

By Senators Detert, Thrasher, Wise, Gaetz, Richter, Storms,
Peaden, Fasano, Negron, and Altman

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1 A bill to be entitled
2 An act relating to education accountability; amending
3 s. 1003.413, F.S., relating to secondary school
4 redesign, to delete obsolete provisions and to conform
5 to changes made by the act; amending s. 1003.4156,
6 F.S.; revising requirements for middle grades
7 promotion; providing that successful completion of a
8 high school level Algebra I, geometry, or Biology I
9 course is not contingent upon a student's performance
10 on the end-of-course assessment; requiring a student
11 to pass the end-of-course assessment to earn high
12 school credit for such courses; specifying information
13 that must be provided to students as part of the
14 personalized academic and career plan; amending s.
15 1003.428, F.S.; revising requirements for high school
16 graduation; requiring students entering grade 9 in
17 specified school years to meet end-of-course
18 assessment requirements and revised credit
19 requirements in mathematics and science for high
20 school graduation; requiring credit in an online
21 course; requiring district school board standards for
22 grades in certain courses; providing for waiver of
23 end-of-course assessment results for the purpose of
24 receiving a course grade and credit for students with
25 disabilities; amending s. 1003.429, F.S.; revising
26 requirements for accelerated high school graduation
27 options; updating cross-references; requiring students
28 entering grade 9 in specified school years to meet
29 end-of-course assessment requirements and revised

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30 credit requirements in mathematics and science for
31 high school graduation; requiring credit in an online
32 course; requiring district school board standards for
33 grades in certain courses; creating s. 1003.4295,
34 F.S.; requiring high schools to advise students of,
35 and offer, acceleration courses; amending s. 1003.493,
36 F.S., relating to career and professional academies,
37 to conform to changes made by the act; amending s.
38 1007.35, F.S., relating to the Florida Partnership for
39 Minority and Underrepresented Student Achievement, to
40 conform to changes made by the act; amending s.
41 1008.22, F.S.; revising the statewide student
42 achievement testing program; requiring end-of-course
43 assessments in mathematics and science to replace FCAT
44 Mathematics and FCAT Science beginning with students
45 entering grade 9 in specified school years; providing
46 requirements for the administration of, and student
47 performance on, statewide, standardized end-of-course
48 assessments in mathematics and science; providing for
49 establishment of an implementation schedule to develop
50 and administer end-of-course assessments in certain
51 courses; requiring evaluation and reporting of the
52 transition to specified end-of-course assessments;
53 requiring the use of scaled scores and student
54 achievement levels for describing student success on
55 assessments; requiring the State Board of Education to
56 designate passing scores for end-of-course assessments
57 and scores that indicate high achievement; providing
58 requirements for retaking specified assessments;

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59 providing for waiver of end-of-course assessment
60 requirements for students in exceptional education
61 programs and students who have limited English
62 proficiency; revising provisions relating to testing
63 and reporting schedules; conforming provisions and
64 cross-references; authorizing the State Board of
65 Education to adopt concordant scores for the FCAT and
66 equivalent scores for end-of-course assessments;
67 deleting retake requirements for use of concordant
68 scores; providing requirements for use of equivalent
69 scores; amending s. 1008.25, F.S., relating to public
70 school student progression, to conform to changes made
71 by the act; amending s. 1008.30, F.S., relating to the
72 common placement test, to conform to changes made by
73 the act; amending s. 1008.34, F.S.; revising
74 provisions that specify the basis for determining
75 school grades to include student performance on end-
76 of-course assessments and to conform provisions to
77 current FCAT assessments; amending s. 1008.341, F.S.;
78 revising provisions that specify the basis for
79 determining an alternative school's school improvement
80 rating to include student performance on end-of-course
81 assessments; amending s. 1008.36, F.S.; revising
82 provisions relating to the use of school recognition
83 awards; providing an effective date.

84

85 Be It Enacted by the Legislature of the State of Florida:

86

87 Section 1. Paragraph (d) of subsection (3) and subsections

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88 (4) and (5) of section 1003.413, Florida Statutes, are amended
89 to read:

90 1003.413 Florida Secondary School Redesign Act.—

91 (3) Based on these guiding principles, district school
92 boards shall establish policies to implement the requirements of
93 ss. 1003.4156, 1003.428, and 1003.493. The policies must
94 address:

95 (d) Credit recovery courses and intensive reading and
96 mathematics intervention courses based on student performance on
97 ~~the FCAT Reading and Mathematics~~. These courses should be
98 competency based and offered through innovative delivery
99 systems, including computer-assisted instruction. School
100 districts should use learning gains as well as other appropriate
101 data and provide incentives to identify and reward high-
102 performing teachers who teach credit recovery and intensive
103 intervention courses.

104 (4) In order to support the successful implementation of
105 this section by district school boards, the Department of
106 Education shall:

107 ~~(a) By February 1, 2007, increase the number of approved~~
108 ~~applied, integrated, and combined courses available to school~~
109 ~~districts.~~

110 ~~(b) By the beginning of the 2006-2007 school year, make~~
111 ~~available a professional development package designed to provide~~
112 ~~the information that content area teachers need to become~~
113 ~~proficient in applying scientifically based reading strategies~~
114 ~~through their content areas.~~

115 (a) ~~(e)~~ Share best practices for providing a complete
116 education program to students enrolled in course recovery,

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117 credit recovery, intensive reading intervention, or intensive
118 mathematics intervention.

119 (b)~~(d)~~ Expedite assistance and decisions and coordinate
120 policies throughout all divisions within the department to
121 provide school districts with support to implement this section.

122 ~~(c) Use data to provide the Legislature with an annual
123 longitudinal analysis of the success of this reform effort,
124 including the progress of 6th grade students and 9th grade
125 students scoring at Level 1 on FCAT Reading or FCAT Mathematics.~~

126 ~~(5) The Commissioner of Education shall create and
127 implement the Secondary School Improvement Award Program to
128 reward public secondary schools that demonstrate continuous
129 student academic improvement and show the greatest gains in
130 student academic achievement in reading and mathematics.~~

131 Section 2. Paragraph (a) of subsection (1) of section
132 1003.4156, Florida Statutes, is amended to read:

133 1003.4156 General requirements for middle grades
134 promotion.—

135 (1) Beginning with students entering grade 6 in the 2006-
136 2007 school year, promotion from a school composed of middle
137 grades 6, 7, and 8 requires that:

138 (a) The student must successfully complete academic courses
139 as follows:

140 1. Three middle school or higher courses in English. These
141 courses shall emphasize literature, composition, and technical
142 text.

143 2. Three middle school or higher courses in mathematics.
144 Each middle school must offer at least one high school level
145 mathematics course for which students may earn high school

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146 credit. Successful completion of a high school level Algebra I
147 or geometry course is not contingent upon the student's
148 performance on the end-of-course assessment required under s.
149 1008.22(3)(c)2.a.(I). However, to earn high school credit for an
150 Algebra I or geometry course, a middle school student must meet
151 the end-of-course assessment requirement under s.
152 1008.22(3)(c)2.a.(I). Students in grades 6 through 8 who earn
153 high school credit for an Algebra I or geometry course before
154 the 2010-2011 school year are not subject to the end-of-course
155 assessment requirement.

156 3. Three middle school or higher courses in social studies,
157 one semester of which must include the study of state and
158 federal government and civics education.

159 4. Three middle school or higher courses in science.
160 Successful completion of a high school level Biology I course is
161 not contingent upon the student's performance on the end-of-
162 course assessment required under s. 1008.22(3)(c)2.a.(II).
163 However, to earn high school credit for a Biology I course, a
164 middle school student must meet the end-of-course assessment
165 requirement under s. 1008.22(3)(c)2.a.(II). Students in grades 6
166 through 8 who earn high school credit for a Biology I course
167 before the 2011-2012 school year are not subject to the end-of-
168 course assessment requirement.

169 5. One course in career and education planning to be
170 completed in 7th or 8th grade. The course may be taught by any
171 member of the instructional staff; must include career
172 exploration using Florida CHOICES ~~for the 21st Century~~ or a
173 comparable cost-effective program; must include educational
174 planning using the online student advising system known as

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175 Florida Academic Counseling and Tracking for Students at the
176 Internet website FACTS.org; and shall result in the completion
177 of a personalized academic and career plan. The required
178 personalized academic and career plan must inform students of
179 high school graduation requirements, high school assessment and
180 college entrance test requirements, Florida Bright Futures
181 Scholarship Program requirements, state university and Florida
182 college admission requirements, and programs through which a
183 high school student can earn college credit, including Advanced
184 Placement, International Baccalaureate, Advanced International
185 Certificate of Education, dual enrollment, career academy
186 opportunities, and courses that lead to national industry
187 certification.

188
189 Each school must hold a parent meeting either in the evening or
190 on a weekend to inform parents about the course curriculum and
191 activities. Each student shall complete an electronic personal
192 education plan that must be signed by the student; the student's
193 instructor, guidance counselor, or academic advisor; and the
194 student's parent. ~~By January 1, 2007,~~ The Department of
195 Education shall develop course frameworks and professional
196 development materials for the career exploration and education
197 planning course. The course may be implemented as a stand-alone
198 course or integrated into another course or courses. The
199 Commissioner of Education shall collect longitudinal high school
200 course enrollment data by student ethnicity in order to analyze
201 course-taking patterns.

202 Section 3. Subsections (1) and (2), paragraph (a) of
203 subsection (4), and paragraph (b) of subsection (8) of section

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204 1003.428, Florida Statutes, are amended to read:

205 1003.428 General requirements for high school graduation;
206 revised.—

207 (1) Except as otherwise authorized pursuant to s. 1003.429,
208 beginning with students entering grade 9 ~~their first year of~~
209 ~~high school~~ in the 2007-2008 school year, graduation requires
210 the successful completion of a minimum of 24 credits, an
211 International Baccalaureate curriculum, or an Advanced
212 International Certificate of Education curriculum. Students must
213 be advised of eligibility requirements for state scholarship
214 programs and postsecondary admissions.

215 (2) The 24 credits may be earned through applied,
216 integrated, and combined courses approved by the Department of
217 Education. Beginning with students entering grade 9 in the 2013-
218 2014 school year, one of the 24 credits must be earned through a
219 virtual instruction course. For purposes of this subsection,
220 "virtual instruction course" means a course of instruction
221 provided in an interactive learning environment created through
222 technology in which students are separated from their teachers
223 by time or space. This requirement shall be met through a
224 virtual instruction course that significantly integrates content
225 that is aligned to appropriate state curriculum standards, as
226 determined by the Department of Education, and for which a
227 standardized end-of-course assessment, as approved by the
228 Department of Education, is administered. A student who is
229 enrolled in a full-time virtual instruction program under s.
230 1002.45 meets this requirement. The 24 credits ~~and~~ shall be
231 distributed as follows:

232 (a) Sixteen core curriculum credits:

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

235 2. Four credits in mathematics, one of which must be
236 Algebra I, a series of courses equivalent to Algebra I, or a
237 higher-level mathematics course. Beginning with students
238 entering grade 9 in the 2010-2011 school year, in addition to
239 the Algebra I credit requirement, one of the four credits in
240 mathematics must be geometry or a series of courses equivalent
241 to geometry as approved by the State Board of Education.
242 Beginning with students entering grade 9 in the 2010-2011 school
243 year, the end-of-course assessment requirements under s.
244 1008.22(3)(c)2.a.(I) must be met in order for a student to earn
245 the required credits in Algebra I and geometry. Beginning with
246 students entering grade 9 in the 2012-2013 school year, in
247 addition to the Algebra I and geometry credit requirements, one
248 of the four credits in mathematics must be Algebra II or a
249 series of courses equivalent to Algebra II as approved by the
250 State Board of Education. Beginning with students entering grade
251 9 in the 2013-2014 school year, the end-of-course requirements
252 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
253 to earn the required credit in Algebra II. ~~School districts are~~
254 ~~encouraged to set specific goals to increase enrollments in, and~~
255 ~~successful completion of, geometry and Algebra II.~~

256 3. Three credits in science, two of which must have a
257 laboratory component. Beginning with students entering grade 9
258 in the 2011-2012 school year, one of the three credits in
259 science must be Biology I or a series of courses equivalent to
260 Biology I as approved by the State Board of Education. Beginning
261 with students entering grade 9 in the 2011-2012 school year, the

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262 end-of-course assessment requirements under s.
263 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
264 the required credit in Biology I. Beginning with students
265 entering grade 9 in the 2013-2014 school year, one of the three
266 credits must be Biology I or a series of courses equivalent to
267 Biology I as approved by the State Board of Education, one
268 credit must be chemistry or physics or a series of courses
269 equivalent to chemistry or physics as approved by the State
270 Board of Education, and one credit must be an equally rigorous
271 course, as determined by the State Board of Education. Beginning
272 with students entering grade 9 in the 2014-2015 school year, the
273 end-of-course requirements under s. 1008.22(3)(c)2.a.(I) must be
274 met in order for a student to earn the required credit in
275 chemistry or physics.

276 4. Three credits in social studies as follows: one credit
277 in United States ~~American~~ history; one credit in world history;
278 one-half credit in economics; and one-half credit in United
279 States ~~American~~ government.

280 5. One credit in fine or performing arts, speech and
281 debate, or a practical arts course that incorporates artistic
282 content and techniques of creativity, interpretation, and
283 imagination. Eligible practical arts courses shall be identified
284 through the Course Code Directory.

285 6. One credit in physical education to include integration
286 of health. Participation in an interscholastic sport at the
287 junior varsity or varsity level for two full seasons shall
288 satisfy the one-credit requirement in physical education if the
289 student passes a competency test on personal fitness with a
290 score of "C" or better. The competency test on personal fitness

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291 must be developed by the Department of Education. A district
292 school board may not require that the one credit in physical
293 education be taken during the 9th grade year. Completion of one
294 semester with a grade of "C" or better in a marching band class,
295 in a physical activity class that requires participation in
296 marching band activities as an extracurricular activity, or in a
297 dance class shall satisfy one-half credit in physical education
298 or one-half credit in performing arts. This credit may not be
299 used to satisfy the personal fitness requirement or the
300 requirement for adaptive physical education under an individual
301 education plan (IEP) or 504 plan. Completion of 2 years in a
302 Reserve Officer Training Corps (R.O.T.C.) class, a significant
303 component of which is drills, shall satisfy the one-credit
304 requirement in physical education and the one-credit requirement
305 in performing arts. This credit may not be used to satisfy the
306 personal fitness requirement or the requirement for adaptive
307 physical education under an individual education plan (IEP) or
308 504 plan.

309 (b) Eight credits in ~~majors, minors, or~~ electives.†

310 ~~1. Four credits in a major area of interest, such as~~
311 ~~sequential courses in a career and technical program, fine and~~
312 ~~performing arts, or academic content area, selected by the~~
313 ~~student as part of the education plan required by s. 1003.4156.~~
314 ~~Students may revise major areas of interest each year as part of~~
315 ~~annual course registration processes and should update their~~
316 ~~education plan to reflect such revisions. Annually by October 1,~~
317 ~~the district school board shall approve major areas of interest~~
318 ~~and submit the list of majors to the Commissioner of Education~~
319 ~~for approval. Each major area of interest shall be deemed~~

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320 ~~approved unless specifically rejected by the commissioner within~~
321 ~~60 days. Upon approval, each district's major areas of interest~~
322 ~~shall be available for use by all school districts and shall be~~
323 ~~posted on the department's website.~~

324 ~~2. Four credits in elective courses selected by the student~~
325 ~~as part of the education plan required by s. 1003.4156. These~~
326 ~~credits may be combined to allow for a second major area of~~
327 ~~interest pursuant to subparagraph 1., a minor area of interest,~~
328 ~~elective courses, or intensive reading or mathematics~~
329 ~~intervention courses as described in this subparagraph.~~

330 ~~a. Minor areas of interest are composed of three credits~~
331 ~~selected by the student as part of the education plan required~~
332 ~~by s. 1003.4156 and approved by the district school board.~~

333 ~~b. Elective courses are selected by the student in order to~~
334 ~~pursue a complete education program as described in s.~~
335 ~~1001.41(3) and to meet eligibility requirements for~~
336 ~~scholarships.~~

337 ~~1.e.~~ For each year in which a student scores at Level 1 on
338 FCAT Reading, the student must be enrolled in and complete an
339 intensive reading course the following year. Placement of Level
340 2 readers in either an intensive reading course or a content
341 area course in which reading strategies are delivered shall be
342 determined by diagnosis of reading needs. The department shall
343 provide guidance on appropriate strategies for diagnosing and
344 meeting the varying instructional needs of students reading
345 below grade level. Reading courses shall be designed and offered
346 pursuant to the comprehensive reading plan required by s.
347 1011.62(9).

348 ~~2.d.~~ For each year in which a student scores at Level 1 or

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349 Level 2 on FCAT Mathematics, the student must receive
350 remediation the following year. These courses may be taught
351 through applied, integrated, or combined courses and are subject
352 to approval by the department for inclusion in the Course Code
353 Directory.

354 (c) This paragraph creates the Credit Acceleration Program
355 (CAP). CAP allows a secondary student to earn high school credit
356 in a course which requires a statewide, standardized end-of-
357 course assessment under s. 1008.22(3)(c) or a standardized end-
358 of-course assessment under s. 1008.22, if the student attains a
359 specified score on the assessment. Notwithstanding s. 1003.436,
360 a school district shall award a course credit to a student who
361 is not enrolled in the course, or who has not completed the
362 course, provided that the student attains a score of high
363 achieving, as defined in s. 1008.22(3)(c)7., on the
364 corresponding standardized end-of-course assessment. The school
365 district shall permit a student who is not enrolled in the
366 course, or who has not completed the course, to take the
367 standardized end-of-course assessment during the regular
368 administration of the assessment.

369 (4) Each district school board shall establish standards
370 for graduation from its schools, which must include:

371 (a) Successful completion of the academic credit or
372 curriculum requirements of subsections (1) and (2). For courses
373 that require statewide, standardized end-of-course assessments
374 under s. 1008.22 and standardized end-of-course assessments
375 under s. 1008.222, passage of the end-of-course assessment.

376
377 Each district school board shall adopt policies designed to

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378 assist students in meeting the requirements of this subsection.
379 These policies may include, but are not limited to: forgiveness
380 policies, summer school or before or after school attendance,
381 special counseling, volunteers or peer tutors, school-sponsored
382 help sessions, homework hotlines, and study skills classes.
383 Forgiveness policies for required courses shall be limited to
384 replacing a grade of "D" or "F," or the equivalent of a grade of
385 "D" or "F," with a grade of "C" or higher, or the equivalent of
386 a grade of "C" or higher, earned subsequently in the same or
387 comparable course. Forgiveness policies for elective courses
388 shall be limited to replacing a grade of "D" or "F," or the
389 equivalent of a grade of "D" or "F," with a grade of "C" or
390 higher, or the equivalent of a grade of "C" or higher, earned
391 subsequently in another course. The only exception to these
392 forgiveness policies shall be made for a student in the middle
393 grades who takes any high school course for high school credit
394 and earns a grade of "C," "D," or "F" or the equivalent of a
395 grade of "C," "D," or "F." In such case, the district
396 forgiveness policy must allow the replacement of the grade with
397 a grade of "C" or higher, or the equivalent of a grade of "C" or
398 higher, earned subsequently in the same or comparable course. In
399 all cases of grade forgiveness, only the new grade shall be used
400 in the calculation of the student's grade point average. Any
401 course grade not replaced according to a district school board
402 forgiveness policy shall be included in the calculation of the
403 cumulative grade point average required for graduation.

404 (8)

405 (b)1. A student with a disability, as defined in s.
406 1007.02(2), for whom the individual education plan (IEP)

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407 committee determines that the FCAT cannot accurately measure the
408 student's abilities taking into consideration all allowable
409 accommodations, shall have the FCAT requirement of paragraph
410 (4) (b) waived for the purpose of receiving a standard high
411 school diploma, if the student:

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

414 ~~b.2.~~ Does not meet the requirements of paragraph (4) (b)
415 after one opportunity in 10th grade and one opportunity in 11th
416 grade.

417 2. A student with a disability, as defined in s.
418 1007.02(2), for whom the individual education plan (IEP)
419 committee determines that an end-of-course assessment cannot
420 accurately measure the student's abilities, taking into
421 consideration all allowable accommodations and alternate
422 assessments, shall have the end-of-course assessment results
423 waived for the purpose of determining the student's course grade
424 and credit as required in paragraph (4) (a). However, the student
425 is not eligible for a standard high school diploma. The student
426 is eligible for a special diploma.

427 Section 4. Subsections (1) and (5), paragraph (c) of
428 subsection (7), and subsection (8) of section 1003.429, Florida
429 Statutes, are amended to read:

430 1003.429 Accelerated high school graduation options.—

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

435 (a) Completion of the general requirements for high school

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436 graduation pursuant to s. 1003.428 or s. 1003.43, as applicable;
437 (b) Completion of a 3-year standard college preparatory program
438 requiring successful completion of a minimum of 18 academic
439 credits in grades 9 through 12. At least 6 of the 18 credits
440 required for completion of this program must be received in
441 classes that are offered pursuant to the International
442 Baccalaureate Program, the Advanced Placement Program, dual
443 enrollment, Advanced International Certificate of Education, or
444 specifically listed or identified by the Department of Education
445 as rigorous pursuant to s. 1009.531(3). Beginning with students
446 entering grade 9 in the 2013-2014 school year, one of the 18
447 credits must be earned through a virtual instruction course. For
448 purposes of this subsection, "virtual instruction course" means
449 a course of instruction provided in an interactive learning
450 environment created through technology in which students are
451 separated from their teachers by time or space. This requirement
452 shall be met through a virtual course that significantly
453 integrates content that is aligned to appropriate state
454 curriculum standards, as determined by the Department of
455 Education, and for which a standardized end-of-course
456 assessment, as approved by the Department of Education, is
457 administered. A student who is enrolled in a full-time virtual
458 instruction program under s. 1002.45 meets this requirement. The
459 18 credits required for completion of this program shall be
460 primary requirements and shall be distributed as follows:
461 1. Four credits in English, with major concentration in
462 composition and literature;
463 2. Three credits and, beginning with students entering
464 grade 9 in the 2010-2011 school year, four credits in

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465 mathematics at the Algebra I level or higher from the list of
466 courses that qualify for state university admission. Beginning
467 with students entering grade 9 in the 2010-2011 school year, in
468 addition to the Algebra I credit requirement, one of the four
469 credits in mathematics must be geometry or a series of courses
470 equivalent to geometry as approved by the State Board of
471 Education. Beginning with students entering grade 9 in the 2010-
472 2011 school year, the end-of-course assessment requirements
473 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
474 to earn the required credits in Algebra I and geometry.
475 Beginning with students entering grade 9 in the 2012-2013 school
476 year, in addition to the Algebra I and geometry credit
477 requirements, one of the four credits in mathematics must be
478 Algebra II or a series of courses equivalent to Algebra II as
479 approved by the State Board of Education. Beginning with
480 students entering grade 9 in the 2013-2014 school year, the end-
481 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
482 must be met in order for a student to earn the required credits
483 in Algebra II;

484 3. Three credits in ~~natural~~ science, two of which must have
485 a laboratory component. Beginning with students entering grade 9
486 in the 2011-2012 school year, one of the three credits in
487 science must be Biology I or a series of courses equivalent to
488 Biology I as approved by the State Board of Education. Beginning
489 with students entering grade 9 in the 2011-2012 school year, the
490 end-of-course assessment requirements under s.
491 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
492 the required credit in Biology I. Beginning with students
493 entering grade 9 in the 2013-2014 school year, one of the three

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494 credits must be Biology I or a series of courses equivalent to
495 Biology I as approved by the State Board of Education, one
496 credit must be chemistry or physics or a series of courses
497 equivalent to chemistry or physics as approved by the State
498 Board of Education, and one credit must be an equally rigorous
499 course, as approved by the State Board of Education. Beginning
500 with students entering grade 9 in the 2013-2014 school year, the
501 end-of-course assessment requirements under s.
502 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
503 the required credit in chemistry or physics;

504 4. Three credits in social sciences, which must include one
505 credit in United States ~~American~~ history, one credit in world
506 history, one-half credit in United States ~~American~~ government,
507 and one-half credit in economics;

508 5. Two credits in the same second language unless the
509 student is a native speaker of or can otherwise demonstrate
510 competency in a language other than English. If the student
511 demonstrates competency in another language, the student may
512 replace the language requirement with two credits in other
513 academic courses; and

514 6. Three credits in electives and, beginning with students
515 entering grade 9 in the 2010-2011 school year, two credits in
516 electives; or

517 (c) Completion of a 3-year career preparatory program
518 requiring successful completion of a minimum of 18 academic
519 credits in grades 9 through 12. Beginning with students entering
520 grade 9 in the 2013-2014 school year, one of the 18 credits must
521 be earned through a virtual instruction course. For purposes of
522 this subsection, "virtual instruction course" means a course of

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523 instruction provided in an interactive learning environment
524 created through technology in which students are separated from
525 their teachers by time or space. This requirement shall be met
526 through a virtual course that significantly integrates content
527 that is aligned to appropriate state curriculum standards, as
528 determined by the Department of Education, and for which a
529 standardized end-of-course assessment, as approved by the
530 Department of Education, is administered. A student who is
531 enrolled in a full-time virtual instruction program under s.
532 1002.45 meets this requirement. The 18 credits shall be primary
533 requirements and shall be distributed as follows:

534 1. Four credits in English, with major concentration in
535 composition and literature;

536 2. Three credits and, beginning with students entering
537 grade 9 in the 2010-2011 school year, four credits in
538 mathematics, one of which must be Algebra I. Beginning with
539 students entering grade 9 in the 2010-2011 school year, in
540 addition to the Algebra I credit requirement, one of the four
541 credits in mathematics must be geometry or a series of courses
542 equivalent to geometry as approved by the State Board of
543 Education. Beginning with students entering grade 9 in the 2010-
544 2011 school year, the end-of-course assessment requirements
545 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
546 to earn the required credits in Algebra I and geometry.
547 Beginning with students entering grade 9 in the 2012-2013 school
548 year, in addition to the Algebra I and geometry credit
549 requirements, one of the four credits in mathematics must be
550 Algebra II or a series of courses equivalent to Algebra II as
551 approved by the State Board of Education. Beginning with

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552 students entering grade 9 in the 2013-2014 school year, the end-
553 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
554 must be met in order for a student to earn the required credits
555 in Algebra II;

556 3. Three credits in ~~natural~~ science, two of which must have
557 a laboratory component. Beginning with students entering grade 9
558 in the 2011-2012 school year, one of the three credits in
559 science must be Biology I or a series of courses equivalent to
560 Biology I as approved by the State Board of Education. Beginning
561 with students entering grade 9 in the 2011-2012 school year, the
562 end-of-course assessment requirements under s.
563 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
564 the required credit in Biology I. Beginning with students
565 entering grade 9 in the 2013-2014 school year, one of the three
566 credits must be Biology I or a series of courses equivalent to
567 Biology I as approved by the State Board of Education, one
568 credit must be chemistry or physics or a series of courses
569 equivalent to chemistry or physics as approved by the State
570 Board of Education, and one credit must be an equally rigorous
571 course, as approved by the State Board of Education. Beginning
572 with students entering grade 9 in the 2013-2014 school year, the
573 end-of-course assessment requirements under s.
574 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
575 the required credit in chemistry or physics;

576 4. Three credits in social sciences, which must include one
577 credit in United States ~~American~~ history, one credit in world
578 history, one-half credit in United States ~~American~~ government,
579 and one-half credit in economics;

580 5. Three credits in a single vocational or career education

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581 program, three credits in career and technical certificate dual
582 enrollment courses, or five credits in vocational or career
583 education courses; and

584 6. Two credits and, beginning with students entering grade
585 9 in the 2010-2011 school year, one credit in electives unless
586 five credits are earned pursuant to subparagraph 5.

587
588 Any student who selected an accelerated graduation program
589 before July 1, 2004, may continue that program, and all
590 statutory program requirements that were applicable when the
591 student made the program choice shall remain applicable to the
592 student as long as the student continues that program.

593 (5) District school boards may not establish requirements
594 for accelerated 3-year high school graduation options in excess
595 of the requirements in paragraphs (1) (b) and (c). For courses
596 that require statewide, standardized end-of-course assessments
597 under s. 1008.22 and standardized end-of-course assessments
598 under s. 1008.222, passage of the end-of-course assessment.
599 Students enrolled in the accelerated high school graduation
600 option are eligible to participate in the Credit Acceleration
601 Program pursuant to s. 1003.428(3)(c).

602 (7) If, at the end of grade 10, a student is not on track
603 to meet the credit, assessment, or grade-point-average
604 requirements of the accelerated graduation option selected, the
605 school shall notify the student and parent of the following:

606 (c) The right of the student to change to the 4-year
607 program set forth in s. 1003.428 or s. 1003.43, as applicable.

608 (8) A student who selected one of the accelerated 3-year
609 graduation options shall automatically move to the 4-year

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610 program set forth in s. 1003.428 or s. 1003.43, if applicable,
611 if the student:

612 (a) Exercises his or her right to change to the 4-year
613 program;

614 (b) Fails to earn 5 credits by the end of grade 9 or fails
615 to earn 11 credits by the end of grade 10;

616 (c) Does not achieve a score of 3 or higher on the grade 10
617 FCAT Writing assessment; or

618 (d) By the end of grade 11 does not meet the requirements
619 of subsections (1) and (6).

620 Section 5. Section 1003.4295, Florida Statutes, is created
621 to read:

622 1003.4295 Acceleration courses.—

623 (1) Each high school shall advise each student of programs
624 through which a high school student can earn college credit,
625 including Advanced Placement, International Baccalaureate,
626 Advanced International Certificate of Education, dual enrollment
627 courses, career academy courses, and courses that lead to
628 national industry certification, as well as the availability of
629 course offerings through virtual instruction.

630 (2) Beginning with the 2011-2012 school year, each high
631 school shall offer an International Baccalaureate Program, an
632 Advanced International Certificate of Education Program, or a
633 combination of at least four courses in dual enrollment or
634 Advanced Placement, including one course each in English,
635 mathematics, science, and social studies. To meet this
636 requirement, school districts may use virtual instruction
637 courses offerings provided through virtual instruction, provided
638 that the virtual course significantly integrates postsecondary

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639 level content for which a student may earn college credit, as
640 determined by the Department of Education, and for which a
641 standardized end-of-course assessment, as approved by the
642 Department of Education, is administered.

643 Section 6. Paragraph (k) of subsection (4) of section
644 1003.493, Florida Statutes, is amended to read:

645 1003.493 Career and professional academies.—

646 (4) Each career and professional academy must:

647 (k) Include an evaluation plan developed jointly with the
648 Department of Education and the local workforce board. The
649 evaluation plan must include an assessment tool based on
650 national industry standards, such as the Career Academy National
651 Standards of Practice, and outcome measures, including, but not
652 limited to, achievement of national industry certifications
653 identified in the Industry Certified Funding List, pursuant to
654 rules adopted by the State Board of Education, graduation rates,
655 enrollment in postsecondary education, business and industry
656 satisfaction, employment and earnings, awards of postsecondary
657 credit and scholarships, and student ~~FCAT~~ achievement levels and
658 learning gains on statewide assessments administered under s.
659 1008.22(3)(c) and standardized assessments administered under s.
660 1008.222. The Department of Education shall use Workforce
661 Florida, Inc., and Enterprise Florida, Inc., in identifying
662 industry experts to participate in developing and implementing
663 such assessments.

664 Section 7. Paragraph (c) of subsection (6) of section
665 1007.35, Florida Statutes, is amended to read:

666 1007.35 Florida Partnership for Minority and
667 Underrepresented Student Achievement.—

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668 (6) The partnership shall:

669 (c) Provide teacher training and materials that are aligned
670 with the Next Generation Sunshine State Standards and are
671 consistent with best theory and practice regarding multiple
672 learning styles and research on learning, instructional
673 strategies, instructional design, and classroom assessment.
674 Curriculum materials must be based on current, accepted, and
675 essential academic knowledge. ~~Materials for prerequisite courses~~
676 ~~should, at a minimum, address the skills assessed on the Florida~~
677 ~~Comprehensive Assessment Test (FCAT).~~

678 Section 8. Paragraph (c) of subsection (3) and subsections
679 (6), (9), (10), (11), and (12) of section 1008.22, Florida
680 Statutes, are amended to read:

681 1008.22 Student assessment program for public schools.—

682 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
683 design and implement a statewide program of educational
684 assessment that provides information for the improvement of the
685 operation and management of the public schools, including
686 schools operating for the purpose of providing educational
687 services to youth in Department of Juvenile Justice programs.
688 The commissioner may enter into contracts for the continued
689 administration of the assessment, testing, and evaluation
690 programs authorized and funded by the Legislature. Contracts may
691 be initiated in 1 fiscal year and continue into the next and may
692 be paid from the appropriations of either or both fiscal years.
693 The commissioner is authorized to negotiate for the sale or
694 lease of tests, scoring protocols, test scoring services, and
695 related materials developed pursuant to law. Pursuant to the
696 statewide assessment program, the commissioner shall:

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697 (c) Develop and implement a student achievement testing
698 program as follows: ~~known as~~

699 1. The Florida Comprehensive Assessment Test (FCAT)
700 measures as part of the statewide assessment program to measure
701 a student's content knowledge and skills in reading, writing,
702 science, and mathematics. The content knowledge and skills
703 assessed by the FCAT must be aligned to the core curricular
704 content established in the Next Generation Sunshine State
705 Standards. Other content areas may be included as directed by
706 the commissioner. Comprehensive assessments of reading and
707 mathematics shall be administered annually in grades 3 through
708 10 except, beginning with students entering grade 9 in the 2010-
709 2011 school year, the end-of-course assessments in Algebra I and
710 geometry required under sub-sub-subparagraph 2.a.(I) shall
711 replace grade 9 and grade 10 FCAT Mathematics. Comprehensive
712 assessments of writing and science shall be administered at
713 least once at the elementary, middle, and high school levels
714 except, beginning with students entering grade 9 in the 2011-
715 2012 school year, the end-of-course assessment in Biology I
716 required under sub-sub-subparagraph 2.a.(II) shall replace FCAT
717 Science at the high school level.

718 2.a. End-of-course assessments for a subject shall ~~may~~ be
719 administered in addition to the comprehensive assessments
720 required ~~for that subject~~ under subparagraph 1. ~~this paragraph.~~
721 ~~An~~ End-of-course assessments ~~assessment~~ must be rigorous,
722 statewide, standardized, and developed or approved by the
723 department. The content knowledge and skills assessed by
724 ~~comprehensive and~~ end-of-course assessments must be aligned to
725 the core curricular content established in the Next Generation

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726 Sunshine State Standards.

727 (I) Statewide, standardized end-of-course assessments in
728 mathematics shall be administered according to this sub-sub-
729 subparagraph. Beginning with the 2010-2011 school year, all
730 students enrolled in Algebra I or an equivalent course must take
731 the Algebra I end-of-course assessment. For students entering
732 grade 9 in the 2010-2011 school year, each student's performance
733 on the end-of-course assessment in Algebra I shall constitute 30
734 percent of the student's final course grade. Beginning with
735 students entering grade 9 in the 2011-2012 school year, a
736 student must earn a passing score on the end-of-course
737 assessment in Algebra I in order to pass the course and earn
738 course credit. Beginning with the 2010-2011 school year, all
739 students enrolled in geometry or an equivalent course must take
740 the geometry end-of-course assessment. For students entering
741 grade 9 in the 2010-2011 school year, each student's performance
742 on the end-of-course assessment in geometry shall constitute 30
743 percent of the student's final course grade. Beginning with
744 students entering grade 9 during the 2011-2012 school year, a
745 student must earn a passing score on the end-of-course
746 assessment in geometry in order to pass the course and earn
747 course credit. Beginning with the 2013-2014 school year, all
748 students enrolled in Algebra II or an equivalent course must
749 take the Algebra II end-of-course assessment. For students
750 entering grade 9 in the 2013-2014 school year, each student's
751 performance on the end-of-course assessment in Algebra II shall
752 constitute 30 percent of the student's final course grade.
753 Beginning with students entering grade 9 in the 2014-2015 school
754 year, a student must earn a passing score on the end-of-course

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755 assessment in Algebra II in order to pass the course and earn
756 course credit.

757 (II) Statewide, standardized end-of-course assessments in
758 science shall be administered according to this sub-sub-
759 subparagraph. Beginning with the 2011-2012 school year, all
760 students enrolled in Biology I or an equivalent course must take
761 the Biology I end-of-course assessment. For the 2011-2012 school
762 year, each student's performance on the end-of-course assessment
763 in Biology I shall constitute 30 percent of the student's final
764 course grade. Beginning with students entering grade 9 during
765 the 2012-2013 school year, a student must earn a passing score
766 on the end-of-course assessment in Biology I in order to pass
767 the course and earn course credit. Beginning with the 2013-2014
768 school year, all students enrolled in chemistry or physics or an
769 equivalent course must take the chemistry or physics end-of-
770 course assessment. For students entering grade 9 in the 2013-
771 2014 school year, each student's performance on the end-of-
772 course assessment in chemistry or physics shall constitute 30
773 percent of the student's final course grade. Beginning with
774 students entering grade 9 during the 2014-2015 school year, a
775 student must earn a passing score on the end-of-course
776 assessment in chemistry or physics in order to pass the course
777 and earn course credit.

778 b. The commissioner may select one or more nationally
779 developed comprehensive examinations, which may include, but
780 need not be limited to, examinations for a College Board
781 Advanced Placement course, International Baccalaureate course,
782 or Advanced International Certificate of Education course, or
783 industry-approved examinations to earn national industry

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784 certifications identified in the Industry Certified Funding
785 List, pursuant to rules adopted by the State Board of Education
786 ~~as defined in s. 1003.492,~~ for use as end-of-course assessments
787 under this paragraph, if the commissioner determines that the
788 content knowledge and skills assessed by the examinations meet
789 or exceed the grade level expectations for the core curricular
790 content established for the course in the Next Generation
791 Sunshine State Standards. The commissioner may collaborate with
792 the American Diploma Project in the adoption or development of
793 rigorous end-of-course assessments that are aligned to the Next
794 Generation Sunshine State Standards. ~~The testing program must be~~
795 ~~designed as follows:~~

796 c. Contingent upon funding provided in the General
797 Appropriations Act, including the appropriation of funds
798 received through federal grants, the Commissioner of Education
799 shall establish an implementation schedule for the development
800 and administration of additional statewide, standardized end-of-
801 course assessments in English/Language Arts II, earth/space
802 science, United States history, and world history. Priority
803 shall be given to the development of end-of-course assessments
804 in English/Language Arts II. The Commissioner of Education shall
805 evaluate the feasibility and effect of transitioning from the
806 grade 9 and grade 10 FCAT Reading and high school level FCAT
807 Writing to an end-of-course assessment in English/Language Arts
808 II. The commissioner shall report the results of the evaluation
809 to the President of the Senate and the Speaker of the House of
810 Representatives no later than July 1, 2011.

811 ~~3.1.~~ The testing program tests shall measure student
812 content knowledge and skills ~~and competencies~~ adopted by the

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813 State Board of Education as specified in paragraph (a) and.~~The~~
814 ~~tests must~~ measure and report student performance ~~proficiency~~
815 levels of all students assessed in reading, writing,
816 mathematics, and science. The commissioner shall provide for the
817 tests to be developed or obtained, as appropriate, through
818 contracts and project agreements with private vendors, public
819 vendors, public agencies, postsecondary educational
820 institutions, or school districts. The commissioner shall obtain
821 input with respect to the design and implementation of the
822 testing program from state educators, assistive technology
823 experts, and the public.

824 4.2. ~~The testing program shall be composed of criterion-~~
825 ~~referenced tests that shall, to the extent determined by the~~
826 ~~commissioner, include test items that require the student to~~
827 ~~produce information or perform tasks in such a way that the core~~
828 ~~content knowledge and skills he or she uses can be measured.~~

829 ~~3. Beginning with the 2008-2009 school year, the~~
830 ~~commissioner shall discontinue administration of the selected-~~
831 ~~response test items on the comprehensive assessments of writing.~~
832 ~~Beginning with the 2012-2013 school year, the comprehensive~~
833 ~~assessments of writing shall be composed of a combination of~~
834 ~~selected response test items, short response performance tasks,~~
835 ~~and extended response performance tasks, which shall measure a~~
836 ~~student's content knowledge of writing, including, but not~~
837 ~~limited to, paragraph and sentence structure, sentence~~
838 ~~construction, grammar and usage, punctuation, capitalization,~~
839 ~~spelling, parts of speech, verb tense, irregular verbs, subject-~~
840 ~~verb agreement, and noun-pronoun agreement.~~

841 5. FCAT Reading, Mathematics, and Science and all

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842 statewide, standardized end-of-course assessments shall measure
843 the content knowledge and skills a student has attained on the
844 assessment by the use of scaled scores and achievement levels.
845 Achievement levels shall range from 1 through 5, with level 1
846 being the lowest achievement level, level 5 being the highest
847 achievement level, and level 3 indicating satisfactory
848 performance on an assessment. For purposes of FCAT Writing,
849 student achievement shall be scored using a scale of 1 through 6
850 and the score earned shall be used in calculating school grades.

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

855 ~~6.5. Except as provided in s. 1003.428(8)(b) or s.~~
856 ~~1003.43(11)(b), students must earn a passing score on the grade~~
857 ~~10 assessment test described in this paragraph or attain~~
858 ~~concordant scores as described in subsection (10) in reading,~~
859 ~~writing, and mathematics to qualify for a standard high school~~
860 ~~diploma. The State Board of Education shall, by rule, designate~~
861 ~~a passing score for each part of the grade 10 assessment test~~
862 ~~and end-of-course assessments. In establishing passing scores,~~
863 ~~the state board shall consider any possible negative impact of~~
864 ~~the test on minority students. The State Board of Education~~
865 ~~shall adopt rules which specify the passing scores for the grade~~
866 ~~10 FCAT. Any rule that has such rules, which have the effect of~~
867 ~~raising the required passing scores may, shall apply only to~~
868 ~~students taking the assessment grade 10 FCAT for the first time~~
869 ~~after the rule is such rules are adopted by the State Board of~~
870 ~~Education. Except as otherwise provided in this subparagraph and~~

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871 as provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students
872 must earn a passing score on grade 10 FCAT Reading and grade 10
873 FCAT Mathematics or attain concordant scores as described in
874 subsection (10) in order to qualify for a standard high school
875 diploma.

876 7. In addition to designating a passing score under
877 subparagraph 6., the State Board of Education shall also
878 designate, by rule, a score for each statewide, standardized
879 end-of-course assessment which indicates that a student is high
880 achieving and has the potential to meet college-readiness
881 standards by the time the student graduates from high school.

882 8.6. Participation in the testing program is mandatory for
883 all students attending public school, including students served
884 in Department of Juvenile Justice programs, except as otherwise
885 prescribed by the commissioner. A student who has not earned
886 passing scores on the grade 10 FCAT as provided in subparagraph
887 6. must participate in each retake of the assessment until the
888 student earns passing scores or achieves scores on a
889 standardized assessment which are concordant with passing scores
890 pursuant to subsection (10). If a student does not participate
891 in the statewide assessment, the district must notify the
892 student's parent and provide the parent with information
893 regarding the implications of such nonparticipation. A parent
894 must provide signed consent for a student to receive classroom
895 instructional accommodations that would not be available or
896 permitted on the statewide assessments and must acknowledge in
897 writing that he or she understands the implications of such
898 instructional accommodations. The State Board of Education shall
899 adopt rules, based upon recommendations of the commissioner, for

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900 the provision of test accommodations for students in exceptional
901 education programs and for students who have limited English
902 proficiency. Accommodations that negate the validity of a
903 statewide assessment are not allowable in the administration of
904 the FCAT or an end-of-course assessment. However, instructional
905 accommodations are allowable in the classroom if included in a
906 student's individual education plan. Students using
907 instructional accommodations in the classroom that are not
908 allowable as accommodations on the FCAT or an end-of-course
909 assessment may have the FCAT or an end-of-course assessment
910 requirement waived pursuant to the requirements of s.
911 1003.428(8)(b) or s. 1003.43(11)(b).

912 9.7. A student seeking an adult high school diploma must
913 meet the same testing requirements that a regular high school
914 student must meet.

915 10.8. District school boards must provide instruction to
916 prepare students ~~to demonstrate proficiency~~ in the core
917 curricular content established in the Next Generation Sunshine
918 State Standards adopted under s. 1003.41, including the core
919 content knowledge and skills necessary for successful grade-to-
920 grade progression and high school graduation. If a student is
921 provided with instructional accommodations in the classroom that
922 are not allowable as accommodations in the statewide assessment
923 program, as described in the test manuals, the district must
924 inform the parent in writing and must provide the parent with
925 information regarding the impact on the student's ability to
926 meet expected performance ~~proficiency~~ levels in reading,
927 writing, ~~and~~ mathematics, and science. The commissioner shall
928 conduct studies as necessary to verify that the required core

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929 curricular content is part of the district instructional
930 programs.

931 ~~11.9.~~ District school boards must provide opportunities for
932 students to demonstrate an acceptable performance level ~~of~~
933 ~~performance~~ on an alternative standardized assessment approved
934 by the State Board of Education following enrollment in summer
935 academies.

936 ~~12.10.~~ The Department of Education must develop, or select,
937 and implement a common battery of assessment tools that will be
938 used in all juvenile justice programs in the state. These tools
939 must accurately measure the core curricular content established
940 in the Next Generation Sunshine State Standards.

941 ~~13.11.~~ For students seeking a special diploma pursuant to
942 s. 1003.438, the Department of Education must develop or select
943 and implement an alternate assessment tool that accurately
944 measures the core curricular content established in the Next
945 Generation Sunshine State Standards for students with
946 disabilities under s. 1003.438.

947 ~~14.12.~~ The Commissioner of Education shall establish
948 schedules for the administration of statewide assessments and
949 the reporting of student test results. The commissioner shall,
950 by August 1 of each year, notify each school district in writing
951 and publish on the department's Internet website the testing and
952 reporting schedules for, at a minimum, the school year following
953 the upcoming school year. The testing and reporting schedules
954 shall require that:

955 a. There is the latest possible administration of statewide
956 assessments and the earliest possible reporting to the school
957 districts of student test results which is feasible within

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958 available technology and specific appropriations; however, test
959 results for the FCAT must be made available no later than the
960 week of June 8. Student results for end-of-course assessments
961 must be provided no later than 1 week after the school district
962 completes testing for each course ~~final day of the regular~~
963 ~~school year for students.~~

964 b. Beginning with the 2010-2011 school year, FCAT Writing a
965 ~~comprehensive statewide assessment of writing~~ is not
966 administered earlier than the week of March 1 and a
967 comprehensive statewide assessment of any other subject is not
968 administered earlier than the week of April 15.

969 c. A statewide, standardized end-of-course assessment is
970 administered during a 3-week period at the end ~~within the last 2~~
971 ~~weeks~~ of the course. The commissioner shall select a 3-week
972 administration period for assessments that meets the intent of
973 end-of-course assessments and provides student results prior to
974 the end of the course. School districts shall select one testing
975 week within the 3-week administration period for each end-of-
976 course assessment. For an end-of-course assessment administered
977 at the end of the first semester, the commissioner shall
978 determine the most appropriate testing dates based on a school
979 district's academic calendar.

980
981 The commissioner may, based on collaboration and input from
982 school districts, design and implement student testing programs,
983 for any grade level and subject area, necessary to effectively
984 monitor educational achievement in the state, including the
985 measurement of educational achievement of the Next Generation
986 Sunshine State Standards for students with disabilities.

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987 Development and refinement of assessments shall include
988 universal design principles and accessibility standards that
989 will prevent any unintended obstacles for students with
990 disabilities while ensuring the validity and reliability of the
991 test. These principles should be applicable to all technology
992 platforms and assistive devices available for the assessments.
993 The field testing process and psychometric analyses for the
994 statewide assessment program must include an appropriate
995 percentage of students with disabilities and an evaluation or
996 determination of the effect of test items on such students.

997 (6) SCHOOL TESTING PROGRAMS.—Each public school shall
998 participate in the statewide assessment program in accordance
999 with the testing and reporting schedules published by the
1000 Commissioner of Education under subparagraph (3)(c) ~~14.12~~, unless
1001 specifically exempted by state board rule based on serving a
1002 specialized population for which standardized testing is not
1003 appropriate. Student performance data shall be analyzed and
1004 reported to parents, the community, and the state. Student
1005 performance data shall be used in developing objectives of the
1006 school improvement plan, evaluation of instructional personnel,
1007 evaluation of administrative personnel, assignment of staff,
1008 allocation of resources, acquisition of instructional materials
1009 and technology, performance-based budgeting, and promotion and
1010 assignment of students into educational programs. The analysis
1011 of student performance data also must identify strengths and
1012 needs in the educational program and trends over time. The
1013 analysis must be used in conjunction with the budgetary planning
1014 processes developed pursuant to s. 1008.385 and the development
1015 of the programs of remediation.

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1016 (9) APPLICABILITY OF TESTING STANDARDS.—

1017 (a) If the Commissioner of Education revises a statewide
1018 assessment and the revisions require the State Board of
1019 Education to modify the assessment's performance ~~proficiency~~
1020 levels or modify the passing scores ~~required for a standard high~~
1021 ~~school diploma~~, until the state board adopts the modifications
1022 by rule, the commissioner shall use calculations for scoring the
1023 assessment which adjust student scores on the revised assessment
1024 for statistical equivalence to student scores on the former
1025 assessment.

1026 (b) A student must attain the passing scores on the
1027 statewide assessment required for a standard high school diploma
1028 or for high school course credits under sub-sub-subparagraphs
1029 (3)(c)2.a.(I) and (II) which are in effect at the time the
1030 student enters grade 9. If a student transfers into a high
1031 school, the school principal shall determine, in accordance with
1032 State Board of Education rule, whether the student must take an
1033 end-of-course assessment in a course for which the student has
1034 credit that was earned from the previous school ~~if the student's~~
1035 ~~enrollment is continuous.~~

1036 (c) If the commissioner revises a statewide assessment and
1037 the revisions require the State Board of Education to modify the
1038 passing scores required for a standard high school diploma or
1039 for high school course credits under sub-sub-subparagraphs
1040 (3)(c)2.a.(I) and (II), the commissioner may, with approval of
1041 the state board, discontinue administration of the former
1042 assessment upon the graduation, based on normal student
1043 progression, of students participating in the final regular
1044 administration of the former assessment. The state board shall

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1045 adopt by rule passing scores for the revised assessment which
1046 are statistically equivalent to passing scores on the
1047 discontinued assessment for a student required under paragraph
1048 (b) to attain passing scores on the discontinued assessment.

1049 (10) CONCORDANT SCORES FOR THE FCAT.—

1050 (a) The Commissioner ~~State Board~~ of Education shall analyze
1051 the content and concordant data sets for nationally recognized
1052 ~~widely used~~ high school achievement tests, including, but not
1053 limited to, the PSAT, PLAN, SAT, ACT, and College Placement
1054 Test, to assess if concordant scores for FCAT scores can be
1055 determined for high school graduation, ~~college placement, and~~
1056 ~~scholarship awards.~~ When ~~In cases where~~ content alignment and
1057 concordant scores can be determined, the Commissioner of
1058 Education shall adopt those scores as meeting the graduation
1059 requirement in lieu of achieving the FCAT passing score and may
1060 adopt those scores as being sufficient to achieve additional
1061 purposes as determined by rule. Each time that test content or
1062 scoring procedures change for the FCAT or for a high school
1063 achievement test for which a concordant score is determined, new
1064 concordant scores must be determined.

1065 ~~(b) In order to use a concordant subject area score~~
1066 ~~pursuant to this subsection to satisfy the assessment~~
1067 ~~requirement for a standard high school diploma as provided in s.~~
1068 ~~1003.429(6) (a), s. 1003.43(5) (a), or s. 1003.428, a student must~~
1069 ~~take each subject area of the grade 10 FCAT a total of three~~
1070 ~~times without earning a passing score. The requirements of this~~
1071 ~~paragraph shall not apply to a new student who enters the~~
1072 ~~Florida public school system in grade 12, who may either achieve~~
1073 ~~a passing score on the FCAT or use an approved subject area~~

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1074 ~~concordant score to fulfill the graduation requirement.~~

1075 ~~(b)-(c)~~ The State Board of Education may define by rule the
1076 allowable uses, other than to satisfy the high school graduation
1077 requirement, for concordant scores as described in this
1078 subsection. Such uses may include, but need not be limited to,
1079 achieving appropriate standardized test scores required for the
1080 awarding of Florida Bright Futures Scholarships and college
1081 placement.

1082 (11) EQUIVALENT SCORES FOR END-OF-COURSE ASSESSMENTS.-

1083 (a) The Commissioner of Education shall analyze the content
1084 and equivalent data sets for nationally recognized high school
1085 achievement tests, including, but not limited to, grade 10 FCAT
1086 Mathematics retakes until such retakes are discontinued pursuant
1087 to subsection (9), the PSAT, the PLAN, the SAT, the ACT, and the
1088 College Placement Test, to assess if equivalent scores for end-
1089 of-course assessment scores can be determined for passage of an
1090 end-of-course assessment. When content alignment and equivalent
1091 scores can be determined, the Commissioner of Education shall
1092 adopt those scores as meeting the requirement to pass the end-
1093 of-course assessment and as being sufficient to achieve
1094 additional purposes as determined by rule. Each time that
1095 assessment content or scoring procedures change for an end-of-
1096 course assessment or for a high school achievement test for
1097 which an equivalent score is determined, new equivalent scores
1098 must be determined.

1099 (b) Use of an equivalent score adopted by the State Board
1100 of Education under paragraph (a) for purposes of grade
1101 adjustment, grade forgiveness, or course credit recovery is
1102 contingent upon and subject to district school board rules.

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1103 (12)~~(11)~~ REPORTS.—The Department of Education shall
1104 annually provide a report to the Governor, the President of the
1105 Senate, and the Speaker of the House of Representatives on the
1106 following:

1107 (a) Longitudinal performance of students in mathematics and
1108 reading.

1109 (b) Longitudinal performance of students by grade level in
1110 mathematics and reading.

1111 (c) Longitudinal performance regarding efforts to close the
1112 achievement gap.

1113 (d) Other student performance data based on national norm-
1114 referenced and criterion-referenced tests, when available, and
1115 numbers of students who after 8th grade enroll in adult
1116 education rather than other secondary education.

1117 (13)~~(12)~~ RULES.—The State Board of Education shall adopt
1118 rules pursuant to ss. 120.536(1) and 120.54 to implement the
1119 provisions of this section.

1120 Section 9. Paragraph (a) of subsection (4) of section
1121 1008.25, Florida Statutes, is amended to read:

1122 1008.25 Public school student progression; remedial
1123 instruction; reporting requirements.—

1124 (4) ASSESSMENT AND REMEDIATION.—

1125 (a) Each student must participate in the statewide
1126 assessment tests required by s. 1008.22. Each student who does
1127 not meet specific levels of performance as determined by the
1128 district school board in FCAT reading, writing, science, and
1129 mathematics for each grade level, or who scores below Level 3 in
1130 FCAT reading or FCAT mathematics ~~math~~, must be provided with
1131 additional diagnostic assessments to determine the nature of the

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1132 student's difficulty, the areas of academic need, and strategies
1133 for appropriate intervention and instruction as described in
1134 paragraph (b).

1135 Section 10. Subsection (3) of section 1008.30, Florida
1136 Statutes, is amended to read:

1137 1008.30 Common placement testing for public postsecondary
1138 education.—

1139 (3) The State Board of Education shall adopt rules that
1140 require high schools to evaluate before the beginning of grade
1141 12 the college readiness of each student who indicates an
1142 interest in postsecondary education and scores at Level 2 or
1143 Level 3 on the reading portion of the grade 10 FCAT or Level 2,
1144 Level 3, or Level 4 on the mathematics assessments under s.
1145 1008.22(3)(c) ~~portion of the grade 10 FCAT~~. High schools shall
1146 perform this evaluation using results from the corresponding
1147 component of the common placement test prescribed in this
1148 section, or an equivalent test identified by the State Board of
1149 Education. The Department of Education shall purchase or develop
1150 the assessments necessary to perform the evaluations required by
1151 this subsection and shall work with the school districts to
1152 administer the assessments. The State Board of Education shall
1153 establish by rule the minimum test scores a student must achieve
1154 to demonstrate readiness. Students who demonstrate readiness by
1155 achieving the minimum test scores established by the state board
1156 and enroll in a community college within 2 years of achieving
1157 such scores shall not be required to enroll in remediation
1158 courses as a condition of acceptance to any community college.
1159 The high school shall use the results of the test to advise the
1160 students of any identified deficiencies and to the maximum

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1161 extent practicable provide 12th grade students access to
1162 appropriate remedial instruction prior to high school
1163 graduation. The remedial instruction provided under this
1164 subsection shall be a collaborative effort between secondary and
1165 postsecondary educational institutions. To the extent courses
1166 are available, the Florida Virtual School may be used to provide
1167 the remedial instruction required by this subsection.

1168 Section 11. Paragraphs (b) and (c) of subsection (3) of
1169 section 1008.34, Florida Statutes, are amended to read:

1170 1008.34 School grading system; school report cards;
1171 district grade.—

1172 (3) DESIGNATION OF SCHOOL GRADES.—

1173 (b)1. A school's grade shall be based on a combination of:

1174 a. Student achievement scores, including achievement on all
1175 FCAT and end-of-course assessments administered under s.
1176 1008.22(3)(c)1., end-of-course assessments administered under s.
1177 1008.22(3)(c)2.a., and achievement scores for students seeking a
1178 special diploma.

1179 b. Student learning gains in reading and mathematics as
1180 measured by ~~annual~~ FCAT and end-of-course assessments, as
1181 described in s. 1008.22(3)(c)1. and 2.a. in grades 3 through 10;
1182 Learning gains for students seeking a special diploma, as
1183 measured by an alternate assessment tool, shall be included not
1184 later than the 2009-2010 school year.

1185 c. Improvement of the lowest 25th percentile of students in
1186 the school in reading and, ~~mathematics, or writing~~ on the FCAT
1187 or end-of-course assessments described in s. 1008.22(3)(c)2.a.,
1188 unless these students are exhibiting satisfactory performance.

1189 2. Beginning with the 2009-2010 school year for schools

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1190 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1191 11, and 12, 50 percent of the school grade shall be based on a
1192 combination of the factors listed in sub-subparagraphs 1.a.-c.
1193 and the remaining 50 percent on the following factors:

1194 a. The high school graduation rate of the school;

1195 b. As valid data becomes available, the performance and
1196 participation of the school's students in College Board Advanced
1197 Placement courses, International Baccalaureate courses, dual
1198 enrollment courses, and Advanced International Certificate of
1199 Education courses; and the students' achievement of national
1200 industry certification identified in the Industry Certified
1201 Funding List, pursuant to rules adopted by the State Board of
1202 Education, ~~as determined by the Agency for Workforce Innovation~~
1203 ~~under s. 1003.492(2) in a career and professional academy, as~~
1204 ~~described in s. 1003.493;~~

1205 c. Postsecondary readiness of the school's students as
1206 measured by the SAT, ACT, or the common placement test;

1207 d. The high school graduation rate of at-risk students who
1208 scored at Level 2 or lower on the grade 8 FCAT Reading and
1209 Mathematics examinations;

1210 e. As valid data becomes available, the performance of the
1211 school's students on statewide standardized end-of-course
1212 assessments administered under s. 1008.22 and standardized end-
1213 of-course assessments administered under s. 1008.22(3)(c)2.b.
1214 and c.; and

1215 f. The growth or decline in the components listed in sub-
1216 subparagraphs a.-e. from year to year.

1217 (c) Student assessment data used in determining school
1218 grades shall include:

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1219 1. The aggregate scores of all eligible students enrolled
1220 in the school who have been assessed on the FCAT and statewide,
1221 standardized end-of-course assessments in courses required for
1222 high school graduation, including, beginning with the 2010-2011
1223 school year, the end-of-course assessments in Algebra I and
1224 geometry, beginning with the 2011-2012 school year, the end-of-
1225 course assessment in Biology, and beginning with the 2013-2014
1226 school year, end-of-course assessments in Algebra II, chemistry,
1227 and physics.

1228 2. The aggregate scores of all eligible students enrolled
1229 in the school who have been assessed on the FCAT and end-of-
1230 course assessments as described in s. 1008.22(3)(c)2.a., and who
1231 have scored at or in the lowest 25th percentile of students in
1232 the school in reading and, mathematics, ~~or writing,~~ unless these
1233 students are exhibiting satisfactory performance.

1234 3. ~~Effective with the 2005-2006 school year,~~ The
1235 achievement scores and learning gains of eligible students
1236 attending alternative schools that provide dropout prevention
1237 and academic intervention services pursuant to s. 1003.53. The
1238 term "eligible students" in this subparagraph does not include
1239 students attending an alternative school who are subject to
1240 district school board policies for expulsion for repeated or
1241 serious offenses, who are in dropout retrieval programs serving
1242 students who have officially been designated as dropouts, or who
1243 are in programs operated or contracted by the Department of
1244 Juvenile Justice. The student performance data for eligible
1245 students identified in this subparagraph shall be included in
1246 the calculation of the home school's grade. As used in this
1247 section and s. 1008.341, the term "home school" means the school

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1248 to which the student would be assigned if the student were not
1249 assigned to an alternative school. If an alternative school
1250 chooses to be graded under this section, student performance
1251 data for eligible students identified in this subparagraph shall
1252 not be included in the home school's grade but shall be included
1253 only in the calculation of the alternative school's grade. A
1254 school district that fails to assign the FCAT and end-of-course
1255 assessment as described in s. 1008.22(3)(c)2.a. scores of each
1256 of its students to his or her home school or to the alternative
1257 school that receives a grade shall forfeit Florida School
1258 Recognition Program funds for 1 fiscal year. School districts
1259 must require collaboration between the home school and the
1260 alternative school in order to promote student success. This
1261 collaboration must include an annual discussion between the
1262 principal of the alternative school and the principal of each
1263 student's home school concerning the most appropriate school
1264 assignment of the student.

1265 4. ~~Beginning with the 2009-2010 school year~~ For schools
1266 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1267 11, and 12, the data listed in subparagraphs 1.-3. and the
1268 following data as the Department of Education determines such
1269 data are valid and available:

1270 a. The high school graduation rate of the school as
1271 calculated by the Department of Education;

1272 b. The participation rate of all eligible students enrolled
1273 in the school and enrolled in College Board Advanced Placement
1274 courses; International Baccalaureate courses; dual enrollment
1275 courses; Advanced International Certificate of Education
1276 courses; and courses or sequence of courses leading to national

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1277 industry certification identified in the Industry Certification
1278 Funding List, pursuant to rules adopted by the State Board of
1279 Education, as determined by the Agency for Workforce Innovation
1280 under s. 1003.492(2) in a career and professional academy, as
1281 described in s. 1003.493;

1282 c. The aggregate scores of all eligible students enrolled
1283 in the school in College Board Advanced Placement courses,
1284 International Baccalaureate courses, and Advanced International
1285 Certificate of Education courses;

1286 d. Earning of college credit by all eligible students
1287 enrolled in the school in dual enrollment programs under s.
1288 1007.271;

1289 e. Earning of a national ~~an~~ industry certification
1290 identified in the Industry Certification Funding List, pursuant
1291 to rules adopted by the State Board of Education, as determined
1292 by the Agency for Workforce Innovation under s. 1003.492(2) in a
1293 career and professional academy, as described in s. 1003.493;

1294 f. The aggregate scores of all eligible students enrolled
1295 in the school in reading, mathematics, and other subjects as
1296 measured by the SAT, the ACT, and the common placement test for
1297 postsecondary readiness;

1298 g. The high school graduation rate of all eligible at-risk
1299 students enrolled in the school who scored at Level 2 or lower
1300 on the grade 8 FCAT Reading and Mathematics examinations;

1301 h. The performance of the school's students on statewide
1302 standardized end-of-course assessments administered under s.
1303 1008.22; and

1304 i. The growth or decline in the data components listed in
1305 sub-subparagraphs a.-h. from year to year.

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1306

1307 The State Board of Education shall adopt appropriate criteria
1308 for each school grade. The criteria must also give added weight
1309 to student achievement in reading. Schools designated with a
1310 grade of "C," making satisfactory progress, shall be required to
1311 demonstrate that adequate progress has been made by students in
1312 the school who are in the lowest 25th percentile in reading and
1313 ~~mathematics, or writing~~ on the FCAT and end-of-course
1314 assessments as described in s. 1008.22(3)(c)2.a., unless these
1315 students are exhibiting satisfactory performance. Beginning with
1316 the 2009-2010 school year for schools comprised of high school
1317 grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria
1318 for school grades must also give added weight to the graduation
1319 rate of all eligible at-risk students, as defined in this
1320 paragraph. Beginning in the 2009-2010 school year, in order for
1321 a high school to be designated as having a grade of "A," making
1322 excellent progress, the school must demonstrate that at-risk
1323 students, as defined in this paragraph, in the school are making
1324 adequate progress.

1325 Section 12. Subsection (3) of section 1008.341, Florida
1326 Statutes, is amended to read:

1327 1008.341 School improvement rating for alternative
1328 schools.—

1329 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data
1330 used in determining an alternative school's school improvement
1331 rating shall include:

1332 (a) The aggregate scores on statewide assessments
1333 administered under s. 1008.22 for ~~of~~ all eligible students who
1334 were assigned to and enrolled in the school during the October

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1335 or February FTE count, ~~who have been assessed on the FCAT,~~ and
1336 who have FCAT or comparable scores for the preceding school
1337 year.

1338 (b) The aggregate scores on statewide assessments
1339 administered under s. 1008.22 for ~~of~~ all eligible students who
1340 were assigned to and enrolled in the school during the October
1341 or February FTE count, ~~who have been assessed on the FCAT~~ and
1342 who have scored in the lowest 25th percentile of students in the
1343 state on FCAT Reading.

1344
1345 The assessment scores of students who are subject to district
1346 school board policies for expulsion for repeated or serious
1347 offenses, who are in dropout retrieval programs serving students
1348 who have officially been designated as dropouts, or who are in
1349 programs operated or contracted by the Department of Juvenile
1350 Justice may not be included in an alternative school's school
1351 improvement rating.

1352 Section 13. Subsection (4) of section 1008.36, Florida
1353 Statutes, is amended to read:

1354 1008.36 Florida School Recognition Program.—

1355 (4) All selected schools shall receive financial awards
1356 depending on the availability of funds appropriated and the
1357 number and size of schools selected to receive an award. Funds
1358 must be distributed to the school's fiscal agent and placed in
1359 the school's account and must be used for purposes listed in
1360 subsection (5) as determined jointly by the school's staff and
1361 school advisory council. If school staff and the school advisory
1362 council cannot reach agreement by February ~~November~~ 1, the
1363 awards must be equally distributed to all classroom teachers

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1364 currently teaching in the school. If a school selected to
1365 receive a school recognition award is no longer in existence at
1366 the time the award is paid, the district school superintendent
1367 shall distribute the funds to teachers who taught at the school
1368 in the previous year in the form of a bonus.

1369

1370 Notwithstanding statutory provisions to the contrary, incentive
1371 awards are not subject to collective bargaining.

1372 Section 14. This act shall take effect July 1, 2010.