;
9 providing for application of certain courses and
10 assessments toward promotion, graduation, and degree
11 attainment; requiring that Florida-accredited charter
12 courses and their assessments be annually identified,
13 approved, published, and shared for consideration by
14 certain students and entities; requiring the
15 Commissioner of Education and the Chancellor of the
16 State University System to approve each Florida-
17 accredited charter course and its assessments;
18 requiring the Articulation Coordinating Committee to
19 annually publish and share a list of approved Florida-
20 accredited charter courses, their assessments, and
21 other courses; amending s. 1008.24, F.S.; authorizing
22 a school district, a Florida College System
23 institution, and a state university to contract with
24 qualified contractors to administer and proctor
25 statewide standardized assessments or assessments
26 associated with Florida-accredited charter courses;
27 authorizing the Department of Education to contract
28 for these services on behalf of the state or a school

29 | district, Florida College System institution, or state
 30 | university; providing that assessments may be
 31 | administered or proctored by qualified contractors at
 32 | sites that meet certain criteria; providing an
 33 | effective date.

34 |
 35 | Be It Enacted by the Legislature of the State of Florida:
 36 |

37 | Section 1. Section 1007.012, Florida Statutes, is created
 38 | to read:

39 | 1007.012 Florida Flexible Option Initiative.-

40 | (1) The Florida Flexible Option Initiative is created to
 41 | expand student choices in selecting multiple, high-quality
 42 | public and nonpublic courses and assessments toward satisfying
 43 | course, assessment, or credit requirements for promotion,
 44 | graduation, or degree attainment. The purpose of the initiative
 45 | is to make available multiple options to suit unique student
 46 | interests, satisfy educational requirements, and accelerate
 47 | student accomplishment of goals in a productive and effective
 48 | manner.

49 | (2) The Legislature intends that state and local rules,
 50 | policies, and administrative decisions are flexible in
 51 | interpreting and implementing the requirements in this section
 52 | in order to encourage creative, innovative, resourceful, and
 53 | forward-thinking practices that can be modeled throughout this
 54 | state and the country. The Legislature intends that the Florida
 55 | Flexible Option Initiative generate sufficient options for
 56 | students to combine multiple instructional experiences and build

HB 843

2013

57 complete programs for attaining a standard high school diploma
58 and a postsecondary education degree which are tailored to the
59 unique interests of each student.

60 (3) The initiative allows students in this state to
61 satisfy public K-12 education promotion or high school
62 graduation course, assessment, or credit requirements, or to
63 satisfy requirements for public postsecondary credit or degree
64 attainment by successfully meeting the assessment requirements
65 of this subsection.

66 (a) As used in this section, the term "Florida-accredited
67 charter course" is a K-12 course or postsecondary education
68 credit course that:

69 1. Is created by individuals whose credentials and
70 documented knowledge of a specific science, technology,
71 engineering, or math field warrants consideration as a credible
72 and legitimate source of course content;

73 2. Is provided or distributed by individuals,
74 institutions, entities, or organizations; and

75 3. Has fulfilled requirements under subsection (4) for
76 purposes of satisfying requirements for promotion, graduation,
77 or obtaining a degree. A massive, open online course and a
78 course associated with rigorous industry certifications are
79 eligible for consideration and approval as a Florida-accredited
80 charter course.

81 (b) Courses and assessments may be applied toward
82 requirements for promotion, graduation, or degree attainment in
83 whole, in subparts, or in a combination of whole and subparts.

84 1. A Florida-accredited charter course, a public K-12

HB 843

2013

85 course identified on the course code directory, or a
86 postsecondary education course identified on the statewide
87 course numbering system, may be applied as one whole unit or as
88 two or more discrete subunits such that when combined, they are
89 equivalent to the whole unit. A student may not be required to
90 repeat subunits that are satisfactorily completed.

91 2. Assessments associated with a course must be
92 established by regionally accredited public institutions and
93 must be approved in accordance with subsection (4). The
94 assessments may be applied as one whole assessment or as two or
95 more discrete subassessments such that when combined, they are
96 equivalent to the whole assessment. A student may not be
97 required to repeat subassessments that are satisfactorily
98 completed. Assessments and subassessments shall be administered
99 pursuant to s. 1008.24.

100 (4) A Florida-accredited charter course and its associated
101 assessments must be annually identified, approved, published,
102 and shared for consideration by interested students,
103 institutions, school districts, colleges, and universities.

104 (a) Each Florida-accredited charter course and its
105 associated assessments must be:

106 1. Approved by the Commissioner of Education for
107 application in K-12 public schools and Florida College System
108 institutions in accordance with rules of the State Board of
109 Education.

110 2. Approved by the Chancellor of the State University
111 System for application in state universities in accordance with
112 rules of the Board of Governors.

HB 843

2013

113 (b) The Articulation Coordinating Committee established in
114 s. 1007.01 shall annually publish and share a consolidated list
115 of approved Florida-accredited charter courses and associated,
116 approved assessments in conjunction with the courses listed in
117 the course code directory and statewide course numbering system
118 in a manner that facilitates student and institutional knowledge
119 of the Florida-accredited charter courses as options available
120 for credit.

121 Section 2. Section 1008.24, Florida Statutes, is amended
122 to read:

123 1008.24 Test administration and security.-

124 (1) A person may not ~~It is unlawful for anyone~~ knowingly
125 and willfully ~~to~~ violate test security rules adopted by the
126 State Board of Education for mandatory tests administered by or
127 through the State Board of Education or the Commissioner of
128 Education to students, educators, or applicants for
129 certification or administered by school districts pursuant to s.
130 1008.22, or, with respect to any such test, knowingly and
131 willfully to:

132 (a) Give examinees access to test questions prior to
133 testing;

134 (b) Copy, reproduce, or use in any manner inconsistent
135 with test security rules all or any portion of any secure test
136 booklet;

137 (c) Coach examinees during testing or alter or interfere
138 with examinees' responses in any way;

139 (d) Make answer keys available to examinees;

140 (e) Fail to follow security rules for distribution and

141 return of secure test as directed, or fail to account for all
 142 secure test materials before, during, and after testing;

143 (f) Fail to follow test administration directions
 144 specified in the test administration manuals; or

145 (g) Participate in, direct, aid, counsel, assist in, or
 146 encourage any of the acts prohibited in this section.

147 (2) A ~~Any~~ person who violates this section commits a
 148 misdemeanor of the first degree, punishable as provided in s.
 149 775.082 or s. 775.083.

150 (3) A school district, a Florida College System
 151 institution, and a state university may contract with qualified
 152 contractors to administer and proctor statewide, standardized
 153 assessments required under s. 1008.22 or assessments associated
 154 with Florida-accredited charter courses under s. 1007.012, as
 155 approved by the Department of Education in accordance with rules
 156 of the State Board of Education. The Department of Education may
 157 also contract for these services on behalf of the state or any
 158 school district, Florida College System institution, or state
 159 university. Assessments may be administered or proctored by
 160 qualified contractors at sites that meet criteria established by
 161 rules of the State Board of Education and adopted pursuant to
 162 ss. 120.536(1) and 120.54 to implement the contracting
 163 requirements of this subsection.

164 (4) ~~(3)~~(a) A district school superintendent, a president of
 165 a public postsecondary educational institution, or a president
 166 of a nonpublic postsecondary educational institution shall
 167 cooperate with the Commissioner of Education in any
 168 investigation concerning the administration of a test

HB 843

2013

169 administered pursuant to state statute or rule.

170 (b) The identity of a school or postsecondary educational
171 institution, the personally identifiable information of any
172 personnel of any school district or postsecondary educational
173 institution, or any specific allegations of misconduct obtained
174 or reported pursuant to an investigation conducted by the
175 Department of Education of a testing impropriety are
176 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
177 s. 24(a), Art. I of the State Constitution until the conclusion
178 of the investigation or until such time as the investigation
179 ceases to be active. For the purpose of this paragraph, an
180 investigation shall be deemed concluded upon a finding that no
181 impropriety has occurred, upon the conclusion of any resulting
182 preliminary investigation pursuant to s. 1012.796, upon the
183 completion of any resulting investigation by a law enforcement
184 agency, or upon the referral of the matter to an employer who
185 has the authority to take disciplinary action against an
186 individual who is suspected of a testing impropriety. For the
187 purpose of this paragraph, an investigation shall be considered
188 active so long as it is ongoing and there is a reasonable, good
189 faith anticipation that an administrative finding will be made
190 in the foreseeable future. This paragraph is subject to the Open
191 Government Sunset Review Act in accordance with s. 119.15 and
192 shall stand repealed on October 2, 2014, unless reviewed and
193 saved from repeal through reenactment by the Legislature.

194 Section 3. This act shall take effect July 1, 2013.