

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. 1003.4287, F.S.;
14 authorizing the award of a standard high school diploma to
15 certain honorably discharged veterans; amending s.
16 1003.429, F.S.; requiring that students be advised of the
17 availability of certain courses for purposes of an
18 accelerated high school graduation option; amending s.
19 1003.43, F.S.; deleting provisions relating to general
20 requirements for high school graduation to conform to
21 changes made by the act; amending s. 1007.263, F.S.;
22 conforming a cross-reference; amending s. 1008.22, F.S.;
23 requiring passing scores on the grade 10 FCAT to meet
24 grade-level proficiency; conforming cross-references;
25 amending s. 1009.531, F.S.; conforming provisions;
26 providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:

29
 30 Section 1. Subsection (1), paragraph (a) of subsection
 31 (2), and subsections (5) through (11) of section 1003.428,
 32 Florida Statutes, are amended to read:

33 1003.428 General requirements for high school graduation;
 34 revised.--

35 (1) Except as otherwise authorized pursuant to s.
 36 1003.429, beginning with students entering their first year of
 37 high school in the 2007-2008 school year, graduation requires
 38 the successful completion of a minimum of 24 credits, an
 39 International Baccalaureate curriculum, or an Advanced
 40 International Certificate of Education curriculum. Students must
 41 be advised of the Advanced Placement, International
 42 Baccalaureate, Advanced International Certificate of Education,
 43 career academy coursework that leads to national industry
 44 certification, and dual enrollment courses available, as well as
 45 the availability of course offerings through the Florida Virtual
 46 School. Students must also be advised of eligibility
 47 requirements for state scholarship programs and postsecondary
 48 admissions.

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

52 (a) Sixteen core curriculum credits:

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

55 2. Four credits in mathematics, one of which must be
 56 Algebra I, a series of courses equivalent to Algebra I, or a

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

73 3. Three credits in science, two of which must have a
74 laboratory component. Beginning with students entering grade 9
75 in the 2010-2011 school year, one of the three credits must be
76 Biology I or a series of courses equivalent to Biology I as
77 approved by the State Board of Education, one credit must be a
78 physical science or a series of courses equivalent to a physical
79 science as approved by the State Board of Education, and one
80 credit must be a higher-level science course. At least two of
81 the science courses must have a laboratory component. Beginning
82 with students entering grade 9 in the 2012-2013 school year, one
83 of the three credits must be Biology I or a series of courses
84 equivalent to Biology I as approved by the State Board of

85 Education, one credit must be chemistry or physics or a series
86 of courses equivalent to chemistry or physics as approved by the
87 State Board of Education, and one credit must be a higher-level
88 science course. At least two of the science courses must have a
89 laboratory component.

90 4. Three credits in social studies as follows: one credit
91 in American history; one credit in world history; one-half
92 credit in economics; and one-half credit in American government.

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

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

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

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

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

134 (5)~~(7)~~(a) A student who meets all requirements prescribed
 135 in subsections (1), (2), (3), and (4) shall be awarded a
 136 standard diploma in a form prescribed by the State Board of
 137 Education.

138 (b) A student who completes the minimum number of credits
 139 and other requirements prescribed by subsections (1), (2), and
 140 (3), but who is unable to meet the standards of paragraph

141 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded
142 a certificate of completion in a form prescribed by the State
143 Board of Education. However, any student who is otherwise
144 entitled to a certificate of completion may elect to remain in
145 the secondary school either as a full-time student or a part-
146 time student for up to 1 additional year and receive special
147 instruction designed to remedy his or her identified
148 deficiencies.

149 ~~(8) (a) Each district school board must provide instruction~~
150 ~~to prepare students with disabilities to demonstrate proficiency~~
151 ~~in the core content knowledge and skills necessary for~~
152 ~~successful grade to grade progression and high school~~
153 ~~graduation.~~

154 ~~(b) A student with a disability, as defined in s.~~
155 ~~1007.02(2), for whom the individual education plan (IEP)~~
156 ~~committee determines that the FCAT cannot accurately measure the~~
157 ~~student's abilities taking into consideration all allowable~~
158 ~~accommodations, shall have the FCAT requirement of paragraph~~
159 ~~(4) (b) waived for the purpose of receiving a standard high~~
160 ~~school diploma, if the student:~~

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

163 ~~2. Does not meet the requirements of paragraph (4) (b)~~
164 ~~after one opportunity in 10th grade and one opportunity in 11th~~
165 ~~grade.~~

166 ~~(9) The Commissioner of Education may award a standard~~
167 ~~high school diploma to honorably discharged veterans who started~~
168 ~~high school between 1937 and 1946 and were scheduled to graduate~~

169 ~~between 1941 and 1950 but were inducted into the United States~~
170 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~
171 ~~prior to completing the necessary high school graduation~~
172 ~~requirements. Upon the recommendation of the commissioner, the~~
173 ~~State Board of Education may develop criteria and guidelines for~~
174 ~~awarding such diplomas.~~

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

184 ~~(6) (11)~~ The State Board of Education may adopt rules
185 pursuant to ss. 120.536(1) and 120.54 to implement the
186 provisions of this section and may enforce the provisions of
187 this section pursuant to s. 1008.32.

188 Section 2. Section 1003.4282, Florida Statutes, is created
189 to read:

190 1003.4282 Accommodations for students with disabilities;
191 graduation requirements.--For purposes of high school
192 graduation:

193 (1) The State Board of Education, after a public hearing
194 and consideration, shall adopt rules based upon the
195 recommendations of the Commissioner of Education for the
196 provision of test accommodations as necessary for students with

197 disabilities which will demonstrate the student's abilities
 198 rather than reflect the student's impaired sensory, manual,
 199 speaking, or psychological process skills.

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

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

210 (b) A student with a disability, as defined in s.
 211 1007.02(2), for whom the individual education plan committee
 212 determines that the FCAT cannot accurately measure the student's
 213 abilities taking into consideration all allowable
 214 accommodations, shall have the FCAT requirement of s.
 215 1003.428(4) (b) or s. 1003.43(5) (a) waived for the purpose of
 216 receiving a high school diploma, if the student:

217 1. Completes the minimum number of credits and other
 218 requirements prescribed in s. 1003.428(1)-(3) or s. 1003.43(1)
 219 and (4).

220 2. Does not meet the FCAT requirements of s.
 221 1003.428(4) (b) or s. 1003.43(5) (a) after one opportunity in
 222 grade 10 and one opportunity in grade 11.

223 Section 3. Section 1003.4287, Florida Statutes, is created
 224 to read:

225 1003.4287 Recognition of veterans; high school diploma.--

226 (1) The Commissioner of Education may award a standard
 227 high school diploma to honorably discharged veterans who started
 228 high school between 1937 and 1946 and were scheduled to graduate
 229 between 1941 and 1950 but were inducted into the United States
 230 Armed Forces between September 16, 1940, and December 31, 1946,
 231 prior to completing the necessary high school graduation
 232 requirements. Upon the recommendation of the commissioner, the
 233 State Board of Education may develop criteria and guidelines for
 234 awarding such diplomas.

235 (2) The Commissioner of Education may award a standard
 236 high school diploma to honorably discharged veterans who started
 237 high school between 1946 and 1950 and were scheduled to graduate
 238 between 1949 and 1955 but were inducted into the United States
 239 Armed Forces between June 1949 and January 1955 and served
 240 during the Korean War prior to completing the necessary high
 241 school graduation requirements. Upon the recommendation of the
 242 commissioner, the State Board of Education may develop criteria
 243 and guidelines for awarding such diplomas.

244 Section 4. Paragraph (b) of subsection (1) of section
 245 1003.429, Florida Statutes, is amended to read:

246 1003.429 Accelerated high school graduation options.--

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

251 (b) Completion of a 3-year standard college preparatory
 252 program requiring successful completion of a minimum of 18

253 academic credits in grades 9 through 12. At least 6 of the 18
254 credits required for completion of this program must be received
255 in classes that are offered pursuant to the International
256 Baccalaureate Program, the Advanced Placement Program, dual
257 enrollment, or the Advanced International Certificate of
258 Education Program, or specifically listed or identified by the
259 Department of Education as rigorous pursuant to s. 1009.531(3).
260 Students must be advised of the Advanced Placement,
261 International Baccalaureate, Advanced International Certificate
262 of Education, career academy coursework that leads to national
263 industry certification, and dual enrollment courses available,
264 as well as the availability of course offerings through the
265 Florida Virtual School. The 18 credits required for completion
266 of this program shall be primary requirements and shall be
267 distributed as follows:

- 268 1. Four credits in English, with major concentration in
269 composition and literature;
- 270 2. Three credits in mathematics at the Algebra I level or
271 higher from the list of courses that qualify for state
272 university admission;
- 273 3. Three credits in natural science, two of which must
274 have a laboratory component;
- 275 4. Three credits in social sciences, which must include
276 one credit in American history, one credit in world history,
277 one-half credit in American government, and one-half credit in
278 economics;
- 279 5. Two credits in the same second language unless the
280 student is a native speaker of or can otherwise demonstrate

281 competency in a language other than English. If the student
 282 demonstrates competency in another language, the student may
 283 replace the language requirement with two credits in other
 284 academic courses; and

285 6. Three credits in electives; or

286
 287 Any student who selected an accelerated graduation program
 288 before July 1, 2004, may continue that program, and all
 289 statutory program requirements that were applicable when the
 290 student made the program choice shall remain applicable to the
 291 student as long as the student continues that program.

292 Section 5. Subsections (8) through (13) of section
 293 1003.43, Florida Statutes, are amended to read:

294 1003.43 General requirements for high school graduation.--

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

302 ~~(9) The public hearing and consideration required in~~
 303 ~~subsection (8) shall not be construed to amend or nullify the~~
 304 ~~requirements of security relating to the contents of~~
 305 ~~examinations or assessment instruments and related materials or~~
 306 ~~data as prescribed in s. 1008.23.~~

307 (8) ~~(10)~~ (a) A student who meets all requirements prescribed
 308 in subsections (1), (4), and (5) shall be awarded a standard

309 diploma in a form prescribed by the State Board of Education. A
310 district school board may attach the Florida gold seal career
311 endorsement to a standard diploma or, instead of the standard
312 diploma, award differentiated diplomas to those exceeding the
313 prescribed minimums.

314 (b) A student who completes the minimum number of credits
315 and other requirements prescribed by subsections (1) and (4),
316 but who is unable to meet the standards of paragraph (5)(a),
317 paragraph (5)(b), or paragraph (5)(c), shall be awarded a
318 certificate of completion in a form prescribed by the State
319 Board of Education. However, any student who is otherwise
320 entitled to a certificate of completion may elect to remain in
321 the secondary school either as a full-time student or a part-
322 time student for up to 1 additional year and receive special
323 instruction designed to remedy his or her identified
324 deficiencies.

325 ~~(11)(a) Each district school board must provide~~
326 ~~instruction to prepare students with disabilities to demonstrate~~
327 ~~proficiency in the core content knowledge and skills necessary~~
328 ~~for successful grade-to-grade progression and high school~~
329 ~~graduation.~~

330 ~~(b) A student with a disability, as defined in s.~~
331 ~~1007.02(2), for whom the individual educational plan (IEP)~~
332 ~~committee determines that the FCAT cannot accurately measure the~~
333 ~~student's abilities taking into consideration all allowable~~
334 ~~accommodations, shall have the FCAT requirement of paragraph~~
335 ~~(5)(a) waived for the purpose of receiving a standard high~~
336 ~~school diploma, if the student:~~

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

339 ~~2. Does not meet the requirements of paragraph (5) (a)~~
340 ~~after one opportunity in 10th grade and one opportunity in 11th~~
341 ~~grade.~~

342 ~~(12) The Commissioner of Education may award a standard~~
343 ~~high school diploma to honorably discharged veterans who started~~
344 ~~high school between 1937 and 1946 and were scheduled to graduate~~
345 ~~between 1941 and 1950 but were inducted into the United States~~
346 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~
347 ~~prior to completing the necessary high school graduation~~
348 ~~requirements. Upon the recommendation of the commissioner, the~~
349 ~~State Board of Education may develop criteria and guidelines for~~
350 ~~awarding such diplomas.~~

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

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

362 1007.263 Community colleges; admissions of students.--Each
363 community college board of trustees is authorized to adopt rules
364 governing admissions of students subject to this section and

365 rules of the State Board of Education. These rules shall include
 366 the following:

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

371
 372 Each board of trustees shall establish policies that notify
 373 students about, and place students into, adult basic education,
 374 adult secondary education, or other instructional programs that
 375 provide students with alternatives to traditional college-
 376 preparatory instruction, including private provider instruction.
 377 A student is prohibited from enrolling in additional college-
 378 level courses until the student scores above the cut-score on
 379 all sections of the common placement test.

380 Section 7. Paragraph (c) of subsection (3) of section
 381 1008.22, Florida Statutes, is amended to read:

382 1008.22 Student assessment program for public schools.--

383 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
 384 design and implement a statewide program of educational
 385 assessment that provides information for the improvement of the
 386 operation and management of the public schools, including
 387 schools operating for the purpose of providing educational
 388 services to youth in Department of Juvenile Justice programs.
 389 The commissioner may enter into contracts for the continued
 390 administration of the assessment, testing, and evaluation
 391 programs authorized and funded by the Legislature. Contracts may
 392 be initiated in 1 fiscal year and continue into the next and may

393 be paid from the appropriations of either or both fiscal years.
394 The commissioner is authorized to negotiate for the sale or
395 lease of tests, scoring protocols, test scoring services, and
396 related materials developed pursuant to law. Pursuant to the
397 statewide assessment program, the commissioner shall:

398 (c) Develop and implement a student achievement testing
399 program known as the Florida Comprehensive Assessment Test
400 (FCAT) as part of the statewide assessment program to measure a
401 student's content knowledge and skills in reading, writing,
402 science, and mathematics. Other content areas may be included as
403 directed by the commissioner. Comprehensive assessments of
404 reading and mathematics shall be administered annually in grades
405 3 through 10. Comprehensive assessments of writing and science
406 shall be administered at least once at the elementary, middle,
407 and high school levels. End-of-course assessments for a subject
408 may be administered in addition to the comprehensive assessments
409 required for that subject under this paragraph. An end-of-course
410 assessment must be rigorous, statewide, standardized, and
411 developed or approved by the department. The content knowledge
412 and skills assessed by comprehensive and end-of-course
413 assessments must be aligned to the core curricular content
414 established in the Sunshine State Standards. The commissioner
415 may select one or more nationally developed comprehensive
416 examinations, which may include, but need not be limited to,
417 examinations for a College Board Advanced Placement course,
418 International Baccalaureate course, or Advanced International
419 Certificate of Education course or industry-approved
420 examinations to earn national industry certifications as defined

421 in s. 1003.492, for use as end-of-course assessments under this
422 paragraph, if the commissioner determines that the content
423 knowledge and skills assessed by the examinations meet or exceed
424 the grade level expectations for the core curricular content
425 established for the course in the Next Generation Sunshine State
426 Standards. The commissioner may collaborate with the American
427 Diploma Project in the adoption or development of rigorous end-
428 of-course assessments that are aligned to the Next Generation
429 Sunshine State Standards. The testing program must be designed
430 as follows:

431 1. The tests shall measure student skills and competencies
432 adopted by the State Board of Education as specified in
433 paragraph (a). The tests must measure and report student
434 proficiency levels of all students assessed in reading, writing,
435 mathematics, and science. The commissioner shall provide for the
436 tests to be developed or obtained, as appropriate, through
437 contracts and project agreements with private vendors, public
438 vendors, public agencies, postsecondary educational
439 institutions, or school districts. The commissioner shall obtain
440 input with respect to the design and implementation of the
441 testing program from state educators, assistive technology
442 experts, and the public.

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

448 3. Beginning with the 2008-2009 school year, the

449 commissioner shall discontinue administration of the selected-
450 response test items on the comprehensive assessments of writing.
451 Beginning with the 2012-2013 school year, the comprehensive
452 assessments of writing shall be composed of a combination of
453 selected-response test items, short-response performance tasks,
454 and extended-response performance tasks, which shall measure a
455 student's content knowledge of writing, including, but not
456 limited to, paragraph and sentence structure, sentence
457 construction, grammar and usage, punctuation, capitalization,
458 spelling, parts of speech, verb tense, irregular verbs, subject-
459 verb agreement, and noun-pronoun agreement.

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

464 5. Except as provided in s. 1003.4282 ~~1003.428(8)(b) or s.~~
465 ~~1003.43(11)(b)~~, students must earn a passing score on the grade
466 10 assessment test described in this paragraph or attain
467 concordant scores as described in subsection (10) in reading,
468 writing, and mathematics to qualify for a standard high school
469 diploma. The State Board of Education shall designate a passing
470 score for each part of the grade 10 assessment test. In
471 establishing passing scores, the state board shall consider any
472 possible negative impact of the test on minority students. The
473 State Board of Education shall adopt rules which specify the
474 passing scores for the grade 10 FCAT. Beginning in the 2011-2012
475 school year, such passing scores must at a minimum meet grade-
476 level proficiency. Any such rules, which have the effect of

477 raising the required passing scores, shall apply only to
478 students taking the grade 10 FCAT for the first time after such
479 rules are adopted by the State Board of Education.

480 6. Participation in the testing program is mandatory for
481 all students attending public school, including students served
482 in Department of Juvenile Justice programs, except as otherwise
483 prescribed by the commissioner. If a student does not
484 participate in the statewide assessment, the district must
485 notify the student's parent and provide the parent with
486 information regarding the implications of such nonparticipation.
487 A parent must provide signed consent for a student to receive
488 classroom instructional accommodations that would not be
489 available or permitted on the statewide assessments and must
490 acknowledge in writing that he or she understands the
491 implications of such instructional accommodations. The State
492 Board of Education shall adopt rules, based upon recommendations
493 of the commissioner, for the provision of test accommodations
494 for students in exceptional education programs and for students
495 who have limited English proficiency. Accommodations that negate
496 the validity of a statewide assessment are not allowable in the
497 administration of the FCAT. However, instructional
498 accommodations are allowable in the classroom if included in a
499 student's individual education plan. Students using
500 instructional accommodations in the classroom that are not
501 allowable as accommodations on the FCAT may have the FCAT
502 requirement waived pursuant to the requirements of s. 1003.4282
503 ~~1003.428(8)(b) or s. 1003.43(11)(b).~~

504 7. A student seeking an adult high school diploma must

505 meet the same testing requirements that a regular high school
506 student must meet.

507 8. District school boards must provide instruction to
508 prepare students to demonstrate proficiency in the core
509 curricular content established in the Next Generation Sunshine
510 State Standards adopted under s. 1003.41, including the core
511 content knowledge and skills necessary for successful grade-to-
512 grade progression and high school graduation. If a student is
513 provided with instructional accommodations in the classroom that
514 are not allowable as accommodations in the statewide assessment
515 program, as described in the test manuals, the district must
516 inform the parent in writing and must provide the parent with
517 information regarding the impact on the student's ability to
518 meet expected proficiency levels in reading, writing, and
519 mathematics. The commissioner shall conduct studies as necessary
520 to verify that the required core curricular content is part of
521 the district instructional programs.

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

526 10. The Department of Education must develop, or select,
527 and implement a common battery of assessment tools that will be
528 used in all juvenile justice programs in the state. These tools
529 must accurately measure the core curricular content established
530 in the Sunshine State Standards.

531 11. For students seeking a special diploma pursuant to s.
532 1003.438, the Department of Education must develop or select and

533 | implement an alternate assessment tool that accurately measures
534 | the core curricular content established in the Sunshine State
535 | Standards for students with disabilities under s. 1003.438.

536 | 12. The Commissioner of Education shall establish
537 | schedules for the administration of statewide assessments and
538 | the reporting of student test results. The commissioner shall,
539 | by August 1 of each year, notify each school district in writing
540 | and publish on the department's Internet website the testing and
541 | reporting schedules for, at a minimum, the school year following
542 | the upcoming school year. The testing and reporting schedules
543 | shall require that:

544 | a. There is the latest possible administration of
545 | statewide assessments and the earliest possible reporting to the
546 | school districts of student test results which is feasible
547 | within available technology and specific appropriations;
548 | however, test results must be made available no later than the
549 | final day of the regular school year for students.

550 | b. Beginning with the 2010-2011 school year, a
551 | comprehensive statewide assessment of writing is not
552 | administered earlier than the week of March 1 and a
553 | comprehensive statewide assessment of any other subject is not
554 | administered earlier than the week of April 15.

555 | c. A statewide standardized end-of-course assessment is
556 | administered within the last 2 weeks of the course.

557 |
558 | The commissioner may, based on collaboration and input from
559 | school districts, design and implement student testing programs,
560 | for any grade level and subject area, necessary to effectively

561 monitor educational achievement in the state, including the
562 measurement of educational achievement of the Sunshine State
563 Standards for students with disabilities. Development and
564 refinement of assessments shall include universal design
565 principles and accessibility standards that will prevent any
566 unintended obstacles for students with disabilities while
567 ensuring the validity and reliability of the test. These
568 principles should be applicable to all technology platforms and
569 assistive devices available for the assessments. The field
570 testing process and psychometric analyses for the statewide
571 assessment program must include an appropriate percentage of
572 students with disabilities and an evaluation or determination of
573 the effect of test items on such students.

574 Section 8. Paragraph (b) of subsection (1) of section
575 1009.531, Florida Statutes, is amended to read:

576 1009.531 Florida Bright Futures Scholarship Program;
577 student eligibility requirements for initial awards.--

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

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

585 1. The student completes a home education program
586 according to s. 1002.41; or

587 2. The student earns a high school diploma from a non-
588 Florida school while living with a parent or guardian who is on

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589 | military or public service assignment away from Florida.

590 | Section 9. This act shall take effect July 1, 2009.

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