

1 A bill to be entitled
2 An act relating to high school graduation; amending s.
3 1003.428, F.S.; requiring that students be advised of the
4 availability of certain courses for purposes of high
5 school graduation; providing credit requirements for high
6 school graduation with a standard diploma beginning with
7 students entering grade 9 in the 2010-2011 school year and
8 students entering grade 9 in the 2012-2013 school year;
9 deleting provisions relating to general requirements for
10 high school graduation to conform to changes made by the
11 act; creating s. 1003.4282, F.S.; providing for
12 accommodations for students with disabilities for purposes
13 of high school graduation; creating s. 1003.4286, F.S.;
14 creating the Graduation Exit Option Program under which a
15 high school student shall be awarded an alternative
16 diploma; providing requirements for participation in the
17 program and receipt of a diploma; providing Department of
18 Education duties and requiring State Board of Education
19 rules; creating s. 1003.4287, F.S.; authorizing the award
20 of a standard high school diploma to certain honorably
21 discharged veterans; amending s. 1003.429, F.S.; requiring
22 that students be advised of the availability of certain
23 courses for purposes of an accelerated high school
24 graduation option; amending s. 1003.43, F.S.; deleting
25 provisions relating to general requirements for high
26 school graduation to conform to changes made by the act;
27 amending s. 1007.263, F.S.; conforming a cross-reference;
28 amending s. 1008.22, F.S.; requiring passing scores on the

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29 grade 10 FCAT to meet grade-level proficiency; conforming
30 cross-references; amending s. 1009.531, F.S.; conforming
31 provisions; providing an effective date.

32
33 Be It Enacted by the Legislature of the State of Florida:

34
35 Section 1. Subsection (1), paragraph (a) of subsection
36 (2), and subsections (5) through (11) of section 1003.428,
37 Florida Statutes, are amended to read:

38 1003.428 General requirements for high school graduation;
39 revised.--

40 (1) Except as otherwise authorized pursuant to s.
41 1003.429, beginning with students entering their first year of
42 high school in the 2007-2008 school year, graduation requires
43 the successful completion of a minimum of 24 credits, an
44 International Baccalaureate curriculum, or an Advanced
45 International Certificate of Education curriculum. Students must
46 be advised of the Advanced Placement, International
47 Baccalaureate, Advanced International Certificate of Education,
48 and dual enrollment courses available, as well as the
49 availability of course offerings through the Florida Virtual
50 School. Students must also be advised of eligibility
51 requirements for state scholarship programs and postsecondary
52 admissions.

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

56 (a) Sixteen core curriculum credits:

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

59 2. Four credits in mathematics, one of which must be
60 Algebra I, a series of courses equivalent to Algebra I, or a
61 higher-level mathematics course. Beginning with students
62 entering grade 9 in the 2010-2011 school year, one of the four
63 credits must be Algebra I or a series of courses equivalent to
64 Algebra I as approved by the State Board of Education, and one
65 credit must be geometry or a series of courses equivalent to
66 geometry as approved by the State Board of Education. Beginning
67 with students entering grade 9 in the 2012-2013 school year, one
68 of the four credits must be Algebra I or a series of courses
69 equivalent to Algebra I as approved by the State Board of
70 Education, one credit must be geometry or a series of courses
71 equivalent to geometry as approved by the State Board of
72 Education, and one credit must be Algebra II or a series of
73 courses equivalent to Algebra II as approved by the State Board
74 of Education. ~~School districts are encouraged to set specific~~
75 ~~goals to increase enrollments in, and successful completion of,~~
76 ~~geometry and Algebra II.~~

77 3. Three credits in science, two of which must have a
78 laboratory component. Beginning with students entering grade 9
79 in the 2010-2011 school year, one of the three credits must be
80 Biology I or a series of courses equivalent to Biology I as
81 approved by the State Board of Education, one credit must be a
82 physical science or a series of courses equivalent to a physical
83 science as approved by the State Board of Education, and one
84 credit must be a higher-level science course. At least two of

85 the science courses must have a laboratory component. Beginning
86 with students entering grade 9 in the 2012-2013 school year, one
87 of the three credits must be Biology I or a series of courses
88 equivalent to Biology I as approved by the State Board of
89 Education, one credit must be chemistry or a series of courses
90 equivalent to chemistry as approved by the State Board of
91 Education, and one credit must be a higher-level science course.
92 At least two of the science courses must have a laboratory
93 component.

94 4. Three credits in social studies as follows: one credit
95 in American history; one credit in world history; one-half
96 credit in economics; and one-half credit in American government.

97 5. One credit in fine or performing arts, speech and
98 debate, or a practical arts course that incorporates artistic
99 content and techniques of creativity, interpretation, and
100 imagination. Eligible practical arts courses shall be identified
101 through the Course Code Directory.

102 6. One credit in physical education to include integration
103 of health. Participation in an interscholastic sport at the
104 junior varsity or varsity level for two full seasons shall
105 satisfy the one-credit requirement in physical education if the
106 student passes a competency test on personal fitness with a
107 score of "C" or better. The competency test on personal fitness
108 must be developed by the Department of Education. A district
109 school board may not require that the one credit in physical
110 education be taken during the 9th grade year. Completion of one
111 semester with a grade of "C" or better in a marching band class,
112 in a physical activity class that requires participation in

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113 marching band activities as an extracurricular activity, or in a
114 dance class shall satisfy one-half credit in physical education
115 or one-half credit in performing arts. This credit may not be
116 used to satisfy the personal fitness requirement or the
117 requirement for adaptive physical education under an individual
118 education plan (IEP) or 504 plan. Completion of 2 years in a
119 Reserve Officer Training Corps (R.O.T.C.) class, a significant
120 component of which is drills, shall satisfy the one-credit
121 requirement in physical education and the one-credit requirement
122 in performing arts. This credit may not be used to satisfy the
123 personal fitness requirement or the requirement for adaptive
124 physical education under an individual education plan (IEP) or
125 504 plan.

126 ~~(5) The State Board of Education, after a public hearing~~
127 ~~and consideration, shall adopt rules based upon the~~
128 ~~recommendations of the commissioner for the provision of test~~
129 ~~accommodations and modifications of procedures as necessary for~~
130 ~~students with disabilities which will demonstrate the student's~~
131 ~~abilities rather than reflect the student's impaired sensory,~~
132 ~~manual, speaking, or psychological process skills.~~

133 ~~(6) The public hearing and consideration required in~~
134 ~~subsection (5) shall not be construed to amend or nullify the~~
135 ~~requirements of security relating to the contents of~~
136 ~~examinations or assessment instruments and related materials or~~
137 ~~data as prescribed in s. 1008.23.~~

138 (5) ~~(7)~~ (a) A student who meets all requirements prescribed
139 in subsections (1), (2), (3), and (4) shall be awarded a

140 standard diploma in a form prescribed by the State Board of
141 Education.

142 (b) A student who completes the minimum number of credits
143 and other requirements prescribed by subsections (1), (2), and
144 (3), but who is unable to meet the standards of paragraph
145 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded
146 a certificate of completion in a form prescribed by the State
147 Board of Education. However, any student who is otherwise
148 entitled to a certificate of completion may elect to remain in
149 the secondary school either as a full-time student or a part-
150 time student for up to 1 additional year and receive special
151 instruction designed to remedy his or her identified
152 deficiencies.

153 ~~(8) (a) Each district school board must provide instruction~~
154 ~~to prepare students with disabilities to demonstrate proficiency~~
155 ~~in the core content knowledge and skills necessary for~~
156 ~~successful grade-to-grade progression and high school~~
157 ~~graduation.~~

158 ~~(b) A student with a disability, as defined in s.~~
159 ~~1007.02(2), for whom the individual education plan (IEP)~~
160 ~~committee determines that the FCAT cannot accurately measure the~~
161 ~~student's abilities taking into consideration all allowable~~
162 ~~accommodations, shall have the FCAT requirement of paragraph~~
163 ~~(4) (b) waived for the purpose of receiving a standard high~~
164 ~~school diploma, if the student:~~

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

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167 ~~2. Does not meet the requirements of paragraph (4) (b)~~
168 ~~after one opportunity in 10th grade and one opportunity in 11th~~
169 ~~grade.~~

170 ~~(9) The Commissioner of Education may award a standard~~
171 ~~high school diploma to honorably discharged veterans who started~~
172 ~~high school between 1937 and 1946 and were scheduled to graduate~~
173 ~~between 1941 and 1950 but were inducted into the United States~~
174 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~
175 ~~prior to completing the necessary high school graduation~~
176 ~~requirements. Upon the recommendation of the commissioner, the~~
177 ~~State Board of Education may develop criteria and guidelines for~~
178 ~~awarding such diplomas.~~

179 ~~(10) The Commissioner of Education may award a standard~~
180 ~~high school diploma to honorably discharged veterans who started~~
181 ~~high school between 1946 and 1950 and were scheduled to graduate~~
182 ~~between 1950 and 1954, but were inducted into the United States~~
183 ~~Armed Forces between June 27, 1950, and January 31, 1955, and~~
184 ~~served during the Korean Conflict prior to completing the~~
185 ~~necessary high school graduation requirements. Upon the~~
186 ~~recommendation of the commissioner, the State Board of Education~~
187 ~~may develop criteria and guidelines for awarding such diplomas.~~

188 (6)~~(11)~~ The State Board of Education may adopt rules
189 pursuant to ss. 120.536(1) and 120.54 to implement the
190 provisions of this section and may enforce the provisions of
191 this section pursuant to s. 1008.32.

192 Section 2. Section 1003.4282, Florida Statutes, is created
193 to read:

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194 1003.4282 Accommodations for students with disabilities;
195 graduation requirements.--For purposes of high school
196 graduation:

197 (1) The State Board of Education, after a public hearing
198 and consideration, shall adopt rules based upon the
199 recommendations of the Commissioner of Education for the
200 provision of test accommodations as necessary for students with
201 disabilities which will demonstrate the student's abilities
202 rather than reflect the student's impaired sensory, manual,
203 speaking, or psychological process skills.

204 (2) The public hearing and consideration required in
205 subsection (1) shall not be construed to amend or nullify the
206 requirements of security relating to the contents of
207 examinations or assessment instruments and related materials or
208 data as prescribed in s. 1008.23.

209 (3) (a) Each district school board must provide instruction
210 to prepare students with disabilities to demonstrate proficiency
211 in the core content knowledge and skills necessary for
212 successful grade-to-grade progression and high school
213 graduation.

214 (b) A student with a disability, as defined in s.
215 1007.02(2), for whom the individual education plan committee
216 determines that the FCAT cannot accurately measure the student's
217 abilities taking into consideration all allowable
218 accommodations, shall have the FCAT requirement of s.
219 1003.428(4) (b) or s. 1003.43(5) (a) waived for the purpose of
220 receiving a high school diploma, if the student:

221 1. Completes the minimum number of credits and other
 222 requirements prescribed in s. 1003.428(1)-(3) or s. 1003.43(1)
 223 and (4).

224 2. Does not meet the FCAT requirements of s.
 225 1003.428(4)(b) or s. 1003.43(5)(a) after one opportunity in
 226 grade 10 and one opportunity in grade 11.

227 Section 3. Section 1003.4286, Florida Statutes, is created
 228 to read:

229 1003.4286 Graduation Exit Option Program; alternative
 230 diploma.--

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

235 (a) Be at least 16 years old.

236 (b) Be enrolled in high school courses that meet high
 237 school graduation requirements.

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

239 (d) Meet criteria developed by the Department of Education
 240 to ensure that the program is not used as a means for early
 241 graduation and to target students who have the ability to pass
 242 the grade 10 FCAT and the general educational development (GED)
 243 test.

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

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

248 (b) Earn passing scores on the reading and mathematics
 249 portions of the FCAT, as defined in s. 1008.22(3), or scores on
 250 a standardized test that are concordant with passing scores on
 251 the FCAT, as defined in s. 1008.22(10).

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

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

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

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

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

262 Section 4. Section 1003.4287, Florida Statutes, is created
 263 to read:

264 1003.4287 Recognition of veterans; high school diploma.--

265 (1) The Commissioner of Education may award a standard
 266 high school diploma to honorably discharged veterans who started
 267 high school between 1937 and 1946 and were scheduled to graduate
 268 between 1941 and 1950 but were inducted into the United States
 269 Armed Forces between September 16, 1940, and December 31, 1946,
 270 prior to completing the necessary high school graduation
 271 requirements. Upon the recommendation of the commissioner, the
 272 State Board of Education may develop criteria and guidelines for
 273 awarding such diplomas.

274 (2) The Commissioner of Education may award a standard
 275 high school diploma to honorably discharged veterans who started

276 high school between 1946 and 1950 and were scheduled to graduate
 277 between 1949 and 1955 but were inducted into the United States
 278 Armed Forces between June 1949 and January 1955 and served
 279 during the Korean War prior to completing the necessary high
 280 school graduation requirements. Upon the recommendation of the
 281 commissioner, the State Board of Education may develop criteria
 282 and guidelines for awarding such diplomas.

283 Section 5. Paragraph (b) of subsection (1) of section
 284 1003.429, Florida Statutes, is amended to read:

285 1003.429 Accelerated high school graduation options.--

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

290 (b) Completion of a 3-year standard college preparatory
 291 program requiring successful completion of a minimum of 18
 292 academic credits in grades 9 through 12. At least 6 of the 18
 293 credits required for completion of this program must be received
 294 in classes that are offered pursuant to the International
 295 Baccalaureate Program, the Advanced Placement Program, dual
 296 enrollment, or the Advanced International Certificate of
 297 Education ~~Program~~, or specifically listed or identified by the
 298 Department of Education as rigorous pursuant to s. 1009.531(3).
 299 Students must be advised of the Advanced Placement,
 300 International Baccalaureate, Advanced International Certificate
 301 of Education, and dual enrollment courses available, as well as
 302 the availability of course offerings through the Florida Virtual
 303 School. The 18 credits required for completion of this program

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304 shall be primary requirements and shall be distributed as
305 follows:

- 306 1. Four credits in English, with major concentration in
307 composition and literature;
- 308 2. Three credits in mathematics at the Algebra I level or
309 higher from the list of courses that qualify for state
310 university admission;
- 311 3. Three credits in natural science, two of which must
312 have a laboratory component;
- 313 4. Three credits in social sciences, which must include
314 one credit in American history, one credit in world history,
315 one-half credit in American government, and one-half credit in
316 economics;
- 317 5. Two credits in the same second language unless the
318 student is a native speaker of or can otherwise demonstrate
319 competency in a language other than English. If the student
320 demonstrates competency in another language, the student may
321 replace the language requirement with two credits in other
322 academic courses; and
- 323 6. Three credits in electives; or

324
325 Any student who selected an accelerated graduation program
326 before July 1, 2004, may continue that program, and all
327 statutory program requirements that were applicable when the
328 student made the program choice shall remain applicable to the
329 student as long as the student continues that program.

330 Section 6. Subsections (8) through (13) of section
331 1003.43, Florida Statutes, are amended to read:

332 1003.43 General requirements for high school graduation.--

333 ~~(8) The State Board of Education, after a public hearing~~
334 ~~and consideration, shall adopt rules based upon the~~
335 ~~recommendations of the commissioner for the provision of test~~
336 ~~accommodations and modifications of procedures as necessary for~~
337 ~~students with disabilities which will demonstrate the student's~~
338 ~~abilities rather than reflect the student's impaired sensory,~~
339 ~~manual, speaking, or psychological process skills.~~

340 ~~(9) The public hearing and consideration required in~~
341 ~~subsection (8) shall not be construed to amend or nullify the~~
342 ~~requirements of security relating to the contents of~~
343 ~~examinations or assessment instruments and related materials or~~
344 ~~data as prescribed in s. 1008.23.~~

345 (8) ~~(10)~~ (a) A student who meets all requirements prescribed
346 in subsections (1), (4), and (5) shall be awarded a standard
347 diploma in a form prescribed by the State Board of Education. A
348 district school board may attach the Florida gold seal career
349 endorsement to a standard diploma or, instead of the standard
350 diploma, award differentiated diplomas to those exceeding the
351 prescribed minimums.

352 (b) A student who completes the minimum number of credits
353 and other requirements prescribed by subsections (1) and (4),
354 but who is unable to meet the standards of paragraph (5) (a),
355 paragraph (5) (b), or paragraph (5) (c), shall be awarded a
356 certificate of completion in a form prescribed by the State
357 Board of Education. However, any student who is otherwise
358 entitled to a certificate of completion may elect to remain in
359 the secondary school either as a full-time student or a part-

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360 time student for up to 1 additional year and receive special
361 instruction designed to remedy his or her identified
362 deficiencies.

363 ~~(11)(a) Each district school board must provide~~
364 ~~instruction to prepare students with disabilities to demonstrate~~
365 ~~proficiency in the core content knowledge and skills necessary~~
366 ~~for successful grade-to-grade progression and high school~~
367 ~~graduation.~~

368 ~~(b) A student with a disability, as defined in s.~~
369 ~~1007.02(2), for whom the individual educational plan (IEP)~~
370 ~~committee determines that the FCAT cannot accurately measure the~~
371 ~~student's abilities taking into consideration all allowable~~
372 ~~accommodations, shall have the FCAT requirement of paragraph~~
373 ~~(5)(a) waived for the purpose of receiving a standard high~~
374 ~~school diploma, if the student:~~

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

377 ~~2. Does not meet the requirements of paragraph (5)(a)~~
378 ~~after one opportunity in 10th grade and one opportunity in 11th~~
379 ~~grade.~~

380 ~~(12) The Commissioner of Education may award a standard~~
381 ~~high school diploma to honorably discharged veterans who started~~
382 ~~high school between 1937 and 1946 and were scheduled to graduate~~
383 ~~between 1941 and 1950 but were inducted into the United States~~
384 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~
385 ~~prior to completing the necessary high school graduation~~
386 ~~requirements. Upon the recommendation of the commissioner, the~~

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387 ~~State Board of Education may develop criteria and guidelines for~~
388 ~~awarding such diplomas.~~

389 ~~(13) The Commissioner of Education may award a standard~~
390 ~~high school diploma to honorably discharged veterans who started~~
391 ~~high school between 1946 and 1950 and were scheduled to graduate~~
392 ~~between 1949 and 1955, but were inducted into the United States~~
393 ~~Armed Forces between June 1949 and January 1955, and served~~
394 ~~during the Korean War prior to completing the necessary high~~
395 ~~school graduation requirements. Upon the recommendation of the~~
396 ~~commissioner, the State Board of Education may develop criteria~~
397 ~~and guidelines for awarding such diplomas.~~

398 Section 7. Subsection (4) of section 1007.263, Florida
399 Statutes, is amended to read:

400 1007.263 Community colleges; admissions of students.--Each
401 community college board of trustees is authorized to adopt rules
402 governing admissions of students subject to this section and
403 rules of the State Board of Education. These rules shall include
404 the following:

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

409
410 Each board of trustees shall establish policies that notify
411 students about, and place students into, adult basic education,
412 adult secondary education, or other instructional programs that
413 provide students with alternatives to traditional college-
414 preparatory instruction, including private provider instruction.

415 | A student is prohibited from enrolling in additional college-
 416 | level courses until the student scores above the cut-score on
 417 | all sections of the common placement test.

418 | Section 8. Paragraph (c) of subsection (3) of section
 419 | 1008.22, Florida Statutes, is amended to read:

420 | 1008.22 Student assessment program for public schools.--

421 | (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
 422 | design and implement a statewide program of educational
 423 | assessment that provides information for the improvement of the
 424 | operation and management of the public schools, including
 425 | schools operating for the purpose of providing educational
 426 | services to youth in Department of Juvenile Justice programs.
 427 | The commissioner may enter into contracts for the continued
 428 | administration of the assessment, testing, and evaluation
 429 | programs authorized and funded by the Legislature. Contracts may
 430 | be initiated in 1 fiscal year and continue into the next and may
 431 | be paid from the appropriations of either or both fiscal years.
 432 | The commissioner is authorized to negotiate for the sale or
 433 | lease of tests, scoring protocols, test scoring services, and
 434 | related materials developed pursuant to law. Pursuant to the
 435 | statewide assessment program, the commissioner shall:

436 | (c) Develop and implement a student achievement testing
 437 | program known as the Florida Comprehensive Assessment Test
 438 | (FCAT) as part of the statewide assessment program to measure a
 439 | student's content knowledge and skills in reading, writing,
 440 | science, and mathematics. Other content areas may be included as
 441 | directed by the commissioner. Comprehensive assessments of
 442 | reading and mathematics shall be administered annually in grades

443 3 through 10. Comprehensive assessments of writing and science
444 shall be administered at least once at the elementary, middle,
445 and high school levels. End-of-course assessments for a subject
446 may be administered in addition to the comprehensive assessments
447 required for that subject under this paragraph. An end-of-course
448 assessment must be rigorous, statewide, standardized, and
449 developed or approved by the department. The content knowledge
450 and skills assessed by comprehensive and end-of-course
451 assessments must be aligned to the core curricular content
452 established in the Sunshine State Standards. The commissioner
453 may select one or more nationally developed comprehensive
454 examinations, which may include, but need not be limited to,
455 examinations for a College Board Advanced Placement course,
456 International Baccalaureate course, or Advanced International
457 Certificate of Education course or industry-approved
458 examinations to earn national industry certifications as defined
459 in s. 1003.492, for use as end-of-course assessments under this
460 paragraph, if the commissioner determines that the content
461 knowledge and skills assessed by the examinations meet or exceed
462 the grade level expectations for the core curricular content
463 established for the course in the Next Generation Sunshine State
464 Standards. The commissioner may collaborate with the American
465 Diploma Project in the adoption or development of rigorous end-
466 of-course assessments that are aligned to the Next Generation
467 Sunshine State Standards. The testing program must be designed
468 as follows:

469 1. The tests shall measure student skills and competencies
470 adopted by the State Board of Education as specified in

471 paragraph (a). The tests must measure and report student
472 proficiency levels of all students assessed in reading, writing,
473 mathematics, and science. The commissioner shall provide for the
474 tests to be developed or obtained, as appropriate, through
475 contracts and project agreements with private vendors, public
476 vendors, public agencies, postsecondary educational
477 institutions, or school districts. The commissioner shall obtain
478 input with respect to the design and implementation of the
479 testing program from state educators, assistive technology
480 experts, and the public.

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

486 3. Beginning with the 2008-2009 school year, the
487 commissioner shall discontinue administration of the selected-
488 response test items on the comprehensive assessments of writing.
489 Beginning with the 2012-2013 school year, the comprehensive
490 assessments of writing shall be composed of a combination of
491 selected-response test items, short-response performance tasks,
492 and extended-response performance tasks, which shall measure a
493 student's content knowledge of writing, including, but not
494 limited to, paragraph and sentence structure, sentence
495 construction, grammar and usage, punctuation, capitalization,
496 spelling, parts of speech, verb tense, irregular verbs, subject-
497 verb agreement, and noun-pronoun agreement.

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

502 5. Except as provided in s. 1003.4282 ~~1003.428(8)(b) or s.~~
503 ~~1003.43(11)(b)~~, students must earn a passing score on the grade
504 10 assessment test described in this paragraph or attain
505 concordant scores as described in subsection (10) in reading,
506 writing, and mathematics to qualify for a standard high school
507 diploma. The State Board of Education shall designate a passing
508 score for each part of the grade 10 assessment test. In
509 establishing passing scores, the state board shall consider any
510 possible negative impact of the test on minority students. The
511 State Board of Education shall adopt rules which specify the
512 passing scores for the grade 10 FCAT. Such passing scores must
513 at a minimum meet grade-level proficiency. Any such rules, which
514 have the effect of raising the required passing scores, shall
515 apply only to students taking the grade 10 FCAT for the first
516 time after such rules are adopted by the State Board of
517 Education.

518 6. Participation in the testing program is mandatory for
519 all students attending public school, including students served
520 in Department of Juvenile Justice programs, except as otherwise
521 prescribed by the commissioner. If a student does not
522 participate in the statewide assessment, the district must
523 notify the student's parent and provide the parent with
524 information regarding the implications of such nonparticipation.
525 A parent must provide signed consent for a student to receive

526 | classroom instructional accommodations that would not be
527 | available or permitted on the statewide assessments and must
528 | acknowledge in writing that he or she understands the
529 | implications of such instructional accommodations. The State
530 | Board of Education shall adopt rules, based upon recommendations
531 | of the commissioner, for the provision of test accommodations
532 | for students in exceptional education programs and for students
533 | who have limited English proficiency. Accommodations that negate
534 | the validity of a statewide assessment are not allowable in the
535 | administration of the FCAT. However, instructional
536 | accommodations are allowable in the classroom if included in a
537 | student's individual education plan. Students using
538 | instructional accommodations in the classroom that are not
539 | allowable as accommodations on the FCAT may have the FCAT
540 | requirement waived pursuant to the requirements of s. 1003.4282
541 | ~~1003.428(8)(b) or s. 1003.43(11)(b)~~.

542 | 7. A student seeking an adult high school diploma must
543 | meet the same testing requirements that a regular high school
544 | student must meet.

545 | 8. District school boards must provide instruction to
546 | prepare students to demonstrate proficiency in the core
547 | curricular content established in the Next Generation Sunshine
548 | State Standards adopted under s. 1003.41, including the core
549 | content knowledge and skills necessary for successful grade-to-
550 | grade progression and high school graduation. If a student is
551 | provided with instructional accommodations in the classroom that
552 | are not allowable as accommodations in the statewide assessment
553 | program, as described in the test manuals, the district must

554 | inform the parent in writing and must provide the parent with
555 | information regarding the impact on the student's ability to
556 | meet expected proficiency levels in reading, writing, and
557 | mathematics. The commissioner shall conduct studies as necessary
558 | to verify that the required core curricular content is part of
559 | the district instructional programs.

560 | 9. District school boards must provide opportunities for
561 | students to demonstrate an acceptable level of performance on an
562 | alternative standardized assessment approved by the State Board
563 | of Education following enrollment in summer academies.

564 | 10. The Department of Education must develop, or select,
565 | and implement a common battery of assessment tools that will be
566 | used in all juvenile justice programs in the state. These tools
567 | must accurately measure the core curricular content established
568 | in the Sunshine State Standards.

569 | 11. For students seeking a special diploma pursuant to s.
570 | 1003.438, the Department of Education must develop or select and
571 | implement an alternate assessment tool that accurately measures
572 | the core curricular content established in the Sunshine State
573 | Standards for students with disabilities under s. 1003.438.

574 | 12. The Commissioner of Education shall establish
575 | schedules for the administration of statewide assessments and
576 | the reporting of student test results. The commissioner shall,
577 | by August 1 of each year, notify each school district in writing
578 | and publish on the department's Internet website the testing and
579 | reporting schedules for, at a minimum, the school year following
580 | the upcoming school year. The testing and reporting schedules
581 | shall require that:

582 a. There is the latest possible administration of
583 statewide assessments and the earliest possible reporting to the
584 school districts of student test results which is feasible
585 within available technology and specific appropriations;
586 however, test results must be made available no later than the
587 final day of the regular school year for students.

588 b. Beginning with the 2010-2011 school year, a
589 comprehensive statewide assessment of writing is not
590 administered earlier than the week of March 1 and a
591 comprehensive statewide assessment of any other subject is not
592 administered earlier than the week of April 15.

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

595
596 The commissioner may, based on collaboration and input from
597 school districts, design and implement student testing programs,
598 for any grade level and subject area, necessary to effectively
599 monitor educational achievement in the state, including the
600 measurement of educational achievement of the Sunshine State
601 Standards for students with disabilities. Development and
602 refinement of assessments shall include universal design
603 principles and accessibility standards that will prevent any
604 unintended obstacles for students with disabilities while
605 ensuring the validity and reliability of the test. These
606 principles should be applicable to all technology platforms and
607 assistive devices available for the assessments. The field
608 testing process and psychometric analyses for the statewide
609 assessment program must include an appropriate percentage of

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610 students with disabilities and an evaluation or determination of
 611 the effect of test items on such students.

612 Section 9. Paragraph (b) of subsection (1) of section
 613 1009.531, Florida Statutes, is amended to read:

614 1009.531 Florida Bright Futures Scholarship Program;
 615 student eligibility requirements for initial awards.--

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

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

623 1. The student completes a home education program
 624 according to s. 1002.41; or

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

628 Section 10. This act shall take effect July 1, 2009.