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1 A bill to be entitled

2 An act relating to access to postsecondary education;  
3 amending s. 1003.43, F.S.; removing a requirement relating  
4 to life management course required for high school  
5 graduation; requiring rules for the provision of test  
6 accommodations and modifications for students with  
7 disabilities; renaming the certificate of completion;  
8 requiring certain instruction for students with  
9 disabilities and providing for the award of a standard  
10 diploma under certain circumstances; amending s. 1003.438,  
11 F.S.; conforming provisions; amending s. 1007.263, F.S.;  
12 providing for community college admissions counseling to  
13 students entering technical credit programs; authorizing  
14 admission with a certificate of graduation; providing that  
15 students awarded a special diploma or certificate of  
16 graduation may enroll in certificate career and technical  
17 education programs; amending s. 1007.27, F.S.; providing  
18 for the alignment of course weighting for credit and  
19 admission; amending s. 1008.22, F.S.; requiring certain  
20 instruction for students with disabilities; providing  
21 requirements for alternate assessments; providing an  
22 effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26 Section 1. Paragraph (i) of subsection (1) and subsections  
27 (8), (9), and (10) of section 1003.43, Florida Statutes, are  
28 amended to read:

29 1003.43 General requirements for high school graduation.--



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30 (1) Graduation requires successful completion of either a  
31 minimum of 24 academic credits in grades 9 through 12 or an  
32 International Baccalaureate curriculum. The 24 credits shall be  
33 distributed as follows:

34 (i) One-half credit in life management skills to include  
35 consumer education, positive emotional development, marriage and  
36 relationship skill-based education, nutrition, prevention of  
37 human immunodeficiency virus infection and acquired immune  
38 deficiency syndrome and other sexually transmissible diseases,  
39 benefits of sexual abstinence and consequences of teenage  
40 pregnancy, information and instruction on breast cancer  
41 detection and breast self-examination, cardiopulmonary  
42 resuscitation, drug education, and the hazards of smoking. ~~Such~~  
43 ~~credit shall be given for a course to be taken by all students~~  
44 ~~in either the 9th or 10th grade.~~

45  
46 District school boards may award a maximum of one-half credit in  
47 social studies and one-half elective credit for student  
48 completion of nonpaid voluntary community or school service  
49 work. Students choosing this option must complete a minimum of  
50 75 hours of service in order to earn the one-half credit in  
51 either category of instruction. Credit may not be earned for  
52 service provided as a result of court action. District school  
53 boards that approve the award of credit for student volunteer  
54 service shall develop guidelines regarding the award of the  
55 credit, and school principals are responsible for approving  
56 specific volunteer activities. A course designated in the Course  
57 Code Directory as grade 9 through grade 12 that is taken below  
58 the 9th grade may be used to satisfy high school graduation  
59 requirements or Florida Academic Scholars award requirements as



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60 specified in a district school board's student progression plan.  
61 A student shall be granted credit toward meeting the  
62 requirements of this subsection for equivalent courses, as  
63 identified pursuant to s. 1007.271(6), taken through dual  
64 enrollment.

65 (8)(a) The State Board of Education, after a public  
66 hearing and consideration, shall adopt rules based on  
67 recommendations of the Commissioner of Education for the  
68 provision of test accommodations and modifications of procedures  
69 as necessary ~~make provision for appropriate modification of~~  
70 ~~testing instruments and procedures~~ for students with identified  
71 ~~handicaps or disabilities~~ which will demonstrate the student's  
72 abilities ~~in order to ensure that the results of the testing~~  
73 ~~represent the student's achievement~~, rather than reflect  
74 ~~reflecting~~ the student's impaired sensory, manual, speaking, or  
75 psychological process skills. Accommodations should be provided  
76 in order to ensure that the results of the testing represent the  
77 student's achievement but do not negate the validity of the  
78 assessment.

79 (b) The public hearing and consideration required in this  
80 subsection shall not be construed to amend or nullify the  
81 requirements of security relating to the contents of  
82 examinations or assessment instruments and related materials or  
83 data as prescribed in s. 1008.23.

84 (9) A student who meets all requirements prescribed in  
85 subsections (1), (4), and (5) shall be awarded a standard  
86 diploma in a form prescribed by the State Board of Education. A  
87 district school board may attach the Florida gold seal career  
88 and technical endorsement to a standard diploma or, instead of  
89 the standard diploma, award differentiated diplomas to those



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90 exceeding the prescribed minimums. A student who completes the  
91 minimum number of credits and other requirements prescribed by  
92 subsections (1) and (4), but who is unable to meet the standards  
93 of paragraph (5)(a), paragraph (5)(b), or paragraph (5)(c),  
94 shall be awarded a certificate of graduation ~~completion~~ in a  
95 form prescribed by the State Board of Education. However, any  
96 student who is otherwise entitled to a certificate of graduation  
97 ~~completion~~ may elect to remain in the secondary school either as  
98 a full-time student or a part-time student for up to 1  
99 additional year and receive special instruction designed to  
100 remedy his or her identified deficiencies.

101 (10) District school boards must provide instruction to  
102 prepare students with disabilities to demonstrate proficiency in  
103 the skills and competencies necessary for successful grade-to-  
104 grade progression and high school graduation. A student with a  
105 disability described in s. 1003.01(3)(a) who completes the  
106 minimum number of credits and other requirements prescribed by  
107 subsections (1) and (4) and who does not meet the requirements  
108 of paragraph (5)(a) after one opportunity in grade 10 and one  
109 opportunity in grade 11 but achieves a passing score on an  
110 alternate assessment, as provided for in s. 1008.22(3)(c)9.,  
111 shall be awarded a standard diploma in a form prescribed by the  
112 State Board of Education. Any student with a disability who does  
113 not graduate with a standard diploma is eligible to remain in  
114 school through the age of 21 years or until he or she graduates  
115 with a standard diploma, whichever occurs first. The public  
116 hearing and consideration required in subsection (8) shall not  
117 be construed to amend or nullify the requirements of security  
118 relating to the contents of examinations or assessment  
119 instruments and related materials or data as prescribed in s.



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120 ~~1008.23.~~

121 Section 2. Section 1003.438, Florida Statutes, is amended  
 122 to read:

123 1003.438 Special high school graduation requirements for  
 124 certain exceptional students.--A student who has been properly  
 125 classified, in accordance with rules established by the State  
 126 Board of Education, as "educable mentally handicapped,"  
 127 "trainable mentally handicapped," "hearing impaired," "specific  
 128 learning disabled," "physically or language impaired," or  
 129 "emotionally handicapped" shall not be required to meet all  
 130 requirements of s. 1003.43 and shall, upon meeting all  
 131 applicable requirements prescribed by the district school board  
 132 pursuant to s. 1008.25, be awarded a special diploma in a form  
 133 prescribed by the commissioner; however, such special graduation  
 134 requirements prescribed by the district school board must  
 135 include minimum graduation requirements as prescribed by the  
 136 commissioner. Any such student who meets all special  
 137 requirements of the district school board for exceptionality,  
 138 but is unable to meet the appropriate special state minimum  
 139 requirements, shall be awarded a special certificate of  
 140 graduation completion in a form prescribed by the commissioner.  
 141 A student who has been properly classified as "profoundly  
 142 handicapped" and who meets the special requirements of the  
 143 district school board for a special diploma in accordance with  
 144 requirements for any exceptional student identified in this  
 145 section shall be awarded a special diploma; however, such a  
 146 student shall alternatively be eligible for a special  
 147 certificate of graduation completion, in a form prescribed by  
 148 the commissioner, if all school requirements for students who  
 149 are "profoundly handicapped" have been met. However, this



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150 section does not limit or restrict the right of an exceptional  
151 student solely to a special diploma or special certificate of  
152 graduation completion. Any such student shall, upon proper  
153 request, be afforded the opportunity to fully meet all  
154 requirements of s. 1003.43 through the standard procedures  
155 established therein and thereby to qualify for a standard  
156 diploma upon graduation.

157 Section 3. Section 1007.263, Florida Statutes, is amended  
158 to read:

159 1007.263 Community colleges; admissions of students.--Each  
160 community college board of trustees is authorized to adopt rules  
161 governing admissions of students subject to this section and  
162 rules of the State Board of Education. These rules shall include  
163 the following:

164 (1) Admissions counseling shall be provided to all  
165 students entering college or technical credit programs, ~~which~~  
166 Counseling shall utilize tests to measure achievement of  
167 college-level communication and computation competencies by all  
168 students entering college credit programs or tests to measure  
169 achievement of basic skills for certificate technical education  
170 programs as prescribed in s. 1004.91.

171 (2) Admission to associate degree programs is subject to  
172 minimum standards adopted by the State Board of Education and  
173 shall require:

174 (a) A standard high school diploma, a certificate of  
175 graduation, a high school equivalency diploma as prescribed in  
176 s. 1003.435, previously demonstrated competency in college  
177 credit postsecondary coursework, or, in the case of a student  
178 who is home educated, a signed affidavit submitted by the  
179 student's parent or legal guardian attesting that the student



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180 has completed a home education program pursuant to the  
181 requirements of s. 1002.41. Students who are enrolled in a dual  
182 enrollment or early admission program pursuant to ss. 1007.27  
183 and 1007.271 and secondary students enrolled in college-level  
184 instruction creditable toward the associate degree, but not  
185 toward the high school diploma, shall be exempt from this  
186 requirement.

187 (b) A demonstrated level of achievement of college-level  
188 communication and computation skills.

189 (c) Any other requirements established by the board of  
190 trustees.

191 (3) Admission to other programs within the community  
192 college shall include education requirements as established by  
193 the board of trustees.

194  
195 Each board of trustees shall establish policies that notify  
196 students about, and place students into, adult basic education,  
197 adult secondary education, or other instructional programs that  
198 provide students with alternatives to traditional college-  
199 preparatory instruction, including private provider instruction.  
200 A student is prohibited from enrolling in additional college-  
201 level courses until the student scores above the cut-score on  
202 all sections of the common placement test.

203 (4) Students who have been awarded a special diploma  
204 pursuant to s. 1003.438 or a certificate of graduation pursuant  
205 to s. 1003.43 are eligible for enrollment in certificate career  
206 and technical education programs. Students seeking admission to  
207 college credit postsecondary career and technical certificate  
208 programs and applied technology diploma programs offered for



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209 college credit shall meet the same standards for admission as  
210 required for associate degree programs.

211 (5) Students with documented disabilities may be eligible  
212 for reasonable substitutions as prescribed in s. 1007.264.

213 Section 4. Subsection (1) of section 1007.27, Florida  
214 Statutes, is amended to read:

215 1007.27 Articulated acceleration mechanisms.--

216 (1) It is the intent of the Legislature that a variety of  
217 articulated acceleration mechanisms be available for secondary  
218 and postsecondary students attending public educational  
219 institutions. It is intended that articulated acceleration serve  
220 to shorten the time necessary for a student to complete the  
221 requirements associated with the conference of a high school  
222 diploma and a postsecondary degree, broaden the scope of  
223 curricular options available to students, or increase the depth  
224 of study available for a particular subject. Articulated  
225 acceleration mechanisms shall include, but not be limited to,  
226 dual enrollment as provided for in s. 1007.271, early admission,  
227 advanced placement, credit by examination, the International  
228 Baccalaureate Program, and the Advanced International  
229 Certificate of Education Program. Credit earned through the  
230 Florida Virtual School shall provide additional opportunities  
231 for early graduation and acceleration. To maximize clear and  
232 consistent guidance to students seeking advanced curriculum and  
233 accelerated access to higher education, the State Board of  
234 Education shall align the weighting of courses for credit and  
235 admission.

236 Section 5. Paragraph (c) of subsection (3) of section  
237 1008.22, Florida Statutes, is amended to read:

238 1008.22 Student assessment program for public schools.--





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239 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall  
240 design and implement a statewide program of educational  
241 assessment that provides information for the improvement of the  
242 operation and management of the public schools, including  
243 schools operating for the purpose of providing educational  
244 services to youth in Department of Juvenile Justice programs.  
245 Pursuant to the statewide assessment program, the commissioner  
246 shall:

247 (c) Develop and implement a student achievement testing  
248 program known as the Florida Comprehensive Assessment Test  
249 (FCAT) as part of the statewide assessment program, to be  
250 administered annually in grades 3 through 10 to measure reading,  
251 writing, science, and mathematics. Other content areas may be  
252 included as directed by the commissioner. The testing program  
253 must be designed so that:

254 1. The tests measure student skills and competencies  
255 adopted by the State Board of Education as specified in  
256 paragraph (a). The tests must measure and report student  
257 proficiency levels in reading, writing, mathematics, and  
258 science. The commissioner shall provide for the tests to be  
259 developed or obtained, as appropriate, through contracts and  
260 project agreements with private vendors, public vendors, public  
261 agencies, postsecondary educational institutions, or school  
262 districts. The commissioner shall obtain input with respect to  
263 the design and implementation of the testing program from state  
264 educators and the public.

265 2. The testing program will include a combination of norm-  
266 referenced and criterion-referenced tests and include, to the  
267 extent determined by the commissioner, questions that require  
268 the student to produce information or perform tasks in such a



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269 way that the skills and competencies he or she uses can be  
270 measured.

271 3. Each testing program, whether at the elementary,  
272 middle, or high school level, includes a test of writing in  
273 which students are required to produce writings that are then  
274 scored by appropriate methods.

275 4. A score is designated for each subject area tested,  
276 below which score a student's performance is deemed inadequate.  
277 The school districts shall provide appropriate remedial  
278 instruction to students who score below these levels.

279 5. Students must earn a passing score on the grade 10  
280 assessment test described in this paragraph in reading, writing,  
281 and mathematics to qualify for a regular high school diploma.  
282 The State Board of Education shall designate a passing score for  
283 each part of the grade 10 assessment test. In establishing  
284 passing scores, the state board shall consider any possible  
285 negative impact of the test on minority students. All students  
286 who took the grade 10 FCAT during the 2000-2001 school year  
287 shall be required to earn the passing scores in reading and  
288 mathematics established by the State Board of Education for the  
289 March 2001 test administration. Such students who did not earn  
290 the established passing scores and must repeat the grade 10 FCAT  
291 are required to earn the passing scores established for the  
292 March 2001 test administration. All students who take the grade  
293 10 FCAT for the first time in March 2002 and thereafter shall be  
294 required to earn the passing scores in reading and mathematics  
295 established by the State Board of Education for the March 2002  
296 test administration. The State Board of Education shall adopt  
297 rules which specify the passing scores for the grade 10 FCAT.  
298 Any such rules, which have the effect of raising the required



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299 passing scores, shall only apply to students taking the grade 10  
300 FCAT after such rules are adopted by the State Board of  
301 Education.

302 6. Participation in the testing program is mandatory for  
303 all students attending public school, including students served  
304 in Department of Juvenile Justice programs, except as otherwise  
305 prescribed by the commissioner. If a student does not  
306 participate in the statewide assessment, the district must  
307 notify the student's parent and provide the parent with  
308 information regarding the implications of such nonparticipation.  
309 If modifications are made in the student's instruction to  
310 provide accommodations that would not be permitted on the  
311 statewide assessment tests, the district must notify the  
312 student's parent of the implications of such instructional  
313 modifications. A parent must provide signed consent for a  
314 student to receive instructional modifications that would not be  
315 permitted on the statewide assessments and must acknowledge in  
316 writing that he or she understands the implications of such  
317 accommodations. The State Board of Education shall adopt rules,  
318 based upon recommendations of the commissioner, for the  
319 provision of test accommodations and modifications of procedures  
320 as necessary for students in exceptional education programs and  
321 for students who have limited English proficiency.  
322 Accommodations that negate the validity of a statewide  
323 assessment are not allowable.

324 7. A student seeking an adult high school diploma must  
325 meet the same testing requirements that a regular high school  
326 student must meet.

327 8. District school boards must provide instruction to  
328 prepare students to demonstrate proficiency in the skills and



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329 competencies necessary for successful grade-to-grade progression  
330 and high school graduation. If a student is provided with  
331 accommodations or modifications that are not allowable in the  
332 statewide assessment program, as described in the test manuals,  
333 the district must inform the parent in writing and must provide  
334 the parent with information regarding the impact on the  
335 student's ability to meet expected proficiency levels in  
336 reading, writing, and math. The commissioner shall conduct  
337 studies as necessary to verify that the required skills and  
338 competencies are part of the district instructional programs.

339 9. District school boards must provide instruction to  
340 prepare students with disabilities to demonstrate proficiency in  
341 the skills and competencies necessary for successful grade-to-  
342 grade progression and high school graduation. For the purpose of  
343 implementing s. 1003.43(10) for students with disabilities,  
344 alternate assessments for the grade 10 FCAT shall include  
345 existing standardized assessments that are administered to high  
346 school students as an assessment of their general knowledge,  
347 skills, and abilities, or administered for community college or  
348 postsecondary education entry or placement purposes. The State  
349 Board of Education shall adopt rules identifying the students  
350 with disabilities eligible for the grade 10 alternate  
351 assessment, the appropriate standards to be assessed that are  
352 aligned to the maximum extent possible with the Sunshine State  
353 Standards, appropriate assessment instruments or procedures, and  
354 passing scores as required.

355 ~~10.9.~~ The Department of Education must develop, or select,  
356 and implement a common battery of assessment tools that will be  
357 used in all juvenile justice programs in the state. These tools



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358 must accurately measure the skills and competencies established  
359 in the Florida Sunshine State Standards.

360

361 The commissioner may design and implement student testing  
362 programs, for any grade level and subject area, necessary to  
363 effectively monitor educational achievement in the state.

364 Section 6. This act shall take effect July 1, 2003.