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LEGISLATIVE ACTION

Senate

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House

Senator Wise moved the following:

Senate Amendment (with title amendment)

Between lines 97 and 98

insert:

Section 4. Subsection (1) and paragraph (a) of subsection (2) of section 1003.428, Florida Statutes, are amended to read:
1003.428 General requirements for high school graduation; revised.—

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



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14 International Certificate of Education curriculum. Students must
15 be advised of eligibility requirements for state scholarship
16 programs and postsecondary admissions.

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

20 (a) Sixteen core curriculum credits:

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

23 2. Four credits in mathematics, one of which must be
24 Algebra I, a series of courses equivalent to Algebra I, or a
25 higher-level mathematics course. School districts are encouraged
26 to set specific goals to increase enrollments in, and successful
27 completion of, geometry and Algebra II.

28 3. Three credits in science, two of which must have a
29 laboratory component. Beginning with students entering grade 9
30 in the 2010-2011 school year, one of the three credits in
31 science must be Biology I or a series of courses that have been
32 approved by the State Board of Education as equivalent to
33 Biology I.

34 4. Three credits in social studies as follows: one credit
35 in American history; one credit in world history; one-half
36 credit in economics; and one-half credit in American government.

37 5. One credit in fine or performing arts, speech and
38 debate, or a practical arts course that incorporates artistic
39 content and techniques of creativity, interpretation, and
40 imagination. Eligible practical arts courses shall be identified
41 through the Course Code Directory.

42 6. One credit in physical education to include integration



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43 of health. Participation in an interscholastic sport at the
44 junior varsity or varsity level for two full seasons shall
45 satisfy the one-credit requirement in physical education if the
46 student passes a competency test on personal fitness with a
47 score of "C" or better. The competency test on personal fitness
48 must be developed by the Department of Education. A district
49 school board may not require that the one credit in physical
50 education be taken during the 9th grade year. Completion of one
51 semester with a grade of "C" or better in a marching band class,
52 in a physical activity class that requires participation in
53 marching band activities as an extracurricular activity, or in a
54 dance class shall satisfy one-half credit in physical education
55 or one-half credit in performing arts. This credit may not be
56 used to satisfy the personal fitness requirement or the
57 requirement for adaptive physical education under an individual
58 education plan (IEP) or 504 plan. Completion of 2 years in a
59 Reserve Officer Training Corps (R.O.T.C.) class, a significant
60 component of which is drills, shall satisfy the one-credit
61 requirement in physical education and the one-credit requirement
62 in performing arts. This credit may not be used to satisfy the
63 personal fitness requirement or the requirement for adaptive
64 physical education under an individual education plan (IEP) or
65 504 plan.

66 Section 5. Subsection (1) of section 1003.429, Florida
67 Statutes, is amended to read:

68 1003.429 Accelerated high school graduation options.—

69 (1) Students who enter grade 9 in the 2006-2007 school year
70 and thereafter may select, upon receipt of each consent required
71 by this section, one of the following three high school



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72 graduation options:

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

75 (b) Completion of a 3-year standard college preparatory
76 program requiring successful completion of a minimum of 18
77 academic credits in grades 9 through 12. At least 6 of the 18
78 credits required for completion of this program must be received
79 in classes that are offered pursuant to the International
80 Baccalaureate Program, the Advanced Placement Program, dual
81 enrollment, Advanced International Certificate of Education, or
82 specifically listed or identified by the Department of Education
83 as rigorous pursuant to s. 1009.531(3). The 18 credits required
84 for completion of this program shall be primary requirements and
85 shall be distributed as follows:

86 1. Four credits in English, with major concentration in
87 composition and literature;

88 2. Three credits in mathematics at the Algebra I level or
89 higher from the list of courses that qualify for state
90 university admission;

91 3. Three credits in natural science, two of which must have
92 a laboratory component. Beginning with students entering grade 9
93 in the 2010-2011 school year, one of the three credits in
94 science must be Biology I or a series of courses that have been
95 approved by the State Board of Education as equivalent to
96 Biology I;

97 4. Three credits in social sciences, which must include one
98 credit in American history, one credit in world history, one-
99 half credit in American government, and one-half credit in
100 economics;



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101 5. Two credits in the same second language unless the
102 student is a native speaker of or can otherwise demonstrate
103 competency in a language other than English. If the student
104 demonstrates competency in another language, the student may
105 replace the language requirement with two credits in other
106 academic courses; and

107 6. Three credits in electives; or

108 (c) Completion of a 3-year career preparatory program
109 requiring successful completion of a minimum of 18 academic
110 credits in grades 9 through 12. The 18 credits shall be primary
111 requirements and shall be distributed as follows:

112 1. Four credits in English, with major concentration in
113 composition and literature;

114 2. Three credits in mathematics, one of which must be
115 Algebra I;

116 3. Three credits in natural science, two of which must have
117 a laboratory component. Beginning with students entering grade 9
118 in the 2010-2011 school year, one of the three credits in
119 science must be Biology I or a series of courses that have been
120 approved by the State Board of Education as equivalent to
121 Biology I;

122 4. Three credits in social sciences, which must include one
123 credit in American history, one credit in world history, one-
124 half credit in American government, and one-half credit in
125 economics;

126 5. Three credits in a single vocational or career education
127 program, three credits in career and technical certificate dual
128 enrollment courses, or five credits in vocational or career
129 education courses; and



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130 6. Two credits in electives unless five credits are earned
131 pursuant to subparagraph 5.

132
133 Any student who selected an accelerated graduation program
134 before July 1, 2004, may continue that program, and all
135 statutory program requirements that were applicable when the
136 student made the program choice shall remain applicable to the
137 student as long as the student continues that program.

138 Section 6. Paragraph (c) of subsection (3) of section
139 1008.22, Florida Statutes, is amended to read:

140 1008.22 Student assessment program for public schools.—

141 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
142 design and implement a statewide program of educational
143 assessment that provides information for the improvement of the
144 operation and management of the public schools, including
145 schools operating for the purpose of providing educational
146 services to youth in Department of Juvenile Justice programs.
147 The commissioner may enter into contracts for the continued
148 administration of the assessment, testing, and evaluation
149 programs authorized and funded by the Legislature. Contracts may
150 be initiated in 1 fiscal year and continue into the next and may
151 be paid from the appropriations of either or both fiscal years.
152 The commissioner is authorized to negotiate for the sale or
153 lease of tests, scoring protocols, test scoring services, and
154 related materials developed pursuant to law. Pursuant to the
155 statewide assessment program, the commissioner shall:

156 (c) Develop and implement a student achievement testing
157 program known as the Florida Comprehensive Assessment Test
158 (FCAT) as part of the statewide assessment program to measure a



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159 student's content knowledge and skills in reading, writing,
160 science, and mathematics. Other content areas may be included as
161 directed by the commissioner. Comprehensive assessments of
162 reading and mathematics shall be administered annually in grades
163 3 through 10. Comprehensive assessments of writing and science
164 shall be administered at least once at the elementary, middle,
165 and high school levels. During the 2010-2011 school year, an
166 end-of-course assessment in biology shall be administered as a
167 field test at the high school level. Beginning with the 2011-
168 2012 school year, the end-of-course assessment in biology shall
169 replace the comprehensive assessment of science administered at
170 the high school level. During the 2011-2012 school year, each
171 student's performance on the end-of-course assessment in biology
172 shall constitute 30 percent of the student's final course grade.
173 Beginning with the 2012-2013 school year, a student must earn a
174 passing score on the end-of-course assessment in biology in
175 order to pass the course and receive course credit. End-of-
176 course assessments for a subject may be administered in addition
177 to the comprehensive assessments required for that subject under
178 this paragraph. An end-of-course assessment must be rigorous,
179 statewide, standardized, and developed or approved by the
180 department. The content knowledge and skills assessed by
181 comprehensive and end-of-course assessments must be aligned to
182 the core curricular content established in the Sunshine State
183 Standards. The commissioner may select one or more nationally
184 developed comprehensive examinations, which may include, but
185 need not be limited to, examinations for a College Board
186 Advanced Placement course, International Baccalaureate course,
187 or Advanced International Certificate of Education course or



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188 industry-approved examinations to earn national industry
189 certifications as defined in s. 1003.492, for use as end-of-
190 course assessments under this paragraph, if the commissioner
191 determines that the content knowledge and skills assessed by the
192 examinations meet or exceed the grade level expectations for the
193 core curricular content established for the course in the Next
194 Generation Sunshine State Standards. The commissioner may
195 collaborate with the American Diploma Project in the adoption or
196 development of rigorous end-of-course assessments that are
197 aligned to the Next Generation Sunshine State Standards. The
198 testing program must be designed as follows:

199 1. The tests shall measure student skills and competencies
200 adopted by the State Board of Education as specified in
201 paragraph (a). The tests must measure and report student
202 proficiency levels of all students assessed in reading, writing,
203 mathematics, and science. The commissioner shall provide for the
204 tests to be developed or obtained, as appropriate, through
205 contracts and project agreements with private vendors, public
206 vendors, public agencies, postsecondary educational
207 institutions, or school districts. The commissioner shall obtain
208 input with respect to the design and implementation of the
209 testing program from state educators, assistive technology
210 experts, and the public.

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

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



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217 commissioner shall discontinue administration of the selected-
218 response test items on the comprehensive assessments of writing.
219 Beginning with the 2012-2013 school year, the comprehensive
220 assessments of writing shall be composed of a combination of
221 selected-response test items, short-response performance tasks,
222 and extended-response performance tasks, which shall measure a
223 student's content knowledge of writing, including, but not
224 limited to, paragraph and sentence structure, sentence
225 construction, grammar and usage, punctuation, capitalization,
226 spelling, parts of speech, verb tense, irregular verbs, subject-
227 verb agreement, and noun-pronoun agreement.

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

232 5. Except as provided in s. 1003.428(8)(b) or s.
233 1003.43(11)(b), students must earn a passing score on the grade
234 10 assessment test described in this paragraph or attain
235 concordant scores as described in subsection (10) in reading,
236 writing, and mathematics to qualify for a standard high school
237 diploma. The State Board of Education shall designate a passing
238 score for each part of the grade 10 assessment test and the end-
239 of-course assessment in biology. In establishing passing scores,
240 the state board shall consider any possible negative impact of
241 the test on minority students. The State Board of Education
242 shall adopt rules which specify the passing scores for each part
243 of the grade 10 assessment test and the end-of-course assessment
244 in biology FCAT. Any such rules, which have the effect of
245 raising the required passing scores, shall apply only to



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246 students taking the assessment ~~grade 10 FCAT~~ for the first time
247 after such rules are adopted by the State Board of Education.

248 6. Participation in the testing program is mandatory for
249 all students attending public school, including students served
250 in Department of Juvenile Justice programs, except as otherwise
251 prescribed by the commissioner. If a student does not
252 participate in the statewide assessment, the district must
253 notify the student's parent and provide the parent with
254 information regarding the implications of such nonparticipation.
255 A parent must provide signed consent for a student to receive
256 classroom instructional accommodations that would not be
257 available or permitted on the statewide assessments and must
258 acknowledge in writing that he or she understands the
259 implications of such instructional accommodations. The State
260 Board of Education shall adopt rules, based upon recommendations
261 of the commissioner, for the provision of test accommodations
262 for students in exceptional education programs and for students
263 who have limited English proficiency. Accommodations that negate
264 the validity of a statewide assessment are not allowable in the
265 administration of the FCAT. However, instructional
266 accommodations are allowable in the classroom if included in a
267 student's individual education plan. Students using
268 instructional accommodations in the classroom that are not
269 allowable as accommodations on the FCAT may have the FCAT
270 requirement waived pursuant to the requirements of s.
271 1003.428(8)(b) or s. 1003.43(11)(b).

272 7. A student seeking an adult high school diploma must meet
273 the same testing requirements that a regular high school student
274 must meet.



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275 8. District school boards must provide instruction to
276 prepare students to demonstrate proficiency in the core
277 curricular content established in the Next Generation Sunshine
278 State Standards adopted under s. 1003.41, including the core
279 content knowledge and skills necessary for successful grade-to-
280 grade progression and high school graduation. If a student is
281 provided with instructional accommodations in the classroom that
282 are not allowable as accommodations in the statewide assessment
283 program, as described in the test manuals, the district must
284 inform the parent in writing and must provide the parent with
285 information regarding the impact on the student's ability to
286 meet expected proficiency levels in reading, writing, and
287 mathematics. The commissioner shall conduct studies as necessary
288 to verify that the required core curricular content is part of
289 the district instructional programs.

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

294 10. The Department of Education must develop, or select,
295 and implement a common battery of assessment tools that will be
296 used in all juvenile justice programs in the state. These tools
297 must accurately measure the core curricular content established
298 in the Sunshine State Standards.

299 11. For students seeking a special diploma pursuant to s.
300 1003.438, the Department of Education must develop or select and
301 implement an alternate assessment tool that accurately measures
302 the core curricular content established in the Sunshine State
303 Standards for students with disabilities under s. 1003.438.



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304 12. The Commissioner of Education shall establish schedules
305 for the administration of statewide assessments and the
306 reporting of student test results. The commissioner shall, by
307 August 1 of each year, notify each school district in writing
308 and publish on the department's Internet website the testing and
309 reporting schedules for, at a minimum, the school year following
310 the upcoming school year. The testing and reporting schedules
311 shall require that:

312 a. There is the latest possible administration of statewide
313 assessments and the earliest possible reporting to the school
314 districts of student test results which is feasible within
315 available technology and specific appropriations; however, test
316 results must be made available no later than the final day of
317 the regular school year for students.

318 b. Beginning with the 2010-2011 school year, a
319 comprehensive statewide assessment of writing is not
320 administered earlier than the week of March 1 and a
321 comprehensive statewide assessment of any other subject is not
322 administered earlier than the week of April 15.

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

325
326 The commissioner may, based on collaboration and input from
327 school districts, design and implement student testing programs,
328 for any grade level and subject area, necessary to effectively
329 monitor educational achievement in the state, including the
330 measurement of educational achievement of the Sunshine State
331 Standards for students with disabilities. Development and
332 refinement of assessments shall include universal design



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333 principles and accessibility standards that will prevent any
334 unintended obstacles for students with disabilities while
335 ensuring the validity and reliability of the test. These
336 principles should be applicable to all technology platforms and
337 assistive devices available for the assessments. The field
338 testing process and psychometric analyses for the statewide
339 assessment program must include an appropriate percentage of
340 students with disabilities and an evaluation or determination of
341 the effect of test items on such students.

342 Section 7. Paragraphs (b) and (c) of subsection (3) of
343 section 1008.34, Florida Statutes, are amended to read:

344 1008.34 School grading system; school report cards;
345 district grade.—

346 (3) DESIGNATION OF SCHOOL GRADES.—

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

348 a. Student achievement scores, including achievement scores
349 for students seeking a special diploma.

350 b. Student learning gains as measured by annual FCAT
351 assessments in grades 3 through 10; learning gains for students
352 seeking a special diploma, as measured by an alternate
353 assessment tool, shall be included not later than the 2009-2010
354 school year.

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

358 2. Beginning with the 2009-2010 school year for schools
359 comprised of high school grades 9, 10, 11, and 12, or grades 10,
360 11, and 12, 50 percent of the school grade shall be based on a
361 combination of the factors listed in sub-subparagraphs 1.a.-c.



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362 and the remaining 50 percent on the following factors:
363 a. The high school graduation rate of the school;
364 b. As valid data becomes available, the performance and
365 participation of the school's students in College Board Advanced
366 Placement courses, International Baccalaureate courses, dual
367 enrollment courses, and Advanced International Certificate of
368 Education courses; and the students' achievement of industry
369 certification, as determined by the Agency for Workforce
370 Innovation under s. 1003.492(2) in a career and professional
371 academy, as described in s. 1003.493;
372 c. Postsecondary readiness of the school's students as
373 measured by the SAT, ACT, or the common placement test;
374 d. The high school graduation rate of at-risk students who
375 scored at Level 2 or lower on the grade 8 FCAT Reading and
376 Mathematics examinations;
377 e. As valid data becomes available, the performance of the
378 school's students on statewide standardized end-of-course
379 assessments not required for high school graduation, which are
380 administered under s. 1008.22; and
381 f. The growth or decline in the components listed in sub-
382 subparagraphs a.-e. from year to year.
383 (c) Student assessment data used in determining school
384 grades shall include:
385 1. The aggregate scores of all eligible students enrolled
386 in the school who have been assessed on the FCAT and
387 standardized end-of-course assessments required for high school
388 graduation, including, beginning with the 2011-2012 school year,
389 the end-of-course assessment in biology.
390 2. The aggregate scores of all eligible students enrolled



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391 in the school who have been assessed on the FCAT and who have
392 scored at or in the lowest 25th percentile of students in the
393 school in reading, mathematics, or writing, unless these
394 students are exhibiting satisfactory performance.

395 3. Effective with the 2005-2006 school year, the
396 achievement scores and learning gains of eligible students
397 attending alternative schools that provide dropout prevention
398 and academic intervention services pursuant to s. 1003.53. The
399 term "eligible students" in this subparagraph does not include
400 students attending an alternative school who are subject to
401 district school board policies for expulsion for repeated or
402 serious offenses, who are in dropout retrieval programs serving
403 students who have officially been designated as dropouts, or who
404 are in programs operated or contracted by the Department of
405 Juvenile Justice. The student performance data for eligible
406 students identified in this subparagraph shall be included in
407 the calculation of the home school's grade. As used in this
408 section and s. 1008.341, the term "home school" means the school
409 to which the student would be assigned if the student were not
410 assigned to an alternative school. If an alternative school
411 chooses to be graded under this section, student performance
412 data for eligible students identified in this subparagraph shall
413 not be included in the home school's grade but shall be included
414 only in the calculation of the alternative school's grade. A
415 school district that fails to assign the FCAT scores of each of
416 its students to his or her home school or to the alternative
417 school that receives a grade shall forfeit Florida School
418 Recognition Program funds for 1 fiscal year. School districts
419 must require collaboration between the home school and the



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420 alternative school in order to promote student success. This
421 collaboration must include an annual discussion between the
422 principal of the alternative school and the principal of each
423 student's home school concerning the most appropriate school
424 assignment of the student.

425 4. Beginning with the 2009-2010 school year for schools
426 comprised of high school grades 9, 10, 11, and 12, or grades 10,
427 11, and 12, the data listed in subparagraphs 1.-3. and the
428 following data as the Department of Education determines such
429 data are valid and available:

430 a. The high school graduation rate of the school as
431 calculated by the Department of Education;

432 b. The participation rate of all eligible students enrolled
433 in the school and enrolled in College Board Advanced Placement
434 courses; International Baccalaureate courses; dual enrollment
435 courses; Advanced International Certificate of Education
436 courses; and courses or sequence of courses leading to industry
437 certification, as determined by the Agency for Workforce
438 Innovation under s. 1003.492(2) in a career and professional
439 academy, as described in s. 1003.493;

440 c. The aggregate scores of all eligible students enrolled
441 in the school in College Board Advanced Placement courses,
442 International Baccalaureate courses, and Advanced International
443 Certificate of Education courses;

444 d. Earning of college credit by all eligible students
445 enrolled in the school in dual enrollment programs under s.
446 1007.271;

447 e. Earning of an industry certification, as determined by
448 the Agency for Workforce Innovation under s. 1003.492(2) in a



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449 career and professional academy, as described in s. 1003.493;
450 f. The aggregate scores of all eligible students enrolled
451 in the school in reading, mathematics, and other subjects as
452 measured by the SAT, the ACT, and the common placement test for
453 postsecondary readiness;

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

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

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

462
463 The State Board of Education shall adopt appropriate criteria
464 for each school grade. The criteria must also give added weight
465 to student achievement in reading. Schools designated with a
466 grade of "C," making satisfactory progress, shall be required to
467 demonstrate that adequate progress has been made by students in
468 the school who are in the lowest 25th percentile in reading,
469 mathematics, or writing on the FCAT, unless these students are
470 exhibiting satisfactory performance. Beginning with the 2009-
471 2010 school year for schools comprised of high school grades 9,
472 10, 11, and 12, or grades 10, 11, and 12, the criteria for
473 school grades must also give added weight to the graduation rate
474 of all eligible at-risk students, as defined in this paragraph.
475 Beginning in the 2009-2010 school year, in order for a high
476 school to be designated as having a grade of "A," making
477 excellent progress, the school must demonstrate that at-risk



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478 students, as defined in this paragraph, in the school are making
479 adequate progress.

480

481 ===== T I T L E A M E N D M E N T =====

482 And the title is amended as follows:

483 Delete line 10

484 and insert:

485 cross-reference; amending ss. 1003.428 and 1003.429, F.S.;

486 requiring students entering grade 9 to earn one credit in

487 Biology I or in a series of equivalent courses for high school

488 graduation beginning with the 2010-2011 school year; amending s.

489 1008.22, F.S.; requiring the administration of an end-of-course

490 assessment in biology as a field test during the 2010-2011

491 school year; requiring the end-of-course assessment in biology

492 to replace the comprehensive assessment of science administered

493 at the high school level beginning with the 2011-2012 school

494 year; providing requirements for course grade and course credit;

495 requiring the State Board of Education to designate a passing

496 score for the end-of-course assessment in biology; amending s.

497 1008.34, F.S.; requiring the inclusion of biology end-of-course

498 assessment data in determining school grades beginning with the

499 2011-2012 school year; amending s. 1003.429, F.S.; revising