

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Kiar offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Paragraph (c) of subsection (3) of section
6 1003.03, Florida Statutes, is amended to read:

7 1003.03 Maximum class size.--

8 (3) IMPLEMENTATION OPTIONS.--District school boards must
9 consider, but are not limited to, implementing the following
10 items in order to meet the constitutional class size maximums
11 described in subsection (1) and the two-student-per-year
12 reduction required in subsection (2):

13 (c)1. Repeal district school board policies that require
14 students to have more than 24 credits to graduate from high
15 school.

229567

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Amendment No.

16 2. Adopt policies to allow students to graduate from high
17 school as soon as they pass the end-of-course assessments, ~~grade~~
18 ~~10 FCAT~~ and complete the courses, which are required for high
19 school graduation.

20 Section 2. Subsections (1) and (2), paragraph (b) of
21 subsection (4), and subsections (5) through (11) of section
22 1003.428, Florida Statutes, are amended to read:

23 1003.428 General requirements for high school graduation;
24 revised.--

25 (1) Except as otherwise authorized pursuant to s.
26 1003.429, beginning with students entering their first year of
27 high school in the 2007-2008 school year, graduation requires
28 the successful completion of a minimum of 24 credits, an
29 International Baccalaureate curriculum, or an Advanced
30 International Certificate of Education curriculum. Students must
31 be advised of the Advanced Placement, International
32 Baccalaureate, Advanced International Certificate of Education,
33 and dual enrollment courses available, as well as the
34 availability of course offerings through the Florida Virtual
35 School. Students must also be advised of eligibility
36 requirements for state scholarship programs and postsecondary
37 admissions.

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

41 (a) Sixteen core curriculum credits:

42 1. Four credits in English, with major concentration in
43 composition, reading for information, and literature.

229567

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Amendment No.

44 2. Four credits in mathematics, one of which must be
45 Algebra I, a series of courses equivalent to Algebra I, or a
46 higher-level mathematics course. Beginning with students
47 entering grade 9 in the 2010-2011 school year, one of the four
48 credits must be Algebra I or a series of courses equivalent to
49 Algebra I as approved by the State Board of Education, and one
50 credit must be geometry or a series of courses equivalent to
51 geometry as approved by the State Board of Education. Beginning
52 with students entering grade 9 in the 2012-2013 school year, one
53 of the four credits must be Algebra I or a series of courses
54 equivalent to Algebra I as approved by the State Board of
55 Education, one credit must be geometry or a series of courses
56 equivalent to geometry as approved by the State Board of
57 Education, and one credit must be Algebra II or a series of
58 courses equivalent to Algebra II as approved by the State Board
59 of Education. School districts are encouraged to set specific
60 goals to increase enrollments in, and successful completion of,
61 geometry and Algebra II.

62 3. Three credits in science, two of which must have a
63 laboratory component. Beginning with students entering grade 9
64 in the 2010-2011 school year, one of the three credits must be
65 Biology I or a series of courses equivalent to Biology I as
66 approved by the State Board of Education, one credit must be a
67 physical science or a series of courses equivalent to a physical
68 science as approved by the State Board of Education, and one
69 credit must be a higher-level science course. At least two of
70 the science courses must have a laboratory component.
71 Agriscience Foundations I, the core course in secondary

229567

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Amendment No.

72 Agriscience and Natural Resources programs, may count as the
73 third required science credit. Beginning with students entering
74 grade 9 in the 2012-2013 school year, one of the three credits
75 must be Biology I or a series of courses equivalent to Biology I
76 as approved by the State Board of Education, one credit must be
77 chemistry or a series of courses equivalent to chemistry as
78 approved by the State Board of Education, and one credit must be
79 a higher-level science course. At least two of the science
80 courses must have a laboratory component. Agriscience
81 Foundations I, the core course in secondary Agriscience and
82 Natural Resources programs, may count as the third required
83 science credit.

84 4. Three credits in social studies as follows: one credit
85 in American history; one credit in world history; one-half
86 credit in economics; and one-half credit in American government.

87 5. One credit in fine or performing arts, speech and
88 debate, or a practical arts course that incorporates artistic
89 content and techniques of creativity, interpretation, and
90 imagination. Eligible practical arts courses shall be identified
91 through the Course Code Directory.

92 6. One credit in physical education to include integration
93 of health. Participation in an interscholastic sport at the
94 junior varsity or varsity level for two full seasons shall
95 satisfy the one-credit requirement in physical education if the
96 student passes a competency test on personal fitness with a
97 score of "C" or better. The competency test on personal fitness
98 must be developed by the Department of Education. A district
99 school board may not require that the one credit in physical

229567

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Amendment No.

100 education be taken during the 9th grade year. Completion of one
101 semester with a grade of "C" or better in a marching band class,
102 in a physical activity class that requires participation in
103 marching band activities as an extracurricular activity, or in a
104 dance class shall satisfy one-half credit in physical education
105 or one-half credit in performing arts. This credit may not be
106 used to satisfy the personal fitness requirement or the
107 requirement for adaptive physical education under an individual
108 education plan (IEP) or 504 plan. Completion of 2 years in a
109 Reserve Officer Training Corps (R.O.T.C.) class, a significant
110 component of which is drills, shall satisfy the one-credit
111 requirement in physical education and the one-credit requirement
112 in performing arts. This credit may not be used to satisfy the
113 personal fitness requirement or the requirement for adaptive
114 physical education under an individual education plan (IEP) or
115 504 plan.

116 (b) Eight credits in majors, minors, or electives:

117 1. Four credits in a major area of interest, such as
118 sequential courses in a career and technical program, fine and
119 performing arts, or academic content area, selected by the
120 student as part of the education plan required by s. 1003.4156.
121 Students may revise major areas of interest each year as part of
122 annual course registration processes and should update their
123 education plan to reflect such revisions. Annually by October 1,
124 the district school board shall approve major areas of interest
125 and submit the list of majors to the Commissioner of Education
126 for approval. Each major area of interest shall be deemed
127 approved unless specifically rejected by the commissioner within
229567

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Amendment No.

128 60 days. Upon approval, each district's major areas of interest
129 shall be available for use by all school districts and shall be
130 posted on the department's website.

131 2. Four credits in elective courses selected by the
132 student as part of the education plan required by s. 1003.4156.
133 These credits may be combined to allow for a second major area
134 of interest pursuant to subparagraph 1., a minor area of
135 interest, elective courses, or intensive reading or mathematics
136 intervention courses as described in this subparagraph.

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

140 b. Elective courses are selected by the student in order
141 to pursue a complete education program as described in s.
142 1001.41(3) and to meet eligibility requirements for
143 scholarships.

144 c. For each year in which a student scores below the
145 passing score on the reading portion of a language arts end-of-
146 course assessment required for high school graduation at Level 1
147 on FCAT Reading, the student must be enrolled in and complete an
148 intensive reading course the following year. Placement of such
149 students ~~Level 2 readers~~ in either an intensive reading course
150 or a content area course in which reading strategies are
151 delivered shall be determined by diagnosis of reading needs. The
152 department shall provide guidance on appropriate strategies for
153 diagnosing and meeting the varying instructional needs of
154 students reading below grade level. Reading courses shall be

229567

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Amendment No.

155 designed and offered pursuant to the comprehensive reading plan
156 required by s. 1011.62(9).

157 d. For each year in which a student scores below the
158 passing score at Level 1 or Level 2 on a FCAT mathematics end-
159 of-course assessment required for high school graduation, the
160 student must receive remediation the following year. These
161 courses may be taught through applied, integrated, or combined
162 courses and are subject to approval by the department for
163 inclusion in the Course Code Directory.

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

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

168 (b) Earning passing scores on the end-of-course
169 assessments required for high school graduation FCAT, ~~as defined~~
170 ~~in accordance with s. 1008.22(3)(c), or scores on a standardized~~
171 ~~test that are concordant with passing scores on the FCAT as~~
172 ~~defined in s. 1008.22(10).~~

173
174 Each district school board shall adopt policies designed to
175 assist students in meeting the requirements of this subsection.
176 These policies may include, but are not limited to: forgiveness
177 policies, summer school or before or after school attendance,
178 special counseling, volunteers or peer tutors, school-sponsored
179 help sessions, homework hotlines, and study skills classes.
180 Forgiveness policies for required courses shall be limited to
181 replacing a grade of "D" or "F," or the equivalent of a grade of
182 "D" or "F," with a grade of "C" or higher, or the equivalent of
229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

183 a grade of "C" or higher, earned subsequently in the same or
184 comparable course. Forgiveness policies for elective courses
185 shall be limited to replacing a grade of "D" or "F," or the
186 equivalent of a grade of "D" or "F," with a grade of "C" or
187 higher, or the equivalent of a grade of "C" or higher, earned
188 subsequently in another course. The only exception to these
189 forgiveness policies shall be made for a student in the middle
190 grades who takes any high school course for high school credit
191 and earns a grade of "C," "D," or "F" or the equivalent of a
192 grade of "C," "D," or "F." In such case, the district
193 forgiveness policy must allow the replacement of the grade with
194 a grade of "C" or higher, or the equivalent of a grade of "C" or
195 higher, earned subsequently in the same or comparable course. In
196 all cases of grade forgiveness, only the new grade shall be used
197 in the calculation of the student's grade point average. Any
198 course grade not replaced according to a district school board
199 forgiveness policy shall be included in the calculation of the
200 cumulative grade point average required for graduation.

201 ~~(5) The State Board of Education, after a public hearing~~
202 ~~and consideration, shall adopt rules based upon the~~
203 ~~recommendations of the commissioner for the provision of test~~
204 ~~accommodations and modifications of procedures as necessary for~~
205 ~~students with disabilities which will demonstrate the student's~~
206 ~~abilities rather than reflect the student's impaired sensory,~~
207 ~~manual, speaking, or psychological process skills.~~

208 ~~(6) The public hearing and consideration required in~~
209 ~~subsection (5) shall not be construed to amend or nullify the~~
210 ~~requirements of security relating to the contents of~~

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

211 ~~examinations or assessment instruments and related materials or~~
212 ~~data as prescribed in s. 1008.23.~~

213 ~~(5)-(7)~~(a) A student who meets all requirements prescribed
214 in subsections (1), (2), (3), and (4) shall be awarded a
215 standard diploma in a form prescribed by the State Board of
216 Education.

217 (b) A student who completes the minimum number of credits
218 and other requirements prescribed by subsections (1), (2), and
219 (3), but who is unable to meet the standards of paragraph
220 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded
221 a certificate of completion in a form prescribed by the State
222 Board of Education. However, any student who is otherwise
223 entitled to a certificate of completion may elect to remain in
224 the secondary school either as a full-time student or a part-
225 time student for up to 1 additional year and receive special
226 instruction designed to remedy his or her identified
227 deficiencies.

228 ~~(8) (a) Each district school board must provide instruction~~
229 ~~to prepare students with disabilities to demonstrate proficiency~~
230 ~~in the core content knowledge and skills necessary for~~
231 ~~successful grade-to-grade progression and high school~~
232 ~~graduation.~~

233 ~~(b) A student with a disability, as defined in s.~~
234 ~~1007.02(2), for whom the individual education plan (IEP)~~
235 ~~committee determines that the FCAT cannot accurately measure the~~
236 ~~student's abilities taking into consideration all allowable~~
237 ~~accommodations, shall have the FCAT requirement of paragraph~~

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

238 ~~(4) (b) waived for the purpose of receiving a standard high~~
239 ~~school diploma, if the student:~~

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

242 ~~2. Does not meet the requirements of paragraph (4) (b)~~
243 ~~after one opportunity in 10th grade and one opportunity in 11th~~
244 ~~grade.~~

245 ~~(9) The Commissioner of Education may award a standard~~
246 ~~high school diploma to honorably discharged veterans who started~~
247 ~~high school between 1937 and 1946 and were scheduled to graduate~~
248 ~~between 1941 and 1950 but were inducted into the United States~~
249 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~
250 ~~prior to completing the necessary high school graduation~~
251 ~~requirements. Upon the recommendation of the commissioner, the~~
252 ~~State Board of Education may develop criteria and guidelines for~~
253 ~~awarding such diplomas.~~

254 ~~(10) The Commissioner of Education may award a standard~~
255 ~~high school diploma to honorably discharged veterans who started~~
256 ~~high school between 1946 and 1950 and were scheduled to graduate~~
257 ~~between 1950 and 1954, but were inducted into the United States~~
258 ~~Armed Forces between June 27, 1950, and January 31, 1955, and~~
259 ~~served during the Korean Conflict prior to completing the~~
260 ~~necessary high school graduation requirements. Upon the~~
261 ~~recommendation of the commissioner, the State Board of Education~~
262 ~~may develop criteria and guidelines for awarding such diplomas.~~

263 ~~(6) (11)~~ The State Board of Education may adopt rules
264 pursuant to ss. 120.536(1) and 120.54 to implement the

229567

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Amendment No.

265 provisions of this section and may enforce the provisions of
266 this section pursuant to s. 1008.32.

267 Section 3. Section 1003.4282, Florida Statutes, is created
268 to read:

269 1003.4282 Accommodations for students with disabilities;
270 graduation requirements.--For purposes of high school
271 graduation:

272 (1) The State Board of Education, after a public hearing
273 and consideration, shall adopt rules based upon the
274 recommendations of the Commissioner of Education for the
275 provision of test accommodations as necessary for students with
276 disabilities which will demonstrate the student's abilities
277 rather than reflect the student's impaired sensory, manual,
278 speaking, or psychological process skills.

279 (2) The public hearing and consideration required in
280 subsection (1) shall not be construed to amend or nullify the
281 requirements of security relating to the contents of
282 examinations or assessment instruments and related materials or
283 data as prescribed in s. 1008.23.

284 (3) (a) Each district school board must provide instruction
285 to prepare students with disabilities to demonstrate proficiency
286 in the core content knowledge and skills necessary for
287 successful grade-to-grade progression and high school
288 graduation.

289 (b) A student with a disability, as defined in s.
290 1007.02(2), for whom the individual education plan committee
291 determines that an end-of-course assessment cannot accurately
292 measure the student's abilities taking into consideration all

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

293 allowable accommodations, shall have the end-of-course
294 assessment requirement of s. 1003.428(4)(b) or s. 1003.43(5)(a)
295 waived for the purpose of receiving a high school diploma, if
296 the student:

297 1. Completes the minimum number of credits and other
298 requirements prescribed in s. 1003.428(1)-(3) or s. 1003.43(1)
299 and (4).

300 2. Does not meet the end-of-course assessment requirements
301 of s. 1003.428(4)(b) or s. 1003.43(5)(a) after one opportunity
302 in grade 10 and one opportunity in grade 11.

303 Section 4. Section 1003.4286, Florida Statutes, is created
304 to read:

305 1003.4286 Graduation Exit Option Program; alternative
306 diploma.--

307 (1) There is created the Graduation Exit Option Program
308 under which a high school student shall be awarded an
309 alternative diploma. To be eligible to participate in the
310 program, a high school student must:

311 (a) Be at least 16 years old.

312 (b) Be enrolled in high school courses that meet high
313 school graduation requirements.

314 (c) Be at risk of failing to graduate.

315 (d) Meet criteria developed by the Department of Education
316 to ensure that the program is not used as a means for early
317 graduation and to target students who have the ability to pass
318 the end-of-course assessments required for high school
319 graduation and the general educational development (GED) test.

229567

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Amendment No.

320 (2) To receive an alternative diploma under the Graduation
321 Exit Option Program, a high school student must:

322 (a) Meet minimum reading levels and earn minimum scores on
323 GED practice tests, as established by the department.

324 (b) Earn passing scores on the language arts and
325 mathematics end-of-course assessments required for high school
326 graduation in accordance with s. 1008.22(3)(c).

327 (c) Pass each of the five sections of the GED test.

328 (d) Earn at least 14 credits toward high school
329 graduation, at least 8 of which are earned in English, reading,
330 mathematics, science, or social studies.

331 (3) An alternative diploma awarded under this section may
332 not be used for calculating graduation rates for any purpose.

333 (4) The department shall design the alternative diploma to
334 distinguish the diploma from a standard diploma.

335 (5) The State Board of Education shall adopt rules
336 pursuant to ss. 120.536(1) and 120.54 to implement this section.

337 Section 5. Section 1003.4287, Florida Statutes, is created
338 to read:

339 1003.4287 Recognition of veterans; high school diploma.--

340 (1) The Commissioner of Education may award a standard
341 high school diploma to honorably discharged veterans who started
342 high school between 1937 and 1946 and were scheduled to graduate
343 between 1941 and 1950 but were inducted into the United States
344 Armed Forces between September 16, 1940, and December 31, 1946,
345 prior to completing the necessary high school graduation
346 requirements. Upon the recommendation of the commissioner, the

229567

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Amendment No.

347 State Board of Education may develop criteria and guidelines for
348 awarding such diplomas.

349 (2) The Commissioner of Education may award a standard
350 high school diploma to honorably discharged veterans who started
351 high school between 1946 and 1950 and were scheduled to graduate
352 between 1949 and 1955 but were inducted into the United States
353 Armed Forces between June 1949 and January 1955 and served
354 during the Korean War prior to completing the necessary high
355 school graduation requirements. Upon the recommendation of the
356 commissioner, the State Board of Education may develop criteria
357 and guidelines for awarding such diplomas.

358 Section 6. Paragraph (b) of subsection (1) and paragraph
359 (c) of subsection (8) of section 1003.429, Florida Statutes, are
360 amended to read:

361 1003.429 Accelerated high school graduation options.--

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

366 (b) Completion of a 3-year standard college preparatory
367 program requiring successful completion of a minimum of 18
368 academic credits in grades 9 through 12. At least 6 of the 18
369 credits required for completion of this program must be received
370 in classes that are offered pursuant to the International
371 Baccalaureate Program, the Advanced Placement Program, dual
372 enrollment, or the Advanced International Certificate of
373 Education Program, or specifically listed or identified by the
374 Department of Education as rigorous pursuant to s. 1009.531(3).
229567

Amendment No.

375 Students must be advised of the Advanced Placement,
376 International Baccalaureate, Advanced International Certificate
377 of Education, and dual enrollment courses available, as well as
378 the availability of course offerings through the Florida Virtual
379 School. The 18 credits required for completion of this program
380 shall be primary requirements and shall be distributed as
381 follows:

- 382 1. Four credits in English, with major concentration in
383 composition and literature;
- 384 2. Three credits in mathematics at the Algebra I level or
385 higher from the list of courses that qualify for state
386 university admission;
- 387 3. Three credits in natural science, two of which must
388 have a laboratory component;
- 389 4. Three credits in social sciences, which must include
390 one credit in American history, one credit in world history,
391 one-half credit in American government, and one-half credit in
392 economics;
- 393 5. Two credits in the same second language unless the
394 student is a native speaker of or can otherwise demonstrate
395 competency in a language other than English. If the student
396 demonstrates competency in another language, the student may
397 replace the language requirement with two credits in other
398 academic courses; and
- 399 6. Three credits in electives; or

400

401 Any student who selected an accelerated graduation program
402 before July 1, 2004, may continue that program, and all

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

403 statutory program requirements that were applicable when the
404 student made the program choice shall remain applicable to the
405 student as long as the student continues that program.

406 (8) A student who selected one of the accelerated 3-year
407 graduation options shall automatically move to the 4-year
408 program set forth in s. 1003.43 if the student:

409 (c) Does not achieve passing scores ~~a score of 3 or higher~~
410 on the writing portions of the language arts end-of-course
411 assessments required for high school graduation in accordance
412 with s. 1008.22(3)(c) grade 10 FCAT Writing assessment; or

413 Section 7. Paragraph (a) of subsection (5) and subsections
414 (8) through (13) of section 1003.43, Florida Statutes, are
415 amended to read:

416 1003.43 General requirements for high school graduation.--

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

420 (a) Earning passing scores on the end-of-course
421 assessments required for high school graduation ~~FCAT, as defined~~
422 in accordance with s. 1008.22(3)(c), ~~or scores on a standardized~~
423 ~~test that are concordant with passing scores on the FCAT as~~
424 ~~defined in s. 1008.22(10).~~

425

426 The standards required in this subsection, and any subsequent
427 modifications, shall be reprinted in the Florida Administrative
428 Code even though not defined as "rules."

429 ~~(8) The State Board of Education, after a public hearing~~
430 ~~and consideration, shall adopt rules based upon the~~

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

431 ~~recommendations of the commissioner for the provision of test~~
432 ~~accommodations and modifications of procedures as necessary for~~
433 ~~students with disabilities which will demonstrate the student's~~
434 ~~abilities rather than reflect the student's impaired sensory,~~
435 ~~manual, speaking, or psychological process skills.~~

436 ~~(9) The public hearing and consideration required in~~
437 ~~subsection (8) shall not be construed to amend or nullify the~~
438 ~~requirements of security relating to the contents of~~
439 ~~examinations or assessment instruments and related materials or~~
440 ~~data as prescribed in s. 1008.23.~~

441 (8) ~~(10)~~ (a) A student who meets all requirements prescribed
442 in subsections (1), (4), and (5) shall be awarded a standard
443 diploma in a form prescribed by the State Board of Education. A
444 district school board may attach the Florida gold seal career
445 endorsement to a standard diploma or, instead of the standard
446 diploma, award differentiated diplomas to those exceeding the
447 prescribed minimums.

448 (b) A student who completes the minimum number of credits
449 and other requirements prescribed by subsections (1) and (4),
450 but who is unable to meet the standards of paragraph (5) (a),
451 paragraph (5) (b), or paragraph (5) (c), shall be awarded a
452 certificate of completion in a form prescribed by the State
453 Board of Education. However, any student who is otherwise
454 entitled to a certificate of completion may elect to remain in
455 the secondary school either as a full-time student or a part-
456 time student for up to 1 additional year and receive special
457 instruction designed to remedy his or her identified
458 deficiencies.

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

459 ~~(11) (a) Each district school board must provide~~
460 ~~instruction to prepare students with disabilities to demonstrate~~
461 ~~proficiency in the core content knowledge and skills necessary~~
462 ~~for successful grade-to-grade progression and high school~~
463 ~~graduation.~~

464 ~~(b) A student with a disability, as defined in s.~~
465 ~~1007.02(2), for whom the individual educational plan (IEP)~~
466 ~~committee determines that the FCAT cannot accurately measure the~~
467 ~~student's abilities taking into consideration all allowable~~
468 ~~accommodations, shall have the FCAT requirement of paragraph~~
469 ~~(5) (a) waived for the purpose of receiving a standard high~~
470 ~~school diploma, if the student:~~

471 ~~1. Completes the minimum number of credits and other~~
472 ~~requirements prescribed by subsections (1) and (4).~~

473 ~~2. Does not meet the requirements of paragraph (5) (a)~~
474 ~~after one opportunity in 10th grade and one opportunity in 11th~~
475 ~~grade.~~

476 ~~(12) The Commissioner of Education may award a standard~~
477 ~~high school diploma to honorably discharged veterans who started~~
478 ~~high school between 1937 and 1946 and were scheduled to graduate~~
479 ~~between 1941 and 1950 but were inducted into the United States~~
480 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~
481 ~~prior to completing the necessary high school graduation~~
482 ~~requirements. Upon the recommendation of the commissioner, the~~
483 ~~State Board of Education may develop criteria and guidelines for~~
484 ~~awarding such diplomas.~~

485 ~~(13) The Commissioner of Education may award a standard~~
486 ~~high school diploma to honorably discharged veterans who started~~
229567

Amendment No.

487 ~~high school between 1946 and 1950 and were scheduled to graduate~~
488 ~~between 1949 and 1955, but were inducted into the United States~~
489 ~~Armed Forces between June 1949 and January 1955, and served~~
490 ~~during the Korean War prior to completing the necessary high~~
491 ~~school graduation requirements. Upon the recommendation of the~~
492 ~~commissioner, the State Board of Education may develop criteria~~
493 ~~and guidelines for awarding such diplomas.~~

494 Section 8. Section 1003.433, Florida Statutes, is amended
495 to read:

496 1003.433 Learning opportunities for out-of-state and out-
497 of-country transfer students and students needing additional
498 instruction to meet high school graduation requirements.--

499 (1) Students who enter a Florida public school at the
500 eleventh or twelfth grade from out of state or from a foreign
501 country shall not be required to spend additional time in a
502 Florida public school in order to meet the high school course
503 requirements if the student has met all requirements of the
504 school district, state, or country from which he or she is
505 transferring. Such students who are not proficient in English
506 should receive immediate and intensive instruction in English
507 language acquisition. However, to receive a standard high school
508 diploma, a transfer student must earn a 2.0 grade point average
509 and pass the end-of-course assessments required for high school
510 graduation in accordance with s. 1008.22(3)(c) ~~grade 10 FCAT~~
511 ~~required in s. 1008.22(3) or an alternate assessment as~~
512 ~~described in s. 1008.22(10).~~

513 (2) Students who have met all requirements for the
514 standard high school diploma except for passage of the end-of-
229567

Amendment No.

515 course assessments required for high school graduation ~~grade 10~~
516 ~~FCAT or an alternate assessment by the end of grade 12~~ must be
517 provided the following learning opportunities:

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

520 (b) Upon receipt of a certificate of completion, be
521 allowed to take the College Placement Test and be admitted to
522 remedial or credit courses at a state community college, as
523 appropriate.

524 (c) Participation in an adult general education program as
525 provided in s. 1004.93 for such time as the student requires to
526 master English, reading, mathematics, or any other subject
527 required for high school graduation. Students attending adult
528 basic, adult secondary, or vocational-preparatory instruction
529 are exempt from any requirement for the payment of tuition and
530 fees, including lab fees, pursuant to s. 1009.25. A student
531 attending an adult general education program shall have the
532 opportunity to take the end-of-course assessments required for
533 high school graduation ~~grade 10 FCAT~~ an unlimited number of
534 times in order to receive a standard high school diploma.

535 (3) Students who have been enrolled in an ESOL program for
536 less than 2 school years and have met all requirements for the
537 standard high school diploma except for passage of the end-of-
538 course assessments required for high school graduation ~~grade 10~~
539 ~~FCAT or alternate assessment~~ may receive immersion English
540 language instruction during the summer following their senior
541 year. Students receiving such instruction are eligible to take
542 the FCAT or alternate assessment and receive a standard high

229567

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Amendment No.

543 school diploma upon passage of the grade 10 FCAT or the
544 alternate assessment. This subsection shall be implemented to
545 the extent funding is provided in the General Appropriations
546 Act.

547 (4) The district school superintendent shall be
548 responsible for notifying all students of the consequences of
549 failure to receive a standard high school diploma, including the
550 potential ineligibility for financial assistance at
551 postsecondary educational institutions.

552 (5) The State Board of Education may adopt rules pursuant
553 to ss. 120.536(1) and 120.54 to administer this section.

554 Section 9. Subsection (4) of section 1007.263, Florida
555 Statutes, is amended to read:

556 1007.263 Community colleges; admissions of students.--Each
557 community college board of trustees is authorized to adopt rules
558 governing admissions of students subject to this section and
559 rules of the State Board of Education. These rules shall include
560 the following:

561 (4) A student who has been awarded a special diploma as
562 defined in s. 1003.438 or a certificate of completion as defined
563 in s. 1003.43(8)~~(10)~~ is eligible to enroll in certificate career
564 education programs.

565
566 Each board of trustees shall establish policies that notify
567 students about, and place students into, adult basic education,
568 adult secondary education, or other instructional programs that
569 provide students with alternatives to traditional college-
570 preparatory instruction, including private provider instruction.

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

571 A student is prohibited from enrolling in additional college-
572 level courses until the student scores above the cut-score on
573 all sections of the common placement test.

574 Section 10. Subsections (11) and (12) of section 1008.22,
575 Florida Statutes, are renumbered as subsections (10) and (11),
576 respectively, and paragraph (c) of subsection (3) and present
577 subsection (10) of that section are amended to read:

578 1008.22 Student assessment program for public schools.--

579 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
580 design and implement a statewide program of educational
581 assessment that provides information for the improvement of the
582 operation and management of the public schools, including
583 schools operating for the purpose of providing educational
584 services to youth in Department of Juvenile Justice programs.
585 The commissioner may enter into contracts for the continued
586 administration of the assessment, testing, and evaluation
587 programs authorized and funded by the Legislature. Contracts may
588 be initiated in 1 fiscal year and continue into the next and may
589 be paid from the appropriations of either or both fiscal years.
590 The commissioner is authorized to negotiate for the sale or
591 lease of tests, scoring protocols, test scoring services, and
592 related materials developed pursuant to law. Pursuant to the
593 statewide assessment program, the commissioner shall:

594 (c) Develop and implement a student achievement testing
595 program known as the Florida Comprehensive Assessment Test
596 (FCAT) as part of the statewide assessment program to measure a
597 student's content knowledge and skills in reading, writing,
598 science, and mathematics. Other content areas may be included as
229567

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Amendment No.

599 directed by the commissioner. Comprehensive assessments of
600 reading and mathematics shall be administered annually in grades
601 3 through 10. Comprehensive assessments of writing and science
602 shall be administered at least once at the elementary, middle,
603 and high school levels. End-of-course assessments for a subject
604 may be administered in addition to the comprehensive assessments
605 required for that subject under this paragraph. An end-of-course
606 assessment must be rigorous, statewide, standardized, and
607 developed or approved by the department. The content knowledge
608 and skills assessed by comprehensive and end-of-course
609 assessments must be aligned to the core curricular content
610 established in the Sunshine State Standards. The commissioner
611 may select one or more nationally developed comprehensive
612 examinations, which may include, but need not be limited to,
613 examinations for a College Board Advanced Placement course,
614 International Baccalaureate course, or Advanced International
615 Certificate of Education course or industry-approved
616 examinations to earn national industry certifications as defined
617 in s. 1003.492, for use as end-of-course assessments under this
618 paragraph, if the commissioner determines that the content
619 knowledge and skills assessed by the examinations meet or exceed
620 the grade level expectations for the core curricular content
621 established for the course in the Next Generation Sunshine State
622 Standards. The commissioner may collaborate with the American
623 Diploma Project in the adoption or development of rigorous end-
624 of-course assessments that are aligned to the Next Generation
625 Sunshine State Standards. The testing program must be designed
626 as follows:

229567

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Amendment No.

627 1. The tests shall measure student skills and competencies
628 adopted by the State Board of Education as specified in
629 paragraph (a). The tests must measure and report student
630 proficiency levels of all students assessed in reading, writing,
631 mathematics, and science. The commissioner shall provide for the
632 tests to be developed or obtained, as appropriate, through
633 contracts and project agreements with private vendors, public
634 vendors, public agencies, postsecondary educational
635 institutions, or school districts. The commissioner shall obtain
636 input with respect to the design and implementation of the
637 testing program from state educators, assistive technology
638 experts, and the public.

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

644 3. Beginning with the 2008-2009 school year, the
645 commissioner shall discontinue administration of the selected-
646 response test items on the comprehensive assessments of writing.
647 Beginning with the 2012-2013 school year, the comprehensive
648 assessments of writing shall be composed of a combination of
649 selected-response test items, short-response performance tasks,
650 and extended-response performance tasks, which shall measure a
651 student's content knowledge of writing, including, but not
652 limited to, paragraph and sentence structure, sentence
653 construction, grammar and usage, punctuation, capitalization,

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

654 spelling, parts of speech, verb tense, irregular verbs, subject-
655 verb agreement, and noun-pronoun agreement.

656 4. A score shall be designated for each subject area
657 tested, below which score a student's performance is deemed
658 inadequate. The school districts shall provide appropriate
659 remedial instruction to students who score below these levels.

660 5. Except as provided in s. 1003.4282 ~~1003.428(8)(b) or s.~~
661 ~~1003.43(11)(b)~~, students must earn a passing score on end-of-
662 course assessments being developed and phased in by the
663 department the grade 10 assessment test described in this
664 ~~paragraph or attain concordant scores as described in subsection~~
665 ~~(10) in language arts reading, writing, and mathematics to~~
666 qualify for a standard high school diploma. The State Board of
667 Education shall designate a passing score for each end-of-course
668 ~~part of the grade 10 assessment, including passing scores for~~
669 the reading and writing portions of the language arts
670 assessments test. In establishing passing scores, the state
671 ~~board shall consider any possible negative impact of the test on~~
672 ~~minority students. The State Board of Education shall adopt~~
673 ~~rules which specify the passing scores for the grade 10 FCAT.~~
674 ~~Any such rules, which have the effect of raising the required~~
675 ~~passing scores, shall apply only to students taking the grade 10~~
676 ~~FCAT for the first time after such rules are adopted by the~~
677 ~~State Board of Education.~~

678 6. Participation in the testing program is mandatory for
679 all students attending public school, including students served
680 in Department of Juvenile Justice programs, except as otherwise
681 prescribed by the commissioner. If a student does not

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

682 participate in the statewide assessment, the district must
683 notify the student's parent and provide the parent with
684 information regarding the implications of such nonparticipation.
685 A parent must provide signed consent for a student to receive
686 classroom instructional accommodations that would not be
687 available or permitted on the statewide assessments and must
688 acknowledge in writing that he or she understands the
689 implications of such instructional accommodations. The State
690 Board of Education shall adopt rules, based upon recommendations
691 of the commissioner, for the provision of test accommodations
692 for students in exceptional education programs and for students
693 who have limited English proficiency. Accommodations that negate
694 the validity of a statewide assessment are not allowable in the
695 administration of the FCAT. However, instructional
696 accommodations are allowable in the classroom if included in a
697 student's individual education plan. Students using
698 instructional accommodations in the classroom that are not
699 allowable as accommodations on the FCAT may have the FCAT
700 requirement waived pursuant to the requirements of s. 1003.4282
701 ~~1003.428(8)(b) or s. 1003.43(11)(b)~~.

702 7. A student seeking an adult high school diploma must
703 meet the same testing requirements that a regular high school
704 student must meet.

705 8. District school boards must provide instruction to
706 prepare students to demonstrate proficiency in the core
707 curricular content established in the Next Generation Sunshine
708 State Standards adopted under s. 1003.41, including the core
709 content knowledge and skills necessary for successful grade-to-
229567

Amendment No.

710 grade progression and high school graduation. If a student is
711 provided with instructional accommodations in the classroom that
712 are not allowable as accommodations in the statewide assessment
713 program, as described in the test manuals, the district must
714 inform the parent in writing and must provide the parent with
715 information regarding the impact on the student's ability to
716 meet expected proficiency levels in reading, writing, and
717 mathematics. The commissioner shall conduct studies as necessary
718 to verify that the required core curricular content is part of
719 the district instructional programs.

720 9. District school boards must provide opportunities for
721 students to demonstrate an acceptable level of performance on an
722 alternative standardized assessment approved by the State Board
723 of Education following enrollment in summer academies.

724 10. The Department of Education must develop, or select,
725 and implement a common battery of assessment tools that will be
726 used in all juvenile justice programs in the state. These tools
727 must accurately measure the core curricular content established
728 in the Sunshine State Standards.

729 11. For students seeking a special diploma pursuant to s.
730 1003.438, the Department of Education must develop or select and
731 implement an alternate assessment tool that accurately measures
732 the core curricular content established in the Sunshine State
733 Standards for students with disabilities under s. 1003.438.

734 12. The Commissioner of Education shall establish
735 schedules for the administration of statewide assessments and
736 the reporting of student test results. The commissioner shall,
737 by August 1 of each year, notify each school district in writing
229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

738 and publish on the department's Internet website the testing and
739 reporting schedules for, at a minimum, the school year following
740 the upcoming school year. The testing and reporting schedules
741 shall require that:

742 a. There is the latest possible administration of
743 statewide assessments and the earliest possible reporting to the
744 school districts of student test results which is feasible
745 within available technology and specific appropriations;
746 however, test results must be made available no later than the
747 final day of the regular school year for students.

748 b. Beginning with the 2010-2011 school year, a
749 comprehensive statewide assessment of writing is not
750 administered earlier than the week of March 1 and a
751 comprehensive statewide assessment of any other subject is not
752 administered earlier than the week of April 15.

753 c. A statewide standardized end-of-course assessment is
754 administered within the last 2 weeks of the course.

755
756 The commissioner may, based on collaboration and input from
757 school districts, design and implement student testing programs,
758 for any grade level and subject area, necessary to effectively
759 monitor educational achievement in the state, including the
760 measurement of educational achievement of the Sunshine State
761 Standards for students with disabilities. Development and
762 refinement of assessments shall include universal design
763 principles and accessibility standards that will prevent any
764 unintended obstacles for students with disabilities while
765 ensuring the validity and reliability of the test. These

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

766 principles should be applicable to all technology platforms and
767 assistive devices available for the assessments. The field
768 testing process and psychometric analyses for the statewide
769 assessment program must include an appropriate percentage of
770 students with disabilities and an evaluation or determination of
771 the effect of test items on such students.

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

773 ~~(a) The State Board of Education shall analyze the content~~
774 ~~and concordant data sets for widely used high school achievement~~
775 ~~tests, including, but not limited to, the PSAT, PLAN, SAT, ACT,~~
776 ~~and College Placement Test, to assess if concordant scores for~~
777 ~~FCAT scores can be determined for high school graduation,~~
778 ~~college placement, and scholarship awards. In cases where~~
779 ~~content alignment and concordant scores can be determined, the~~
780 ~~Commissioner of Education shall adopt those scores as meeting~~
781 ~~the graduation requirement in lieu of achieving the FCAT passing~~
782 ~~score and may adopt those scores as being sufficient to achieve~~
783 ~~additional purposes as determined by rule. Each time that test~~
784 ~~content or scoring procedures change for the FCAT or for a high~~
785 ~~school achievement test for which a concordant score is~~
786 ~~determined, new concordant scores must be determined.~~

787 ~~(b) In order to use a concordant subject area score~~
788 ~~pursuant to this subsection to satisfy the assessment~~
789 ~~requirement for a standard high school diploma as provided in s.~~
790 ~~1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must~~
791 ~~take each subject area of the grade 10 FCAT a total of three~~
792 ~~times without earning a passing score. The requirements of this~~
793 ~~paragraph shall not apply to a new student who enters the~~

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

794 ~~Florida public school system in grade 12, who may either achieve~~
795 ~~a passing score on the FCAT or use an approved subject area~~
796 ~~concordant score to fulfill the graduation requirement.~~

797 ~~(c) The State Board of Education may define by rule the~~
798 ~~allowable uses, other than to satisfy the high school graduation~~
799 ~~requirement, for concordant scores as described in this~~
800 ~~subsection. Such uses may include, but need not be limited to,~~
801 ~~achieving appropriate standardized test scores required for the~~
802 ~~awarding of Florida Bright Futures Scholarships and college~~
803 ~~placement.~~

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

806 1008.30 Common placement testing for public postsecondary
807 education.--

808 (3) The State Board of Education shall adopt rules that
809 require high schools to evaluate before the beginning of grade
810 12 the college readiness of each student who indicates an
811 interest in postsecondary education and achieves passing scores
812 on the language arts and at Level 2 or Level 3 on the reading
813 portion of the grade 10 FCAT or Level 2, Level 3, or Level 4 on
814 the mathematics end-of-course assessments required for high
815 school graduation ~~portion of the grade 10 FCAT.~~ High schools
816 shall perform this evaluation using results from the
817 corresponding component of the common placement test prescribed
818 in this section, or an equivalent test identified by the State
819 Board of Education. The Department of Education shall purchase
820 or develop the assessments necessary to perform the evaluations
821 required by this subsection and shall work with the school

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

822 districts to administer the assessments. The State Board of
823 Education shall establish by rule the minimum test scores a
824 student must achieve to demonstrate readiness. Students who
825 demonstrate readiness by achieving the minimum test scores
826 established by the state board and enroll in a community college
827 within 2 years of achieving such scores shall not be required to
828 enroll in remediation courses as a condition of acceptance to
829 any community college. The high school shall use the results of
830 the test to advise the students of any identified deficiencies
831 and to the maximum extent practicable provide 12th grade
832 students access to appropriate remedial instruction prior to
833 high school graduation. The remedial instruction provided under
834 this subsection shall be a collaborative effort between
835 secondary and postsecondary educational institutions. To the
836 extent courses are available, the Florida Virtual School may be
837 used to provide the remedial instruction required by this
838 subsection.

839 Section 12. Paragraph (b) of subsection (1) of section
840 1009.531, Florida Statutes, is amended to read:

841 1009.531 Florida Bright Futures Scholarship Program;
842 student eligibility requirements for initial awards.--

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

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

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

850 1. The student completes a home education program
851 according to s. 1002.41; or

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

855 Section 13. This act shall take effect July 1, 2009.
856

857 -----

858 **T I T L E A M E N D M E N T**

859 Remove the entire title and insert:

860 A bill to be entitled

861 An act relating to high school graduation; amending s.
862 1003.03, F.S.; conforming provisions to the replacement by
863 the act of the grade 10 Florida Comprehensive Assessment
864 Test with end-of-course assessments for purposes of high
865 school graduation requirements; amending s. 1003.428,
866 F.S.; requiring that students be advised of the
867 availability of certain courses for purposes of high
868 school graduation; providing credit requirements for high
869 school graduation with a standard diploma beginning with
870 students entering grade 9 in the 2010-2011 school year and
871 students entering grade 9 in the 2012-2013 school year;
872 revising remedial course requirements to conform to the
873 replacement by the act of the grade 10 FCAT with end-of-
874 course assessments; deleting provisions relating to
875 general requirements for high school graduation to conform
876 to changes made by the act; creating s. 1003.4282, F.S.;
877 providing for accommodations for students with

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

878 disabilities for purposes of high school graduation;
879 creating s. 1003.4286, F.S.; creating the Graduation Exit
880 Option Program under which a high school student shall be
881 awarded an alternative diploma; providing requirements for
882 participation in the program and receipt of a diploma;
883 providing Department of Education duties and requiring
884 State Board of Education rules; creating s. 1003.4287,
885 F.S.; authorizing the award of a standard high school
886 diploma to certain honorably discharged veterans; amending
887 s. 1003.429, F.S.; requiring that students be advised of
888 the availability of certain courses for purposes of an
889 accelerated high school graduation option; revising high
890 school graduation requirements to conform to the
891 replacement by the act of the grade 10 FCAT with end-of-
892 course assessments; amending s. 1003.43, F.S.; revising
893 high school graduation requirements to conform to the
894 replacement by the act of the grade 10 FCAT with end-of-
895 course assessments; deleting provisions relating to
896 general requirements for high school graduation to conform
897 to changes made by the act; amending s. 1003.433, F.S.;
898 revising high school graduation requirements for transfer
899 students to conform to the replacement by the act of the
900 grade 10 FCAT with end-of-course assessments; amending s.
901 1007.263, F.S.; conforming a cross-reference; amending s.
902 1008.22, F.S.; requiring students to pass certain end-of-
903 course assessments to qualify for a high school diploma;
904 requiring the State Board of Education to designate
905 passing scores; deleting provisions requiring passing

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Amendment No.

906 scores on the grade 10 FCAT for purposes of a high school
907 diploma; conforming cross-references; deleting provisions
908 for the establishment of concordant scores used for
909 purposes of high school graduation as alternative to FCAT
910 scores; amending s. 1008.30, F.S.; revising requirements
911 for high schools to evaluate the college readiness of
912 students; conforming provisions; amending s. 1009.531,
913 F.S.; conforming provisions; providing an effective date.

229567

Approved For Filing: 4/21/2009 1:47:58 PM

Page 34 of 34