

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

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.  
86 Agriscience Foundations I, the core course in secondary  
87 Agriscience and Natural Resources programs, may count as the  
88 third required science credit. Beginning with students entering  
89 grade 9 in the 2012-2013 school year, one of the three credits  
90 must be Biology I or a series of courses equivalent to Biology I  
91 as approved by the State Board of Education, one credit must be  
92 chemistry or a series of courses equivalent to chemistry as  
93 approved by the State Board of Education, and one credit must be  
94 a higher-level science course. At least two of the science  
95 courses must have a laboratory component. Agriscience  
96 Foundations I, the core course in secondary Agriscience and  
97 Natural Resources programs, may count as the third required  
98 science credit.

99 4. Three credits in social studies as follows: one credit  
100 in American history; one credit in world history; one-half  
101 credit in economics; and one-half credit in American government.

102 5. One credit in fine or performing arts, speech and  
103 debate, or a practical arts course that incorporates artistic  
104 content and techniques of creativity, interpretation, and  
105 imagination. Eligible practical arts courses shall be identified  
106 through the Course Code Directory.

107 6. One credit in physical education to include integration  
108 of health. Participation in an interscholastic sport at the  
109 junior varsity or varsity level for two full seasons shall  
110 satisfy the one-credit requirement in physical education if the  
111 student passes a competency test on personal fitness with a  
112 score of "C" or better. The competency test on personal fitness

113 must be developed by the Department of Education. A district  
114 school board may not require that the one credit in physical  
115 education be taken during the 9th grade year. Completion of one  
116 semester with a grade of "C" or better in a marching band class,  
117 in a physical activity class that requires participation in  
118 marching band activities as an extracurricular activity, or in a  
119 dance class shall satisfy one-half credit in physical education  
120 or one-half credit in performing arts. This credit may not be  
121 used to satisfy the personal fitness requirement or the  
122 requirement for adaptive physical education under an individual  
123 education plan (IEP) or 504 plan. Completion of 2 years in a  
124 Reserve Officer Training Corps (R.O.T.C.) class, a significant  
125 component of which is drills, shall satisfy the one-credit  
126 requirement in physical education and the one-credit requirement  
127 in performing arts. This credit may not be used to satisfy the  
128 personal fitness requirement or the requirement for adaptive  
129 physical education under an individual education plan (IEP) or  
130 504 plan.

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

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

141 ~~examinations or assessment instruments and related materials or~~  
142 ~~data as prescribed in s. 1008.23.~~

143 (5)~~(7)~~(a) A student who meets all requirements prescribed  
144 in subsections (1), (2), (3), and (4) shall be awarded a  
145 standard diploma in a form prescribed by the State Board of  
146 Education.

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

158 ~~(8) (a) Each district school board must provide instruction~~  
159 ~~to prepare students with disabilities to demonstrate proficiency~~  
160 ~~in the core content knowledge and skills necessary for~~  
161 ~~successful grade-to-grade progression and high school~~  
162 ~~graduation.~~

163 ~~(b) A student with a disability, as defined in s.~~  
164 ~~1007.02 (2), for whom the individual education plan (IEP)~~  
165 ~~committee determines that the FCAT cannot accurately measure the~~  
166 ~~student's abilities taking into consideration all allowable~~  
167 ~~accommodations, shall have the FCAT requirement of paragraph~~

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

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

172 ~~2. Does not meet the requirements of paragraph (4) (b)~~  
173 ~~after one opportunity in 10th grade and one opportunity in 11th~~  
174 ~~grade.~~

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

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

193 ~~(6) (11)~~ The State Board of Education may adopt rules  
194 pursuant to ss. 120.536(1) and 120.54 to implement the

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195 provisions of this section and may enforce the provisions of  
196 this section pursuant to s. 1008.32.

197 Section 2. Section 1003.4282, Florida Statutes, is created  
198 to read:

199 1003.4282 Accommodations for students with disabilities;  
200 graduation requirements.--For purposes of high school  
201 graduation:

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

209 (2) The public hearing and consideration required in  
210 subsection (1) shall not be construed to amend or nullify the  
211 requirements of security relating to the contents of  
212 examinations or assessment instruments and related materials or  
213 data as prescribed in s. 1008.23.

214 (3) (a) Each district school board must provide instruction  
215 to prepare students with disabilities to demonstrate proficiency  
216 in the core content knowledge and skills necessary for  
217 successful grade-to-grade progression and high school  
218 graduation.

219 (b) A student with a disability, as defined in s.  
220 1007.02(2), for whom the individual education plan committee  
221 determines that the FCAT cannot accurately measure the student's  
222 abilities taking into consideration all allowable



223 accommodations, shall have the FCAT requirement of s.  
 224 1003.428(4)(b) or s. 1003.43(5)(a) waived for the purpose of  
 225 receiving a high school diploma, if the student:

226 1. Completes the minimum number of credits and other  
 227 requirements prescribed in s. 1003.428(1)-(3) or s. 1003.43(1)  
 228 and (4).

229 2. Does not meet the FCAT requirements of s.  
 230 1003.428(4)(b) or s. 1003.43(5)(a) after one opportunity in  
 231 grade 10 and one opportunity in grade 11.

232 Section 3. Section 1003.4286, Florida Statutes, is created  
 233 to read:

234 1003.4286 Graduation Exit Option Program; alternative  
 235 diploma.--

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

240 (a) Be at least 16 years old.

241 (b) Be enrolled in high school courses that meet high  
 242 school graduation requirements.

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

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

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

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

253 (b) Earn passing scores on the reading and mathematics  
 254 portions of the FCAT, as defined in s. 1008.22(3), or scores on  
 255 a standardized test that are concordant with passing scores on  
 256 the FCAT, as defined in s. 1008.22(10).

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

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

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

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

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

267 Section 4. Section 1003.4287, Florida Statutes, is created  
 268 to read:

269 1003.4287 Recognition of veterans; high school diploma.--

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

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279       (2) The Commissioner of Education may award a standard  
280 high school diploma to honorably discharged veterans who started  
281 high school between 1946 and 1950 and were scheduled to graduate  
282 between 1949 and 1955 but were inducted into the United States  
283 Armed Forces between June 1949 and January 1955 and served  
284 during the Korean War prior to completing the necessary high  
285 school graduation requirements. Upon the recommendation of the  
286 commissioner, the State Board of Education may develop criteria  
287 and guidelines for awarding such diplomas.

288       Section 5. Paragraph (b) of subsection (1) of section  
289 1003.429, Florida Statutes, is amended to read:

290       1003.429 Accelerated high school graduation options.--

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

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

307 the availability of course offerings through the Florida Virtual  
308 School. The 18 credits required for completion of this program  
309 shall be primary requirements and shall be distributed as  
310 follows:

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

329  
330 Any student who selected an accelerated graduation program  
331 before July 1, 2004, may continue that program, and all  
332 statutory program requirements that were applicable when the  
333 student made the program choice shall remain applicable to the  
334 student as long as the student continues that program.

335 Section 6. Subsections (8) through (13) of section  
336 1003.43, Florida Statutes, are amended to read:

337 1003.43 General requirements for high school graduation.--

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

345 ~~(9) The public hearing and consideration required in~~  
346 ~~subsection (8) shall not be construed to amend or nullify the~~  
347 ~~requirements of security relating to the contents of~~  
348 ~~examinations or assessment instruments and related materials or~~  
349 ~~data as prescribed in s. 1008.23.~~

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

357 (b) A student who completes the minimum number of credits  
358 and other requirements prescribed by subsections (1) and (4),  
359 but who is unable to meet the standards of paragraph (5) (a),  
360 paragraph (5) (b), or paragraph (5) (c), shall be awarded a  
361 certificate of completion in a form prescribed by the State  
362 Board of Education. However, any student who is otherwise

363 entitled to a certificate of completion may elect to remain in  
 364 the secondary school either as a full-time student or a part-  
 365 time student for up to 1 additional year and receive special  
 366 instruction designed to remedy his or her identified  
 367 deficiencies.

368 ~~(11)(a) Each district school board must provide~~  
 369 ~~instruction to prepare students with disabilities to demonstrate~~  
 370 ~~proficiency in the core content knowledge and skills necessary~~  
 371 ~~for successful grade-to-grade progression and high school~~  
 372 ~~graduation.~~

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

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

382 ~~2. Does not meet the requirements of paragraph (5)(a)~~  
 383 ~~after one opportunity in 10th grade and one opportunity in 11th~~  
 384 ~~grade.~~

385 ~~(12) The Commissioner of Education may award a standard~~  
 386 ~~high school diploma to honorably discharged veterans who started~~  
 387 ~~high school between 1937 and 1946 and were scheduled to graduate~~  
 388 ~~between 1941 and 1950 but were inducted into the United States~~  
 389 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~  
 390 ~~prior to completing the necessary high school graduation~~

391 ~~requirements. Upon the recommendation of the commissioner, the~~  
 392 ~~State Board of Education may develop criteria and guidelines for~~  
 393 ~~awarding such diplomas.~~

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

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

405 1007.263 Community colleges; admissions of students.--Each  
 406 community college board of trustees is authorized to adopt rules  
 407 governing admissions of students subject to this section and  
 408 rules of the State Board of Education. These rules shall include  
 409 the following:

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

414  
 415 Each board of trustees shall establish policies that notify  
 416 students about, and place students into, adult basic education,  
 417 adult secondary education, or other instructional programs that  
 418 provide students with alternatives to traditional college-

419 preparatory instruction, including private provider instruction.  
420 A student is prohibited from enrolling in additional college-  
421 level courses until the student scores above the cut-score on  
422 all sections of the common placement test.

423 Section 8. Paragraph (c) of subsection (3) of section  
424 1008.22, Florida Statutes, is amended to read:

425 1008.22 Student assessment program for public schools.--

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

441 (c) Develop and implement a student achievement testing  
442 program known as the Florida Comprehensive Assessment Test  
443 (FCAT) as part of the statewide assessment program to measure a  
444 student's content knowledge and skills in reading, writing,  
445 science, and mathematics. Other content areas may be included as  
446 directed by the commissioner. Comprehensive assessments of



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

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

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

491           3. Beginning with the 2008-2009 school year, the  
492 commissioner shall discontinue administration of the selected-  
493 response test items on the comprehensive assessments of writing.  
494 Beginning with the 2012-2013 school year, the comprehensive  
495 assessments of writing shall be composed of a combination of  
496 selected-response test items, short-response performance tasks,  
497 and extended-response performance tasks, which shall measure a  
498 student's content knowledge of writing, including, but not  
499 limited to, paragraph and sentence structure, sentence  
500 construction, grammar and usage, punctuation, capitalization,

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

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

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

523 6. Participation in the testing program is mandatory for  
524 all students attending public school, including students served  
525 in Department of Juvenile Justice programs, except as otherwise  
526 prescribed by the commissioner. If a student does not  
527 participate in the statewide assessment, the district must  
528 notify the student's parent and provide the parent with

529 information regarding the implications of such nonparticipation.  
530 A parent must provide signed consent for a student to receive  
531 classroom instructional accommodations that would not be  
532 available or permitted on the statewide assessments and must  
533 acknowledge in writing that he or she understands the  
534 implications of such instructional accommodations. The State  
535 Board of Education shall adopt rules, based upon recommendations  
536 of the commissioner, for the provision of test accommodations  
537 for students in exceptional education programs and for students  
538 who have limited English proficiency. Accommodations that negate  
539 the validity of a statewide assessment are not allowable in the  
540 administration of the FCAT. However, instructional  
541 accommodations are allowable in the classroom if included in a  
542 student's individual education plan. Students using  
543 instructional accommodations in the classroom that are not  
544 allowable as accommodations on the FCAT may have the FCAT  
545 requirement waived pursuant to the requirements of s. 1003.4282  
546 ~~1003.428(8)(b) or s. 1003.43(11)(b)~~.

547 7. A student seeking an adult high school diploma must  
548 meet the same testing requirements that a regular high school  
549 student must meet.

550 8. District school boards must provide instruction to  
551 prepare students to demonstrate proficiency in the core  
552 curricular content established in the Next Generation Sunshine  
553 State Standards adopted under s. 1003.41, including the core  
554 content knowledge and skills necessary for successful grade-to-  
555 grade progression and high school graduation. If a student is  
556 provided with instructional accommodations in the classroom that

557 are not allowable as accommodations in the statewide assessment  
558 program, as described in the test manuals, the district must  
559 inform the parent in writing and must provide the parent with  
560 information regarding the impact on the student's ability to  
561 meet expected proficiency levels in reading, writing, and  
562 mathematics. The commissioner shall conduct studies as necessary  
563 to verify that the required core curricular content is part of  
564 the district instructional programs.

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

569 10. The Department of Education must develop, or select,  
570 and implement a common battery of assessment tools that will be  
571 used in all juvenile justice programs in the state. These tools  
572 must accurately measure the core curricular content established  
573 in the Sunshine State Standards.

574 11. For students seeking a special diploma pursuant to s.  
575 1003.438, the Department of Education must develop or select and  
576 implement an alternate assessment tool that accurately measures  
577 the core curricular content established in the Sunshine State  
578 Standards for students with disabilities under s. 1003.438.

579 12. The Commissioner of Education shall establish  
580 schedules for the administration of statewide assessments and  
581 the reporting of student test results. The commissioner shall,  
582 by August 1 of each year, notify each school district in writing  
583 and publish on the department's Internet website the testing and  
584 reporting schedules for, at a minimum, the school year following

585 the upcoming school year. The testing and reporting schedules  
586 shall require that:

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

593 b. Beginning with the 2010-2011 school year, a  
594 comprehensive statewide assessment of writing is not  
595 administered earlier than the week of March 1 and a  
596 comprehensive statewide assessment of any other subject is not  
597 administered earlier than the week of April 15.

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

600

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

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613 testing process and psychometric analyses for the statewide  
614 assessment program must include an appropriate percentage of  
615 students with disabilities and an evaluation or determination of  
616 the effect of test items on such students.

617 Section 9. Paragraph (b) of subsection (1) of section  
618 1009.531, Florida Statutes, is amended to read:

619 1009.531 Florida Bright Futures Scholarship Program;  
620 student eligibility requirements for initial awards.--

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

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

628 1. The student completes a home education program  
629 according to s. 1002.41; or

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

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