

Amendment No.

CHAMBER ACTION

Senate

House

.
. .
. .

1 Representative Fresen offered the following:
2

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:
5

6 Section 1. Subsection (1), paragraph (a) of subsection
7 (2), and subsections (5) through (11) of section 1003.428,
8 Florida Statutes, are amended to read:

9 1003.428 General requirements for high school graduation;
10 revised.--

11 (1) Except as otherwise authorized pursuant to s.
12 1003.429, beginning with students entering grade 9 ~~their first~~
13 ~~year of high school~~ in the 2007-2008 school year, graduation
14 requires the successful completion of a minimum of 24 credits,
15 an International Baccalaureate curriculum, or an Advanced
16 International Certificate of Education curriculum. Students must

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

17 be advised of the Advanced Placement, International
18 Baccalaureate, Advanced International Certificate of Education,
19 career academy coursework that leads to national industry
20 certification, and dual enrollment courses available, as well as
21 the availability of course offerings through the Florida Virtual
22 School. Students must also be advised of eligibility
23 requirements for state scholarship programs and postsecondary
24 admissions.

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

28 (a) Sixteen core curriculum credits:

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

31 2. Four credits in mathematics, one of which must be
32 Algebra I, a series of courses equivalent to Algebra I, or a
33 higher-level mathematics course. Beginning with students
34 entering grade 9 in the 2010-2011 school year, one of the four
35 credits must be Algebra I or a series of courses equivalent to
36 Algebra I as approved by the State Board of Education, and one
37 credit must be geometry or a series of courses equivalent to
38 geometry as approved by the State Board of Education. Beginning
39 with students entering grade 9 in the 2012-2013 school year, one
40 of the four credits must be Algebra I or a series of courses
41 equivalent to Algebra I as approved by the State Board of
42 Education, one credit must be geometry or a series of courses
43 equivalent to geometry as approved by the State Board of
44 Education, and one credit must be Algebra II or a series of

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

45 courses equivalent to Algebra II as approved by the State Board
46 of Education. School districts are encouraged to set specific
47 goals to increase enrollments in, and successful completion of,
48 geometry and Algebra II.

49 3. Three credits in science, two of which must have a
50 laboratory component. Beginning with students entering grade 9
51 in the 2010-2011 school year, one of the three credits must be
52 Biology I or a series of courses equivalent to Biology I as
53 approved by the State Board of Education, one credit must be a
54 physical science or a series of courses equivalent to a physical
55 science as approved by the State Board of Education, and one
56 credit must be a higher-level science course. At least two of
57 the science courses must have a laboratory component. Beginning
58 with students entering grade 9 in the 2012-2013 school year, one
59 of the three credits must be Biology I or a series of courses
60 equivalent to Biology I as approved by the State Board of
61 Education, one credit must be chemistry or physics or a series
62 of courses equivalent to chemistry or physics as approved by the
63 State Board of Education, and one credit must be a higher-level
64 science course. At least two of the science courses must have a
65 laboratory component.

66 4. Three credits in social studies as follows: one credit
67 in American history; one credit in world history; one-half
68 credit in economics; and one-half credit in American government.

69 5. One credit in fine or performing arts, speech and
70 debate, or a practical arts course that incorporates artistic
71 content and techniques of creativity, interpretation, and

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

72 imagination. Eligible practical arts courses shall be identified
73 through the Course Code Directory.

74 6. One credit in physical education to include integration
75 of health. Participation in an interscholastic sport at the
76 junior varsity or varsity level for two full seasons shall
77 satisfy the one-credit requirement in physical education if the
78 student passes a competency test on personal fitness with a
79 score of "C" or better. The competency test on personal fitness
80 must be developed by the Department of Education. A district
81 school board may not require that the one credit in physical
82 education be taken during the 9th grade year. Completion of one
83 semester with a grade of "C" or better in a marching band class,
84 in a physical activity class that requires participation in
85 marching band activities as an extracurricular activity, or in a
86 dance class shall satisfy one-half credit in physical education
87 or one-half credit in performing arts. This credit may not be
88 used to satisfy the personal fitness requirement or the
89 requirement for adaptive physical education under an individual
90 education plan (IEP) or 504 plan. Completion of 2 years in a
91 Reserve Officer Training Corps (R.O.T.C.) class, a significant
92 component of which is drills, shall satisfy the one-credit
93 requirement in physical education and the one-credit requirement
94 in performing arts. This credit may not be used to satisfy the
95 personal fitness requirement or the requirement for adaptive
96 physical education under an individual education plan (IEP) or
97 504 plan.

98 ~~(5) The State Board of Education, after a public hearing~~
99 ~~and consideration, shall adopt rules based upon the~~

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

100 ~~recommendations of the commissioner for the provision of test~~
101 ~~accommodations and modifications of procedures as necessary for~~
102 ~~students with disabilities which will demonstrate the student's~~
103 ~~abilities rather than reflect the student's impaired sensory,~~
104 ~~manual, speaking, or psychological process skills.~~

105 ~~(6) The public hearing and consideration required in~~
106 ~~subsection (5) shall not be construed to amend or nullify the~~
107 ~~requirements of security relating to the contents of~~
108 ~~examinations or assessment instruments and related materials or~~
109 ~~data as prescribed in s. 1008.23.~~

110 (5) ~~(7)~~(a) A student who meets all requirements prescribed
111 in subsections (1), (2), (3), and (4) shall be awarded a
112 standard diploma in a form prescribed by the State Board of
113 Education.

114 (b) A student who completes the minimum number of credits
115 and other requirements prescribed by subsections (1), (2), and
116 (3), but who is unable to meet the standards of paragraph
117 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded
118 a certificate of completion in a form prescribed by the State
119 Board of Education. However, any student who is otherwise
120 entitled to a certificate of completion may elect to remain in
121 the secondary school either as a full-time student or a part-
122 time student for up to 1 additional year and receive special
123 instruction designed to remedy his or her identified
124 deficiencies.

125 ~~(8) (a) Each district school board must provide instruction~~
126 ~~to prepare students with disabilities to demonstrate proficiency~~
127 ~~in the core content knowledge and skills necessary for~~

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

128 ~~successful grade to grade progression and high school~~
129 ~~graduation.~~

130 ~~(b) A student with a disability, as defined in s.~~
131 ~~1007.02(2), for whom the individual education plan (IEP)~~
132 ~~committee determines that the FCAT cannot accurately measure the~~
133 ~~student's abilities taking into consideration all allowable~~
134 ~~accommodations, shall have the FCAT requirement of paragraph~~
135 ~~(4)(b) waived for the purpose of receiving a standard high~~
136 ~~school diploma, if the student:~~

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

139 ~~2. Does not meet the requirements of paragraph (4)(b)~~
140 ~~after one opportunity in 10th grade and one opportunity in 11th~~
141 ~~grade.~~

142 ~~(9) The Commissioner of Education may award a standard~~
143 ~~high school diploma to honorably discharged veterans who started~~
144 ~~high school between 1937 and 1946 and were scheduled to graduate~~
145 ~~between 1941 and 1950 but were inducted into the United States~~
146 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~
147 ~~prior to completing the necessary high school graduation~~
148 ~~requirements. Upon the recommendation of the commissioner, the~~
149 ~~State Board of Education may develop criteria and guidelines for~~
150 ~~awarding such diplomas.~~

151 ~~(10) The Commissioner of Education may award a standard~~
152 ~~high school diploma to honorably discharged veterans who started~~
153 ~~high school between 1946 and 1950 and were scheduled to graduate~~
154 ~~between 1950 and 1954, but were inducted into the United States~~
155 ~~Armed Forces between June 27, 1950, and January 31, 1955, and~~

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

156 ~~served during the Korean Conflict prior to completing the~~
157 ~~necessary high school graduation requirements. Upon the~~
158 ~~recommendation of the commissioner, the State Board of Education~~
159 ~~may develop criteria and guidelines for awarding such diplomas.~~

160 (6) ~~(11)~~ The State Board of Education may adopt rules
161 pursuant to ss. 120.536(1) and 120.54 to implement the
162 provisions of this section and may enforce the provisions of
163 this section pursuant to s. 1008.32.

164 Section 2. Section 1003.4282, Florida Statutes, is created
165 to read:

166 1003.4282 Accommodations for students with disabilities;
167 graduation requirements.--For purposes of high school
168 graduation:

169 (1) The State Board of Education, after a public hearing
170 and consideration, shall adopt rules based upon the
171 recommendations of the Commissioner of Education for the
172 provision of test accommodations as necessary for students with
173 disabilities which will demonstrate the student's abilities
174 rather than reflect the student's impaired sensory, manual,
175 speaking, or psychological process skills.

176 (2) The public hearing and consideration required in
177 subsection (1) shall not be construed to amend or nullify the
178 requirements of security relating to the contents of
179 examinations or assessment instruments and related materials or
180 data as prescribed in s. 1008.23.

181 (3) (a) Each district school board must provide instruction
182 to prepare students with disabilities to demonstrate proficiency
183 in the core content knowledge and skills necessary for

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

184 successful grade-to-grade progression and high school
185 graduation.

186 (b) A student with a disability, as defined in s.
187 1007.02(2), for whom the individual education plan committee
188 determines that the FCAT cannot accurately measure the student's
189 abilities taking into consideration all allowable
190 accommodations, shall have the FCAT requirement of s.
191 1003.428(4)(b) or s. 1003.43(5)(a) waived for the purpose of
192 receiving a high school diploma, if the student:

193 1. Completes the minimum number of credits and other
194 requirements prescribed in s. 1003.428(1)-(3) or s. 1003.43(1)
195 and (4).

196 2. Does not meet the FCAT requirements of s.
197 1003.428(4)(b) or s. 1003.43(5)(a) after one opportunity in
198 grade 10 and one opportunity in grade 11.

199 Section 3. Section 1003.4287, Florida Statutes, is created
200 to read:

201 1003.4287 Recognition of veterans; high school diploma.--

202 (1) The Commissioner of Education may award a standard
203 high school diploma to honorably discharged veterans who started
204 high school between 1937 and 1946 and were scheduled to graduate
205 between 1941 and 1950 but were inducted into the United States
206 Armed Forces between September 16, 1940, and December 31, 1946,
207 prior to completing the necessary high school graduation
208 requirements. Upon the recommendation of the commissioner, the
209 State Board of Education may develop criteria and guidelines for
210 awarding such diplomas.

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

211 (2) The Commissioner of Education may award a standard
212 high school diploma to honorably discharged veterans who started
213 high school between 1946 and 1950 and were scheduled to graduate
214 between 1949 and 1955 but were inducted into the United States
215 Armed Forces between June 1949 and January 1955 and served
216 during the Korean War prior to completing the necessary high
217 school graduation requirements. Upon the recommendation of the
218 commissioner, the State Board of Education may develop criteria
219 and guidelines for awarding such diplomas.

220 Section 4. Subsection (1) of section 1003.429, Florida
221 Statutes, is amended to read:

222 1003.429 Accelerated high school graduation options.--

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

227 (a) Completion of the general requirements for high school
228 graduation pursuant to s. 1003.43;

229 (b) Completion of a 3-year standard college preparatory
230 program requiring successful completion of a minimum of 18
231 academic credits in grades 9 through 12. At least 6 of the 18
232 credits required for completion of this program must be received
233 in classes that are offered pursuant to the International
234 Baccalaureate Program, the Advanced Placement Program, dual
235 enrollment, or the Advanced International Certificate of
236 Education Program, or specifically listed or identified by the
237 Department of Education as rigorous pursuant to s. 1009.531(3).
238 Students must be advised of the Advanced Placement,

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

239 International Baccalaureate, Advanced International Certificate
240 of Education, career academy coursework that leads to national
241 industry certification, and dual enrollment courses available,
242 as well as the availability of course offerings through the
243 Florida Virtual School. The 18 credits required for completion
244 of this program shall be primary requirements and shall be
245 distributed as follows:

- 246 1. Four credits in English, with major concentration in
247 composition and literature;
- 248 2. Three credits in mathematics at the Algebra I level or
249 higher from the list of courses that qualify for state
250 university admission;
- 251 3. Three credits in natural science, two of which must
252 have a laboratory component. Beginning with students entering
253 grade 9 in the 2010-2011 school year, one of the three credits
254 in science must be Biology I or a series of courses that have
255 been approved by the State Board of Education as equivalent to
256 Biology I;
- 257 4. Three credits in social sciences, which must include
258 one credit in American history, one credit in world history,
259 one-half credit in American government, and one-half credit in
260 economics;
- 261 5. Two credits in the same second language unless the
262 student is a native speaker of or can otherwise demonstrate
263 competency in a language other than English. If the student
264 demonstrates competency in another language, the student may
265 replace the language requirement with two credits in other
266 academic courses; and

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

- 267 6. Three credits in electives; or
268 (c) Completion of a 3-year career preparatory program
269 requiring successful completion of a minimum of 18 academic
270 credits in grades 9 through 12. The 18 credits shall be primary
271 requirements and shall be distributed as follows:
- 272 1. Four credits in English, with major concentration in
273 composition and literature;
- 274 2. Three credits in mathematics, one of which must be
275 Algebra I;
- 276 3. Three credits in natural science, two of which must
277 have a laboratory component. Beginning with students entering
278 grade 9 in the 2010-2011 school year, one of the three credits
279 in science must be Biology I or a series of courses that have
280 been approved by the State Board of Education as equivalent to
281 Biology I;
- 282 4. Three credits in social sciences, which must include
283 one credit in American history, one credit in world history,
284 one-half credit in American government, and one-half credit in
285 economics;
- 286 5. Three credits in a single vocational or career
287 education program, three credits in career and technical
288 certificate dual enrollment courses, or five credits in
289 vocational or career education courses; and
- 290 6. Two credits in electives unless five credits are earned
291 pursuant to subparagraph 5.

292
293 Any student who selected an accelerated graduation program
294 before July 1, 2004, may continue that program, and all
444605

Amendment No.

295 statutory program requirements that were applicable when the
296 student made the program choice shall remain applicable to the
297 student as long as the student continues that program.

298 Section 5. Subsections (8) through (13) of section
299 1003.43, Florida Statutes, are amended to read:

300 1003.43 General requirements for high school graduation.--

301 ~~(8) The State Board of Education, after a public hearing~~
302 ~~and consideration, shall adopt rules based upon the~~
303 ~~recommendations of the commissioner for the provision of test~~
304 ~~accommodations and modifications of procedures as necessary for~~
305 ~~students with disabilities which will demonstrate the student's~~
306 ~~abilities rather than reflect the student's impaired sensory,~~
307 ~~manual, speaking, or psychological process skills.~~

308 ~~(9) The public hearing and consideration required in~~
309 ~~subsection (8) shall not be construed to amend or nullify the~~
310 ~~requirements of security relating to the contents of~~
311 ~~examinations or assessment instruments and related materials or~~
312 ~~data as prescribed in s. 1008.23.~~

313 (8)~~(10)~~(a) A student who meets all requirements prescribed
314 in subsections (1), (4), and (5) shall be awarded a standard
315 diploma in a form prescribed by the State Board of Education. A
316 district school board may attach the Florida gold seal career
317 endorsement to a standard diploma or, instead of the standard
318 diploma, award differentiated diplomas to those exceeding the
319 prescribed minimums.

320 (b) A student who completes the minimum number of credits
321 and other requirements prescribed by subsections (1) and (4),
322 but who is unable to meet the standards of paragraph (5) (a),
444605

Amendment No.

323 paragraph (5) (b), or paragraph (5) (c), shall be awarded a
324 certificate of completion in a form prescribed by the State
325 Board of Education. However, any student who is otherwise
326 entitled to a certificate of completion may elect to remain in
327 the secondary school either as a full-time student or a part-
328 time student for up to 1 additional year and receive special
329 instruction designed to remedy his or her identified
330 deficiencies.

331 ~~(11) (a) Each district school board must provide~~
332 ~~instruction to prepare students with disabilities to demonstrate~~
333 ~~proficiency in the core content knowledge and skills necessary~~
334 ~~for successful grade to grade progression and high school~~
335 ~~graduation.~~

336 ~~(b) A student with a disability, as defined in s.~~
337 ~~1007.02(2), for whom the individual educational plan (IEP)~~
338 ~~committee determines that the FCAT cannot accurately measure the~~
339 ~~student's abilities taking into consideration all allowable~~
340 ~~accommodations, shall have the FCAT requirement of paragraph~~
341 ~~(5) (a) waived for the purpose of receiving a standard high~~
342 ~~school diploma, if the student:~~

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

345 ~~2. Does not meet the requirements of paragraph (5) (a)~~
346 ~~after one opportunity in 10th grade and one opportunity in 11th~~
347 ~~grade.~~

348 ~~(12) The Commissioner of Education may award a standard~~
349 ~~high school diploma to honorably discharged veterans who started~~
350 ~~high school between 1937 and 1946 and were scheduled to graduate~~
444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

351 ~~between 1941 and 1950 but were inducted into the United States~~
352 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~
353 ~~prior to completing the necessary high school graduation~~
354 ~~requirements. Upon the recommendation of the commissioner, the~~
355 ~~State Board of Education may develop criteria and guidelines for~~
356 ~~awarding such diplomas.~~

357 ~~(13) The Commissioner of Education may award a standard~~
358 ~~high school diploma to honorably discharged veterans who started~~
359 ~~high school between 1946 and 1950 and were scheduled to graduate~~
360 ~~between 1949 and 1955, but were inducted into the United States~~
361 ~~Armed Forces between June 1949 and January 1955, and served~~
362 ~~during the Korean War prior to completing the necessary high~~
363 ~~school graduation requirements. Upon the recommendation of the~~
364 ~~commissioner, the State Board of Education may develop criteria~~
365 ~~and guidelines for awarding such diplomas.~~

366 Section 6. Subsection (4) of section 1007.263, Florida
367 Statutes, is amended to read:

368 1007.263 Community colleges; admissions of students.--Each
369 community college board of trustees is authorized to adopt rules
370 governing admissions of students subject to this section and
371 rules of the State Board of Education. These rules shall include
372 the following:

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

377
444605

Amendment No.

378 Each board of trustees shall establish policies that notify
379 students about, and place students into, adult basic education,
380 adult secondary education, or other instructional programs that
381 provide students with alternatives to traditional college-
382 preparatory instruction, including private provider instruction.
383 A student is prohibited from enrolling in additional college-
384 level courses until the student scores above the cut-score on
385 all sections of the common placement test.

386 Section 7. Paragraph (c) of subsection (3) of section
387 1008.22, Florida Statutes, is amended to read:

388 1008.22 Student assessment program for public schools.--

389 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
390 design and implement a statewide program of educational
391 assessment that provides information for the improvement of the
392 operation and management of the public schools, including
393 schools operating for the purpose of providing educational
394 services to youth in Department of Juvenile Justice programs.
395 The commissioner may enter into contracts for the continued
396 administration of the assessment, testing, and evaluation
397 programs authorized and funded by the Legislature. Contracts may
398 be initiated in 1 fiscal year and continue into the next and may
399 be paid from the appropriations of either or both fiscal years.
400 The commissioner is authorized to negotiate for the sale or
401 lease of tests, scoring protocols, test scoring services, and
402 related materials developed pursuant to law. Pursuant to the
403 statewide assessment program, the commissioner shall:

404 (c) Develop and implement a student achievement testing
405 program known as the Florida Comprehensive Assessment Test

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

406 (FCAT) as part of the statewide assessment program to measure a
407 student's content knowledge and skills in reading, writing,
408 science, and mathematics. Other content areas may be included as
409 directed by the commissioner. Comprehensive assessments of
410 reading and mathematics shall be administered annually in grades
411 3 through 10. Comprehensive assessments of writing and science
412 shall be administered at least once at the elementary, middle,
413 and high school levels. During the 2010-2011 school year, an
414 end-of-course assessment in biology shall be administered as a
415 field test at the high school level. Beginning with the 2011-
416 2012 school year, the end-of-course assessment in biology shall
417 replace the comprehensive assessment of science administered at
418 the high school level. During the 2011-2012 school year, each
419 student's performance on the end-of-course assessment in biology
420 shall constitute 30 percent of the student's final course grade.
421 Beginning with the 2012-2013 school year, a student must earn a
422 passing score on the end-of-course assessment in biology in
423 order to pass the course and receive course credit. End-of-
424 course assessments for a subject may be administered in addition
425 to the comprehensive assessments required for that subject under
426 this paragraph. An end-of-course assessment must be rigorous,
427 statewide, standardized, and developed or approved by the
428 department. The content knowledge and skills assessed by
429 comprehensive and end-of-course assessments must be aligned to
430 the core curricular content established in the Sunshine State
431 Standards. The commissioner may select one or more nationally
432 developed comprehensive examinations, which may include, but
433 need not be limited to, examinations for a College Board

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

434 Advanced Placement course, International Baccalaureate course,
435 or Advanced International Certificate of Education course or
436 industry-approved examinations to earn national industry
437 certifications as defined in s. 1003.492, for use as end-of-
438 course assessments under this paragraph, if the commissioner
439 determines that the content knowledge and skills assessed by the
440 examinations meet or exceed the grade level expectations for the
441 core curricular content established for the course in the Next
442 Generation Sunshine State Standards. The commissioner may
443 collaborate with the American Diploma Project in the adoption or
444 development of rigorous end-of-course assessments that are
445 aligned to the Next Generation Sunshine State Standards. The
446 testing program must be designed as follows:

447 1. The tests shall measure student skills and competencies
448 adopted by the State Board of Education as specified in
449 paragraph (a). The tests must measure and report student
450 proficiency levels of all students assessed in reading, writing,
451 mathematics, and science. The commissioner shall provide for the
452 tests to be developed or obtained, as appropriate, through
453 contracts and project agreements with private vendors, public
454 vendors, public agencies, postsecondary educational
455 institutions, or school districts. The commissioner shall obtain
456 input with respect to the design and implementation of the
457 testing program from state educators, assistive technology
458 experts, and the public.

459 2. The testing program shall be composed of criterion-
460 referenced tests that shall, to the extent determined by the
461 commissioner, include test items that require the student to
444605

Amendment No.

462 produce information or perform tasks in such a way that the core
463 content knowledge and skills he or she uses can be measured.

464 3. Beginning with the 2008-2009 school year, the
465 commissioner shall discontinue administration of the selected-
466 response test items on the comprehensive assessments of writing.
467 Beginning with the 2012-2013 school year, the comprehensive
468 assessments of writing shall be composed of a combination of
469 selected-response test items, short-response performance tasks,
470 and extended-response performance tasks, which shall measure a
471 student's content knowledge of writing, including, but not
472 limited to, paragraph and sentence structure, sentence
473 construction, grammar and usage, punctuation, capitalization,
474 spelling, parts of speech, verb tense, irregular verbs, subject-
475 verb agreement, and noun-pronoun agreement.

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

480 5. Except as provided in s. 1003.4282 ~~1003.428(8)(b) or s.~~
481 ~~1003.43(11)(b)~~, students must earn a passing score on the grade
482 10 assessment test described in this paragraph or attain
483 concordant scores as described in subsection (10) in reading,
484 writing, and mathematics to qualify for a standard high school
485 diploma. The State Board of Education shall designate a passing
486 score for each part of the grade 10 assessment test and the end-
487 of-course assessment in biology. In establishing passing scores,
488 the state board shall consider any possible negative impact of
489 the test on minority students. The State Board of Education

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

490 shall adopt rules which specify the passing scores for each part
491 of the grade 10 assessment test and the end-of-course assessment
492 in biology FCAT. Such passing scores must at a minimum meet
493 grade-level proficiency. Any such rules, which have the effect
494 of raising the required passing scores, shall apply only to
495 students taking the assessment ~~grade 10 FCAT~~ for the first time
496 after such rules are adopted by the State Board of Education.

497 6. Participation in the testing program is mandatory for
498 all students attending public school, including students served
499 in Department of Juvenile Justice programs, except as otherwise
500 prescribed by the commissioner. If a student does not
501 participate in the statewide assessment, the district must
502 notify the student's parent and provide the parent with
503 information regarding the implications of such nonparticipation.
504 A parent must provide signed consent for a student to receive
505 classroom instructional accommodations that would not be
506 available or permitted on the statewide assessments and must
507 acknowledge in writing that he or she understands the
508 implications of such instructional accommodations. The State
509 Board of Education shall adopt rules, based upon recommendations
510 of the commissioner, for the provision of test accommodations
511 for students in exceptional education programs and for students
512 who have limited English proficiency. Accommodations that negate
513 the validity of a statewide assessment are not allowable in the
514 administration of the FCAT. However, instructional
515 accommodations are allowable in the classroom if included in a
516 student's individual education plan. Students using
517 instructional accommodations in the classroom that are not

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

518 allowable as accommodations on the FCAT may have the FCAT
519 requirement waived pursuant to the requirements of s. 1003.4282
520 ~~1003.428(8)(b) or s. 1003.43(11)(b)~~.

521 7. A student seeking an adult high school diploma must
522 meet the same testing requirements that a regular high school
523 student must meet.

524 8. District school boards must provide instruction to
525 prepare students to demonstrate proficiency in the core
526 curricular content established in the Next Generation Sunshine
527 State Standards adopted under s. 1003.41, including the core
528 content knowledge and skills necessary for successful grade-to-
529 grade progression and high school graduation. If a student is
530 provided with instructional accommodations in the classroom that
531 are not allowable as accommodations in the statewide assessment
532 program, as described in the test manuals, the district must
533 inform the parent in writing and must provide the parent with
534 information regarding the impact on the student's ability to
535 meet expected proficiency levels in reading, writing, and
536 mathematics. The commissioner shall conduct studies as necessary
537 to verify that the required core curricular content is part of
538 the district instructional programs.

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

543 10. The Department of Education must develop, or select,
544 and implement a common battery of assessment tools that will be
545 used in all juvenile justice programs in the state. These tools
444605

Amendment No.

546 must accurately measure the core curricular content established
547 in the Sunshine State Standards.

548 11. For students seeking a special diploma pursuant to s.
549 1003.438, the Department of Education must develop or select and
550 implement an alternate assessment tool that accurately measures
551 the core curricular content established in the Sunshine State
552 Standards for students with disabilities under s. 1003.438.

553 12. The Commissioner of Education shall establish
554 schedules for the administration of statewide assessments and
555 the reporting of student test results. The commissioner shall,
556 by August 1 of each year, notify each school district in writing
557 and publish on the department's Internet website the testing and
558 reporting schedules for, at a minimum, the school year following
559 the upcoming school year. The testing and reporting schedules
560 shall require that:

561 a. There is the latest possible administration of
562 statewide assessments and the earliest possible reporting to the
563 school districts of student test results which is feasible
564 within available technology and specific appropriations;
565 however, test results must be made available no later than the
566 final day of the regular school year for students.

567 b. Beginning with the 2010-2011 school year, a
568 comprehensive statewide assessment of writing is not
569 administered earlier than the week of March 1 and a
570 comprehensive statewide assessment of any other subject is not
571 administered earlier than the week of April 15.

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

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

574
575 The commissioner may, based on collaboration and input from
576 school districts, design and implement student testing programs,
577 for any grade level and subject area, necessary to effectively
578 monitor educational achievement in the state, including the
579 measurement of educational achievement of the Sunshine State
580 Standards for students with disabilities. Development and
581 refinement of assessments shall include universal design
582 principles and accessibility standards that will prevent any
583 unintended obstacles for students with disabilities while
584 ensuring the validity and reliability of the test. These
585 principles should be applicable to all technology platforms and
586 assistive devices available for the assessments. The field
587 testing process and psychometric analyses for the statewide
588 assessment program must include an appropriate percentage of
589 students with disabilities and an evaluation or determination of
590 the effect of test items on such students.

591 Section 8. Paragraphs (b) and (c) of subsection (3) of
592 section 1008.34, Florida Statutes, are amended to read:

593 1008.34 School grading system; school report cards;
594 district grade.--

595 (3) DESIGNATION OF SCHOOL GRADES.--

596 (b)1. A school's grade shall be based on a combination of:

597 a. Student achievement scores, including achievement
598 scores for students seeking a special diploma.

599 b. Student learning gains as measured by annual FCAT
600 assessments in grades 3 through 10; learning gains for students
601 seeking a special diploma, as measured by an alternate

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

602 assessment tool, shall be included not later than the 2009-2010
603 school year.

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

607 2. Beginning with the 2009-2010 school year for schools
608 comprised of high school grades 9, 10, 11, and 12, or grades 10,
609 11, and 12, 50 percent of the school grade shall be based on a
610 combination of the factors listed in sub-subparagraphs 1.a.-c.
611 and the remaining 50 percent on the following factors:

612 a. The high school graduation rate of the school;

613 b. As valid data becomes available, the performance and
614 participation of the school's students in College Board Advanced
615 Placement courses, International Baccalaureate courses, dual
616 enrollment courses, and Advanced International Certificate of
617 Education courses; and the students' achievement of industry
618 certification, as determined by the Agency for Workforce
619 Innovation under s. 1003.492(2) in a career and professional
620 academy, as described in s. 1003.493;

621 c. Postsecondary readiness of the school's students as
622 measured by the SAT, ACT, or the common placement test;

623 d. The high school graduation rate of at-risk students who
624 scored at Level 2 or lower on the grade 8 FCAT Reading and
625 Mathematics examinations;

626 e. As valid data becomes available, the performance of the
627 school's students on statewide standardized end-of-course
628 assessments not required for high school graduation, which are
629 administered under s. 1008.22; and

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

630 f. The growth or decline in the components listed in sub-
631 subparagraphs a.-e. from year to year.

632 (c) Student assessment data used in determining school
633 grades shall include:

634 1. The aggregate scores of all eligible students enrolled
635 in the school who have been assessed on the FCAT and
636 standardized end-of-course assessments required for high school
637 graduation, including, beginning with the 2011-2012 school year,
638 the end-of-course assessment in biology.

639 2. The aggregate scores of all eligible students enrolled
640 in the school who have been assessed on the FCAT and who have
641 scored at or in the lowest 25th percentile of students in the
642 school in reading, mathematics, or writing, unless these
643 students are exhibiting satisfactory performance.

644 3. Effective with the 2005-2006 school year, the
645 achievement scores and learning gains of eligible students
646 attending alternative schools that provide dropout prevention
647 and academic intervention services pursuant to s. 1003.53. The
648 term "eligible students" in this subparagraph does not include
649 students attending an alternative school who are subject to
650 district school board policies for expulsion for repeated or
651 serious offenses, who are in dropout retrieval programs serving
652 students who have officially been designated as dropouts, or who
653 are in programs operated or contracted by the Department of
654 Juvenile Justice. The student performance data for eligible
655 students identified in this subparagraph shall be included in
656 the calculation of the home school's grade. As used in this
657 section and s. 1008.341, the term "home school" means the school
444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

658 to which the student would be assigned if the student were not
659 assigned to an alternative school. If an alternative school
660 chooses to be graded under this section, student performance
661 data for eligible students identified in this subparagraph shall
662 not be included in the home school's grade but shall be included
663 only in the calculation of the alternative school's grade. A
664 school district that fails to assign the FCAT scores of each of
665 its students to his or her home school or to the alternative
666 school that receives a grade shall forfeit Florida School
667 Recognition Program funds for 1 fiscal year. School districts
668 must require collaboration between the home school and the
669 alternative school in order to promote student success. This
670 collaboration must include an annual discussion between the
671 principal of the alternative school and the principal of each
672 student's home school concerning the most appropriate school
673 assignment of the student.

674 4. Beginning with the 2009-2010 school year for schools
675 comprised of high school grades 9, 10, 11, and 12, or grades 10,
676 11, and 12, the data listed in subparagraphs 1.-3. and the
677 following data as the Department of Education determines such
678 data are valid and available:

679 a. The high school graduation rate of the school as
680 calculated by the Department of Education;

681 b. The participation rate of all eligible students
682 enrolled in the school and enrolled in College Board Advanced
683 Placement courses; International Baccalaureate courses; dual
684 enrollment courses; Advanced International Certificate of
685 Education courses; and courses or sequence of courses leading to
444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

686 industry certification, as determined by the Agency for
687 Workforce Innovation under s. 1003.492(2) in a career and
688 professional academy, as described in s. 1003.493;

689 c. The aggregate scores of all eligible students enrolled
690 in the school in College Board Advanced Placement courses,
691 International Baccalaureate courses, and Advanced International
692 Certificate of Education courses;

693 d. Earning of college credit by all eligible students
694 enrolled in the school in dual enrollment programs under s.
695 1007.271;

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

699 f. The aggregate scores of all eligible students enrolled
700 in the school in reading, mathematics, and other subjects as
701 measured by the SAT, the ACT, and the common placement test for
702 postsecondary readiness;

703 g. The high school graduation rate of all eligible at-risk
704 students enrolled in the school who scored at Level 2 or lower
705 on the grade 8 FCAT Reading and Mathematics examinations;

706 h. The performance of the school's students on statewide
707 standardized end-of-course assessments not required for high
708 school graduation, which are administered under s. 1008.22; and

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

711

712 The State Board of Education shall adopt appropriate criteria
713 for each school grade. The criteria must also give added weight
444605

Amendment No.

714 to student achievement in reading. Schools designated with a
715 grade of "C," making satisfactory progress, shall be required to
716 demonstrate that adequate progress has been made by students in
717 the school who are in the lowest 25th percentile in reading,
718 mathematics, or writing on the FCAT, unless these students are
719 exhibiting satisfactory performance. Beginning with the 2009-
720 2010 school year for schools comprised of high school grades 9,
721 10, 11, and 12, or grades 10, 11, and 12, the criteria for
722 school grades must also give added weight to the graduation rate
723 of all eligible at-risk students, as defined in this paragraph.
724 Beginning in the 2009-2010 school year, in order for a high
725 school to be designated as having a grade of "A," making
726 excellent progress, the school must demonstrate that at-risk
727 students, as defined in this paragraph, in the school are making
728 adequate progress.

729 Section 9. Paragraph (b) of subsection (1) of section
730 1009.531, Florida Statutes, is amended to read:

731 1009.531 Florida Bright Futures Scholarship Program;
732 student eligibility requirements for initial awards.--

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

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

740 1. The student completes a home education program
741 according to s. 1002.41; or

444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

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

745 Section 10. This act shall take effect July 1, 2009.
746
747

748 -----
749 **T I T L E A M E N D M E N T**

750 Remove the entire title and insert:

751 A bill to be entitled

752 An act relating to high school graduation; amending s. 1003.428,
753 F.S.; requiring that students be advised of the availability of
754 certain courses for purposes of high school graduation;
755 providing credit requirements for high school graduation with a
756 standard diploma beginning with students entering grade 9 in the
757 2010-2011 school year and students entering grade 9 in the 2012-
758 2013 school year; deleting provisions relating to general
759 requirements for high school graduation to conform to changes
760 made by the act; creating s. 1003.4282, F.S.; providing for
761 accommodations for students with disabilities for purposes of
762 high school graduation; creating s. 1003.4287, F.S.; authorizing
763 the award of a standard high school diploma to certain honorably
764 discharged veterans; amending s. 1003.429, F.S.; requiring that
765 students be advised of the availability of certain courses for
766 purposes of an accelerated high school graduation option;
767 providing credit requirements for high school graduation
768 beginning with students entering grade 9 in the 2010-2011 school
769 year; amending s. 1003.43, F.S.; deleting provisions relating to
444605

Approved For Filing: 4/21/2009 1:54:40 PM

Amendment No.

770 general requirements for high school graduation to conform to
771 changes made by the act; amending s. 1007.263, F.S.; conforming
772 a cross-reference; amending s. 1008.22, F.S.; requiring the
773 administration of an end-of-course assessment in biology as a
774 field test during the 2010-2011 school year; requiring the end-
775 of-course assessment in biology to replace the comprehensive
776 assessment of science administered at the high school level
777 beginning with the 2011-2012 school year; providing requirements
778 for course grade and course credit; requiring the State Board of
779 Education to designate a passing score for the end-of-course
780 assessment in biology; requiring passing scores to meet grade-
781 level proficiency; conforming cross-references; amending s.
782 1008.34, F.S.; requiring the inclusion of biology end-of-course
783 assessment data in determining school grades beginning with the
784 2011-2012 school year; amending s. 1009.531, F.S.; conforming
785 provisions; providing an effective date.

444605