

By the Policy and Steering Committee on Ways and Means; the Committee on Education Pre-K - 12; and Senators Detert, Thrasher, Wise, Gaetz, Richter, Storms, Peaden, Fasano, Negron, Altman, and Baker

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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 a virtual
21 instruction course; providing a definition for the
22 term "virtual instruction course"; requiring district
23 school board standards for grades in certain courses;
24 providing for waiver of end-of-course assessment
25 results for the purpose of receiving a course grade
26 and credit for students with disabilities; amending s.
27 1003.429, F.S.; revising requirements for accelerated
28 high school graduation options; updating cross-
29 references; requiring students entering grade 9 in

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

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59 describing student success on assessments; requiring
60 the State Board of Education to designate passing
61 scores for end-of-course assessments and scores that
62 indicate high achievement; providing requirements for
63 retaking specified assessments; providing for waiver
64 of end-of-course assessment requirements for students
65 in exceptional education programs and students who
66 have limited English proficiency; revising provisions
67 relating to testing and reporting schedules; requiring
68 that the Commissioner of Education consider the
69 observance of religious and school holidays when
70 establishing the schedules for the administration of
71 statewide assessments; conforming provisions and
72 cross-references; authorizing the State Board of
73 Education to adopt concordant scores for the FCAT and
74 equivalent scores for end-of-course assessments;
75 deleting retake requirements for use of concordant
76 scores; providing requirements for use of equivalent
77 scores; amending s. 1008.25, F.S., relating to public
78 school student progression, to conform to changes made
79 by the act; amending s. 1008.30, F.S., relating to the
80 common placement test, to conform to changes made by
81 the act; amending s. 1008.34, F.S.; revising
82 provisions that specify the basis for determining
83 school grades to include student performance on end-
84 of-course assessments and to conform provisions to
85 current FCAT assessments; amending s. 1008.341, F.S.;
86 revising provisions that specify the basis for
87 determining an alternative school's school improvement

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88 rating to include student performance on end-of-course
89 assessments; amending s. 1008.36, F.S.; revising
90 provisions relating to the use of school recognition
91 awards; providing an effective date.

92

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

94

95 Section 1. Paragraph (d) of subsection (3) and subsections
96 (4) and (5) of section 1003.413, Florida Statutes, are amended
97 to read:

98 1003.413 Florida Secondary School Redesign Act.—

99 (3) Based on these guiding principles, district school
100 boards shall establish policies to implement the requirements of
101 ss. 1003.4156, 1003.428, and 1003.493. The policies must
102 address:

103 (d) Credit recovery courses and intensive reading and
104 mathematics intervention courses based on student performance on
105 ~~the FCAT~~ Reading and Mathematics. These courses should be
106 competency based and offered through innovative delivery
107 systems, including computer-assisted instruction. School
108 districts should use learning gains as well as other appropriate
109 data and provide incentives to identify and reward high-
110 performing teachers who teach credit recovery and intensive
111 intervention courses.

112 (4) In order to support the successful implementation of
113 this section by district school boards, the Department of
114 Education shall:

115 ~~(a) By February 1, 2007, increase the number of approved~~
116 ~~applied, integrated, and combined courses available to school~~

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117 ~~districts.~~

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

123 (a)~~(e)~~ Share best practices for providing a complete
124 education program to students enrolled in course recovery,
125 credit recovery, intensive reading intervention, or intensive
126 mathematics intervention.

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

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

134 ~~(5) The Commissioner of Education shall create and~~
135 ~~implement the Secondary School Improvement Award Program to~~
136 ~~reward public secondary schools that demonstrate continuous~~
137 ~~student academic improvement and show the greatest gains in~~
138 ~~student academic achievement in reading and mathematics.~~

139 Section 2. Paragraph (a) of subsection (1) of section
140 1003.4156, Florida Statutes, is amended to read:

141 1003.4156 General requirements for middle grades
142 promotion.—

143 (1) Beginning with students entering grade 6 in the 2006-
144 2007 school year, promotion from a school composed of middle
145 grades 6, 7, and 8 requires that:

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146 (a) The student must successfully complete academic courses
147 as follows:

148 1. Three middle school or higher courses in English. These
149 courses shall emphasize literature, composition, and technical
150 text.

151 2. Three middle school or higher courses in mathematics.
152 Each middle school must offer at least one high school level
153 mathematics course for which students may earn high school
154 credit. Successful completion of a high school level Algebra I
155 or geometry course is not contingent upon the student's
156 performance on the end-of-course assessment required under s.
157 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
158 school year, to earn high school credit for an Algebra I course,
159 a middle school student must pass the Algebra I end-of-course
160 assessment, and beginning with the 2012-2013 school year, to
161 earn high school credit for a geometry course, a middle school
162 student must pass the geometry end-of-course assessment.

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

166 4. Three middle school or higher courses in science.
167 Successful completion of a high school level Biology I course is
168 not contingent upon the student's performance on the end-of-
169 course assessment required under s. 1008.22(3)(c)2.a.(II).
170 However, beginning with the 2012-2013 school year, to earn high
171 school credit for a Biology I course, a middle school student
172 must pass the Biology I end-of-course assessment.

173 5. One course in career and education planning to be
174 completed in 7th or 8th grade. The course may be taught by any

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175 member of the instructional staff; must include career
176 exploration using Florida CHOICES ~~for the 21st Century~~ or a
177 comparable cost-effective program; must include educational
178 planning using the online student advising system known as
179 Florida Academic Counseling and Tracking for Students at the
180 Internet website FACTS.org; and shall result in the completion
181 of a personalized academic and career plan. The required
182 personalized academic and career plan must inform students of
183 high school graduation requirements, high school assessment and
184 college entrance test requirements, Florida Bright Futures
185 Scholarship Program requirements, state university and Florida
186 college admission requirements, and programs through which a
187 high school student can earn college credit, including Advanced
188 Placement, International Baccalaureate, Advanced International
189 Certificate of Education, dual enrollment, career academy
190 opportunities, and courses that lead to national industry
191 certification.

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

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204 course enrollment data by student ethnicity in order to analyze
205 course-taking patterns.

206 Section 3. Subsections (1) and (2), paragraph (a) of
207 subsection (4), and paragraph (b) of subsection (8) of section
208 1003.428, Florida Statutes, are amended to read:

209 1003.428 General requirements for high school graduation;
210 revised.—

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

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

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233 instruction program under s. 1002.45 meets this requirement. The
234 24 credits ~~and~~ shall be distributed as follows:

235 (a) Sixteen core curriculum credits:

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

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

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262 and ~~Algebra II.~~

263 3. Three credits in science, two of which must have a
264 laboratory component. Beginning with students entering grade 9
265 in the 2011-2012 school year, one of the three credits in
266 science must be Biology I or a series of courses equivalent to
267 Biology I as approved by the State Board of Education. Beginning
268 with students entering grade 9 in the 2011-2012 school year, the
269 end-of-course assessment requirements under s.
270 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
271 the required credit in Biology I. Beginning with students
272 entering grade 9 in the 2013-2014 school year, one of the three
273 credits must be Biology I or a series of courses equivalent to
274 Biology I as approved by the State Board of Education, one
275 credit must be chemistry or physics or a series of courses
276 equivalent to chemistry or physics as approved by the State
277 Board of Education, and one credit must be an equally rigorous
278 course, as determined by the State Board of Education. Beginning
279 with students entering grade 9 in the 2014-2015 school year, the
280 end-of-course requirements under s. 1008.22(3)(c)2.a.(I) must be
281 met in order for a student to earn the required credit in
282 chemistry or physics.

283 4. Three credits in social studies as follows: one credit
284 in United States ~~American~~ history; one credit in world history;
285 one-half credit in economics; and one-half credit in United
286 States ~~American~~ government.

287 5. One credit in fine or performing arts, speech and
288 debate, or a practical arts course that incorporates artistic
289 content and techniques of creativity, interpretation, and
290 imagination. Eligible practical arts courses shall be identified

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291 through the Course Code Directory.

292 6. One credit in physical education to include integration
293 of health. Participation in an interscholastic sport at the
294 junior varsity or varsity level for two full seasons shall
295 satisfy the one-credit requirement in physical education if the
296 student passes a competency test on personal fitness with a
297 score of "C" or better. The competency test on personal fitness
298 must be developed by the Department of Education. A district
299 school board may not require that the one credit in physical
300 education be taken during the 9th grade year. Completion of one
301 semester with a grade of "C" or better in a marching band class,
302 in a physical activity class that requires participation in
303 marching band activities as an extracurricular activity, or in a
304 dance class shall satisfy one-half credit in physical education
305 or one-half credit in performing arts. This credit may not be
306 used to satisfy the personal fitness requirement or the
307 requirement for adaptive physical education under an individual
308 education plan (IEP) or 504 plan. Completion of 2 years in a
309 Reserve Officer Training Corps (R.O.T.C.) class, a significant
310 component of which is drills, shall satisfy the one-credit
311 requirement in physical education and the one-credit requirement
312 in performing arts. This credit may not be used to satisfy the
313 personal fitness requirement or the requirement for adaptive
314 physical education under an individual education plan (IEP) or
315 504 plan.

316 (b) Eight credits in ~~majors, minors, or~~ electives. ÷

317 ~~1. Four credits in a major area of interest, such as~~
318 ~~sequential courses in a career and technical program, fine and~~
319 ~~performing arts, or academic content area, selected by the~~

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320 ~~student as part of the education plan required by s. 1003.4156.~~
321 ~~Students may revise major areas of interest each year as part of~~
322 ~~annual course registration processes and should update their~~
323 ~~education plan to reflect such revisions. Annually by October 1,~~
324 ~~the district school board shall approve major areas of interest~~
325 ~~and submit the list of majors to the Commissioner of Education~~
326 ~~for approval. Each major area of interest shall be deemed~~
327 ~~approved unless specifically rejected by the commissioner within~~
328 ~~60 days. Upon approval, each district's major areas of interest~~
329 ~~shall be available for use by all school districts and shall be~~
330 ~~posted on the department's website.~~

331 ~~2. Four credits in elective courses selected by the student~~
332 ~~as part of the education plan required by s. 1003.4156. These~~
333 ~~credits may be combined to allow for a second major area of~~
334 ~~interest pursuant to subparagraph 1., a minor area of interest,~~
335 ~~elective courses, or intensive reading or mathematics~~
336 ~~intervention courses as described in this subparagraph.~~

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

340 ~~b. Elective courses are selected by the student in order to~~
341 ~~pursue a complete education program as described in s.~~
342 ~~1001.41(3) and to meet eligibility requirements for~~
343 ~~scholarships.~~

344 ~~1.e.~~ For each year in which a student scores at Level 1 on
345 FCAT Reading, the student must be enrolled in and complete an
346 intensive reading course the following year. Placement of Level
347 2 readers in either an intensive reading course or a content
348 area course in which reading strategies are delivered shall be

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349 determined by diagnosis of reading needs. The department shall
350 provide guidance on appropriate strategies for diagnosing and
351 meeting the varying instructional needs of students reading
352 below grade level. Reading courses shall be designed and offered
353 pursuant to the comprehensive reading plan required by s.
354 1011.62(9).

355 ~~2.d.~~ For each year in which a student scores at Level 1 or
356 Level 2 on FCAT Mathematics, the student must receive
357 remediation the following year. These courses may be taught
358 through applied, integrated, or combined courses and are subject
359 to approval by the department for inclusion in the Course Code
360 Directory.

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

363 (a) Successful completion of the academic credit or
364 curriculum requirements of subsections (1) and (2). For courses
365 that require statewide, standardized end-of-course assessments
366 under s. 1008.22 and standardized end-of-course assessments
367 under s. 1008.222, passage of the end-of-course assessment.

368
369 Each district school board shall adopt policies designed to
370 assist students in meeting the requirements of this subsection.
371 These policies may include, but are not limited to: forgiveness
372 policies, summer school or before or after school attendance,
373 special counseling, volunteers or peer tutors, school-sponsored
374 help sessions, homework hotlines, and study skills classes.
375 Forgiveness policies for required courses shall be limited to
376 replacing a grade of "D" or "F," or the equivalent of a grade of
377 "D" or "F," with a grade of "C" or higher, or the equivalent of

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378 a grade of "C" or higher, earned subsequently in the same or
379 comparable course. Forgiveness policies for elective courses
380 shall be limited to replacing a grade of "D" or "F," or the
381 equivalent of a grade of "D" or "F," with a grade of "C" or
382 higher, or the equivalent of a grade of "C" or higher, earned
383 subsequently in another course. The only exception to these
384 forgiveness policies shall be made for a student in the middle
385 grades who takes any high school course for high school credit
386 and earns a grade of "C," "D," or "F" or the equivalent of a
387 grade of "C," "D," or "F." In such case, the district
388 forgiveness policy must allow the replacement of the grade with
389 a grade of "C" or higher, or the equivalent of a grade of "C" or
390 higher, earned subsequently in the same or comparable course. In
391 all cases of grade forgiveness, only the new grade shall be used
392 in the calculation of the student's grade point average. Any
393 course grade not replaced according to a district school board
394 forgiveness policy shall be included in the calculation of the
395 cumulative grade point average required for graduation.

396 (8)

397 (b)1. A student with a disability, as defined in s.
398 1007.02(2), for whom the individual education plan (IEP)
399 committee determines that the FCAT cannot accurately measure the
400 student's abilities taking into consideration all allowable
401 accommodations, shall have the FCAT requirement of paragraph
402 (4)(b) waived for the purpose of receiving a standard high
403 school diploma, if the student:

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

406 b.2. Does not meet the requirements of paragraph (4)(b)

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407 after one opportunity in 10th grade and one opportunity in 11th
408 grade.

409 2. A student with a disability, as defined in s.
410 1007.02(2), for whom the IEP committee determines that an end-
411 of-course assessment cannot accurately measure the student's
412 abilities, taking into consideration all allowable
413 accommodations and alternate assessments, shall have the end-of-
414 course assessment results waived for the purpose of determining
415 the student's course grade and credit as required in paragraph
416 (4) (a). However, the student is not eligible for a standard high
417 school diploma. The student is eligible for a special diploma.

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

421 1003.429 Accelerated high school graduation options.-

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

426 (a) Completion of the general requirements for high school
427 graduation pursuant to s. 1003.428 or s. 1003.43, as applicable;

428 (b) Completion of a 3-year standard college preparatory
429 program requiring successful completion of a minimum of 18
430 academic credits in grades 9 through 12. At least 6 of the 18
431 credits required for completion of this program must be received
432 in classes that are offered pursuant to the International
433 Baccalaureate Program, the Advanced Placement Program, dual
434 enrollment, Advanced International Certificate of Education, or
435 specifically listed or identified by the Department of Education

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436 as rigorous pursuant to s. 1009.531(3). Beginning with students
437 entering grade 9 in the 2013-2014 school year, one of the 18
438 credits must be earned through a virtual instruction course. For
439 purposes of this paragraph, the term "virtual instruction
440 course" means a course of instruction provided in an interactive
441 learning environment created through technology in which
442 students are separated from their teachers by time or space.
443 This requirement shall be met through a virtual instruction
444 course that significantly integrates content aligned to
445 appropriate state curriculum standards, as determined by the
446 Department of Education, and for which a standardized end-of-
447 course assessment, as approved by the department, is
448 administered. A student who is enrolled in a full-time virtual
449 instruction program under s. 1002.45 meets this requirement. The
450 18 credits required for completion of this program shall be
451 primary requirements and shall be distributed as follows:

452 1. Four credits in English, with major concentration in
453 composition and literature;

454 2. Three credits and, beginning with students entering
455 grade 9 in the 2010-2011 school year, four credits in
456 mathematics at the Algebra I level or higher from the list of
457 courses that qualify for state university admission. Beginning
458 with students entering grade 9 in the 2010-2011 school year, in
459 addition to the Algebra I credit requirement, one of the four
460 credits in mathematics must be geometry or a series of courses
461 equivalent to geometry as approved by the State Board of
462 Education. Beginning with students entering grade 9 in the 2010-
463 2011 school year, the end-of-course assessment requirements
464 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student

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

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

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494 with students entering grade 9 in the 2013-2014 school year, the
495 end-of-course assessment requirements under s.
496 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
497 the required credit in chemistry or physics;

498 4. Three credits in social sciences, which must include one
499 credit in United States ~~American~~ history, one credit in world
500 history, one-half credit in United States ~~American~~ government,
501 and one-half credit in economics;

502 5. Two credits in the same second language unless the
503 student is a native speaker of or can otherwise demonstrate
504 competency in a language other than English. If the student
505 demonstrates competency in another language, the student may
506 replace the language requirement with two credits in other
507 academic courses; and

508 6. Three credits in electives and, beginning with students
509 entering grade 9 in the 2010-2011 school year, two credits in
510 electives; or

511 (c) Completion of a 3-year career preparatory program
512 requiring successful completion of a minimum of 18 academic
513 credits in grades 9 through 12. Beginning with students entering
514 grade 9 in the 2013-2014 school year, one of the 18 credits must
515 be earned through a virtual instruction course. For purposes of
516 this paragraph, the term "virtual instruction course" means a
517 course of instruction provided in an interactive learning
518 environment created through technology in which students are
519 separated from their teachers by time or space. This requirement
520 shall be met through a virtual instruction course that
521 significantly integrates content aligned to appropriate state
522 curriculum standards, as determined by the Department of

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523 Education, and for which a standardized end-of-course
524 assessment, as approved by the department, is administered. A
525 student who is enrolled in a full-time virtual instruction
526 program under s. 1002.45 meets this requirement. The 18 credits
527 shall be primary requirements and shall be distributed as
528 follows:

529 1. Four credits in English, with major concentration in
530 composition and literature;

531 2. Three credits and, beginning with students entering
532 grade 9 in the 2010-2011 school year, four credits in
533 mathematics, one of which must be Algebra I. Beginning with
534 students entering grade 9 in the 2010-2011 school year, in
535 addition to the Algebra I credit requirement, one of the four
536 credits in mathematics must be geometry or a series of courses
537 equivalent to geometry as approved by the State Board of
538 Education. Beginning with students entering grade 9 in the 2010-
539 2011 school year, the end-of-course assessment requirements
540 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
541 to earn the required credit in Algebra I. Beginning with
542 students entering grade 9 in the 2011-2012 school year, the end-
543 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
544 must be met in order for a student to earn the required credit
545 in geometry. Beginning with students entering grade 9 in the
546 2012-2013 school year, in addition to the Algebra I and geometry
547 credit requirements, one of the four credits in mathematics must
548 be Algebra II or a series of courses equivalent to Algebra II as
549 approved by the State Board of Education. Beginning with
550 students entering grade 9 in the 2013-2014 school year, the end-
551 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)

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552 must be met in order for a student to earn the required credit
553 in Algebra II;

554 3. Three credits in ~~natural~~ science, two of which must have
555 a laboratory component. Beginning with students entering grade 9
556 in the 2011-2012 school year, one of the three credits in
557 science must be Biology I or a series of courses equivalent to
558 Biology I as approved by the State Board of Education. Beginning
559 with students entering grade 9 in the 2011-2012 school year, the
560 end-of-course assessment requirements under s.

561 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
562 the required credit in Biology I. Beginning with students
563 entering grade 9 in the 2013-2014 school year, one of the three
564 credits must be Biology I or a series of courses equivalent to
565 Biology I as approved by the State Board of Education, one
566 credit must be chemistry or physics or a series of courses
567 equivalent to chemistry or physics as approved by the State
568 Board of Education, and one credit must be an equally rigorous
569 course, as approved by the State Board of Education. Beginning
570 with students entering grade 9 in the 2013-2014 school year, the
571 end-of-course assessment requirements under s.

572 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
573 the required credit in chemistry or physics;

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

578 5. Three credits in a single vocational or career education
579 program, three credits in career and technical certificate dual
580 enrollment courses, or five credits in vocational or career

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581 education courses; and

582 6. Two credits and, beginning with students entering grade
583 9 in the 2010-2011 school year, one credit in electives unless
584 five credits are earned pursuant to subparagraph 5.

585

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

591 (5) District school boards may not establish requirements
592 for accelerated 3-year high school graduation options in excess
593 of the requirements in paragraphs (1) (b) and (c). For courses
594 that require statewide, standardized end-of-course assessments
595 under s. 1008.22 and standardized end-of-course assessments
596 under s. 1008.222, passage of the end-of-course assessment.
597 Students enrolled in the accelerated high school graduation
598 option are eligible to participate in the Credit Acceleration
599 Program pursuant to s. 1003.4295(3).

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

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

606 (8) A student who selected one of the accelerated 3-year
607 graduation options shall automatically move to the 4-year
608 program set forth in s. 1003.428 or s. 1003.43, if applicable,
609 if the student:

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

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

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

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

618 Section 5. Section 1003.4295, Florida Statutes, is created
619 to read:

620 1003.4295 Acceleration courses.-

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

628 (2) Beginning with the 2011-2012 school year, each high
629 school shall offer an International Baccalaureate Program, an
630 Advanced International Certificate of Education Program, or a
631 combination of at least four courses in dual enrollment or
632 Advanced Placement, including one course each in English,
633 mathematics, science, and social studies. To meet this
634 requirement, school districts may provide courses through
635 virtual instruction, if the virtual course significantly
636 integrates postsecondary level content for which a student may
637 earn college credit, as determined by the Department of
638 Education, and for which a standardized end-of-course

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639 assessment, as approved by the department, is administered.

640 (3) The Credit Acceleration Program (CAP) is created for
641 the purpose of allowing a secondary student to earn high school
642 credit in a course that requires a statewide, standardized end-
643 of-course assessment under s. 1008.22(3)(c) or a standardized
644 end-of-course assessment under s. 1008.222, if the student
645 attains a specified score on the assessment. Notwithstanding s.
646 1003.436, a school district shall award course credit to a
647 student who is not enrolled in the course, or who has not
648 completed the course, if the student attains a score indicating
649 satisfactory performance, as defined in s. 1008.22(3)(c)5., on
650 the corresponding standardized end-of-course assessment or a
651 passing score on a standardized assessment under s. 1008.222.
652 The school district shall permit a student who is not enrolled
653 in the course, or who has not completed the course, to take the
654 standardized end-of-course assessment during the regular
655 administration of the assessment.

656 Section 6. Paragraph (k) of subsection (4) of section
657 1003.493, Florida Statutes, is amended to read:

658 1003.493 Career and professional academies.—

659 (4) Each career and professional academy must:

660 (k) Include an evaluation plan developed jointly with the
661 Department of Education and the local workforce board. The
662 evaluation plan must include an assessment tool based on
663 national industry standards, such as the Career Academy National
664 Standards of Practice, and outcome measures, including, but not
665 limited to, achievement of national industry certifications
666 identified in the Industry Certification Funding List, pursuant
667 to rules adopted by the State Board of Education, graduation

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668 rates, enrollment in postsecondary education, business and
669 industry satisfaction, employment and earnings, awards of
670 postsecondary credit and scholarships, and student ~~FCAT~~
671 achievement levels and learning gains on statewide assessments
672 administered under s. 1008.22(3)(c) and standardized assessments
673 administered under s. 1008.222. The Department of Education
674 shall use Workforce Florida, Inc., and Enterprise Florida, Inc.,
675 in identifying industry experts to participate in developing and
676 implementing such assessments.

677 Section 7. Paragraph (c) of subsection (6) of section
678 1007.35, Florida Statutes, is amended to read:

679 1007.35 Florida Partnership for Minority and
680 Underrepresented Student Achievement.—

681 (6) The partnership shall:

682 (c) Provide teacher training and materials that are aligned
683 with the Next Generation Sunshine State Standards and are
684 consistent with best theory and practice regarding multiple
685 learning styles and research on learning, instructional
686 strategies, instructional design, and classroom assessment.
687 Curriculum materials must be based on current, accepted, and
688 essential academic knowledge. ~~Materials for prerequisite courses~~
689 ~~should, at a minimum, address the skills assessed on the Florida~~
690 ~~Comprehensive Assessment Test (FCAT).~~

691 Section 8. Paragraph (c) of subsection (3) and subsections
692 (6), (9), (10), (11), and (12) of section 1008.22, Florida
693 Statutes, are amended to read:

694 1008.22 Student assessment program for public schools.—

695 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
696 design and implement a statewide program of educational

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697 assessment that provides information for the improvement of the
698 operation and management of the public schools, including
699 schools operating for the purpose of providing educational
700 services to youth in Department of Juvenile Justice programs.
701 The commissioner may enter into contracts for the continued
702 administration of the assessment, testing, and evaluation
703 programs authorized and funded by the Legislature. Contracts may
704 be initiated in 1 fiscal year and continue into the next and may
705 be paid from the appropriations of either or both fiscal years.
706 The commissioner is authorized to negotiate for the sale or
707 lease of tests, scoring protocols, test scoring services, and
708 related materials developed pursuant to law. Pursuant to the
709 statewide assessment program, the commissioner shall:

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

712 1. The Florida Comprehensive Assessment Test (FCAT)
713 measures as part of the statewide assessment program to measure
714 a student's content knowledge and skills in reading, writing,
715 science, and mathematics. The content knowledge and skills
716 assessed by the FCAT must be aligned to the core curricular
717 content established in the Next Generation Sunshine State
718 Standards. Other content areas may be included as directed by
719 the commissioner. Comprehensive assessments of reading and
720 mathematics shall be administered annually in grades 3 through
721 10 except, beginning with the 2010-2011 school year, the
722 administration of grade 9 FCAT Mathematics shall be
723 discontinued, and beginning with the 2011-2012 school year, the
724 administration of grade 10 FCAT Mathematics shall be
725 discontinued, except as required for students who have not

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726 attained minimum performance expectations for graduation as
727 provided in paragraph (9) (c). FCAT Comprehensive assessments of
728 Writing and FCAT Science shall be administered at least once at
729 the elementary, middle, and high school levels except, beginning
730 with the 2011-2012 school year, the administration of FCAT
731 Science at the high school level shall be discontinued.

732 2.a. End-of-course assessments for a subject shall ~~may~~ be
733 administered in addition to the comprehensive assessments
734 required ~~for that subject~~ under subparagraph 1. this paragraph.
735 ~~An~~ End-of-course assessments ~~assessment~~ must be rigorous,
736 statewide, standardized, and developed or approved by the
737 department. The content knowledge and skills assessed by
738 ~~comprehensive and~~ end-of-course assessments must be aligned to
739 the core curricular content established in the Next Generation
740 Sunshine State Standards.

741 (I) Statewide, standardized end-of-course assessments in
742 mathematics shall be administered according to this sub-sub-
743 subparagraph. Beginning with the 2010-2011 school year, all
744 students enrolled in Algebra I or an equivalent course must take
745 the Algebra I end-of-course assessment. Students who earned high
746 school credit in Algebra I while in grades 6 through 8 during
747 the 2007-2008 through 2009-2010 school years and who have not
748 taken Grade 10 FCAT Mathematics must take the Algebra I end-of-
749 course assessment during the 2010-2011 school year. For students
750 entering grade 9 during the 2010-2011 school year and who are
751 enrolled in Algebra I or an equivalent, each student's
752 performance on the end-of-course assessment in Algebra I shall
753 constitute 30 percent of the student's final course grade.
754 Beginning with students entering grade 9 in the 2011-2012 school

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755 year, a student who is enrolled in Algebra I or an equivalent
756 must earn a passing score on the end-of-course assessment in
757 Algebra I or attain an equivalent score as described in
758 subsection (11) in order to earn course credit. Beginning with
759 the 2011-2012 school year, all students enrolled in geometry or
760 an equivalent course must take the geometry end-of-course
761 assessment. For students entering grade 9 during the 2011-2012
762 school year, each student's performance on the end-of-course
763 assessment in geometry shall constitute 30 percent of the
764 student's final course grade. Beginning with students entering
765 grade 9 during the 2012-2013 school year, a student must earn a
766 passing score on the end-of-course assessment in geometry or
767 attain an equivalent score as described in subsection (11) in
768 order to earn course credit. Beginning with the 2013-2014 school
769 year, all students enrolled in Algebra II or an equivalent
770 course must take the Algebra II end-of-course assessment. For
771 students entering grade 9 in the 2013-2014 school year, each
772 student's performance on the end-of-course assessment in Algebra
773 II shall constitute 30 percent of the student's final course
774 grade. Beginning with students entering grade 9 in the 2014-2015
775 school year, a student must earn a passing score on the end-of-
776 course assessment in Algebra II in order to earn course credit.

777 (II) Statewide, standardized end-of-course assessments in
778 science shall be administered according to this sub-sub-
779 subparagraph. Beginning with the 2011-2012 school year, all
780 students enrolled in Biology I or an equivalent course must take
781 the Biology I end-of-course assessment. For the 2011-2012 school
782 year, each student's performance on the end-of-course assessment
783 in Biology I shall constitute 30 percent of the student's final

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784 course grade. Beginning with students entering grade 9 during
785 the 2012-2013 school year, a student must earn a passing score
786 on the end-of-course assessment in Biology I in order to earn
787 course credit. Beginning with the 2013-2014 school year, all
788 students enrolled in chemistry or physics or an equivalent
789 course must take the chemistry or physics end-of-course
790 assessment. For students entering grade 9 in the 2013-2014
791 school year, each student's performance on the end-of-course
792 assessment in chemistry or physics shall constitute 30 percent
793 of the student's final course grade. Beginning with students
794 entering grade 9 during the 2014-2015 school year, a student
795 must earn a passing score on the end-of-course assessment in
796 chemistry or physics in order to earn course credit.

797 b. The commissioner may select one or more nationally
798 developed comprehensive examinations, which may include, but
799 need not be limited to, examinations for a College Board
800 Advanced Placement course, International Baccalaureate course,
801 or Advanced International Certificate of Education course, or
802 industry-approved examinations to earn national industry
803 certifications identified in the Industry Certification Funding
804 List, pursuant to rules adopted by the State Board of Education
805 ~~as defined in s. 1003.492~~, for use as end-of-course assessments
806 under this paragraph, if the commissioner determines that the
807 content knowledge and skills assessed by the examinations meet
808 or exceed the grade level expectations for the core curricular
809 content established for the course in the Next Generation
810 Sunshine State Standards. The commissioner may collaborate with
811 the American Diploma Project in the adoption or development of
812 rigorous end-of-course assessments that are aligned to the Next

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813 Generation Sunshine State Standards. ~~The testing program must be~~
814 ~~designed as follows:~~

815 c. Contingent upon funding provided in the General
816 Appropriations Act, including the appropriation of funds
817 received through federal grants, the Commissioner of Education
818 shall establish an implementation schedule for the development
819 and administration of additional statewide, standardized end-of-
820 course assessments in English/Language Arts II, earth/space
821 science, United States history, and world history. Priority
822 shall be given to the development of end-of-course assessments
823 in English/Language Arts II. The Commissioner of Education shall
824 evaluate the feasibility and effect of transitioning from the
825 grade 9 and grade 10 FCAT Reading and high school level FCAT
826 Writing to an end-of-course assessment in English/Language Arts
827 II. The commissioner shall report the results of the evaluation
828 to the President of the Senate and the Speaker of the House of
829 Representatives no later than July 1, 2011.

830 3.1. The testing program ~~tests~~ shall measure student
831 content knowledge and skills and competencies adopted by the
832 State Board of Education as specified in paragraph (a) and. ~~The~~
833 ~~tests must~~ measure and report student performance proficiency
834 levels of all students assessed in reading, writing,
835 mathematics, and science. The commissioner shall provide for the
836 tests to be developed or obtained, as appropriate, through
837 contracts and project agreements with private vendors, public
838 vendors, public agencies, postsecondary educational
839 institutions, or school districts. The commissioner shall obtain
840 input with respect to the design and implementation of the
841 testing program from state educators, assistive technology

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842 experts, and the public.

843 ~~4.2.~~ The testing program shall be composed of criterion-
844 referenced tests that shall, to the extent determined by the
845 commissioner, include test items that require the student to
846 produce information or perform tasks in such a way that the core
847 content knowledge and skills he or she uses can be measured.

848 ~~3. Beginning with the 2008-2009 school year, the~~
849 ~~commissioner shall discontinue administration of the selected-~~
850 ~~response test items on the comprehensive assessments of writing.~~
851 ~~Beginning with the 2012-2013 school year, the comprehensive~~
852 ~~assessments of writing shall be composed of a combination of~~
853 ~~selected-response test items, short-response performance tasks,~~
854 ~~and extended-response performance tasks, which shall measure a~~
855 ~~student's content knowledge of writing, including, but not~~
856 ~~limited to, paragraph and sentence structure, sentence~~
857 ~~construction, grammar and usage, punctuation, capitalization,~~
858 ~~spelling, parts of speech, verb tense, irregular verbs, subject-~~
859 ~~verb agreement, and noun-pronoun agreement.~~

860 5. FCAT Reading, Mathematics, and Science and all
861 statewide, standardized end-of-course assessments shall measure
862 the content knowledge and skills a student has attained on the
863 assessment by the use of scaled scores and achievement levels.
864 Achievement levels shall range from 1 through 5, with level 1
865 being the lowest achievement level, level 5 being the highest
866 achievement level, and level 3 indicating satisfactory
867 performance on an assessment. For purposes of FCAT Writing,
868 student achievement shall be scored using a scale of 1 through 6
869 and the score earned shall be used in calculating school grades.

870 ~~4.~~ A score shall be designated for each subject area

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871 tested, below which score a student's performance is deemed
872 inadequate. The school districts shall provide appropriate
873 remedial instruction to students who score below these levels.

874 ~~6.5. Except as provided in s. 1003.428(8)(b) or s.~~
875 ~~1003.43(11)(b), students must earn a passing score on the grade~~
876 ~~10 assessment test described in this paragraph or attain~~
877 ~~concordant scores as described in subsection (10) in reading,~~
878 ~~writing, and mathematics to qualify for a standard high school~~
879 ~~diploma. The State Board of Education shall, by rule, designate~~
880 ~~a passing score for each part of the grade 10 assessment test~~
881 ~~and end-of-course assessments. In establishing passing scores,~~
882 ~~the state board shall consider any possible negative impact of~~
883 ~~the test on minority students. The State Board of Education~~
884 ~~shall adopt rules which specify the passing scores for the grade~~
885 ~~10 FCAT. Any rule that has such rules, which have the effect of~~
886 ~~raising the required passing scores may, shall apply only to~~
887 ~~students taking the assessment grade 10 FCAT for the first time~~
888 ~~after the rule is such rules are adopted by the State Board of~~
889 ~~Education. Except as otherwise provided in this subparagraph and~~
890 ~~as provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students~~
891 ~~must earn a passing score on grade 10 FCAT Reading and grade 10~~
892 ~~FCAT Mathematics or attain concordant scores as described in~~
893 ~~subsection (10) in order to qualify for a standard high school~~
894 ~~diploma.~~

895 7. In addition to designating a passing score under
896 subparagraph 6., the State Board of Education shall also
897 designate, by rule, a score for each statewide, standardized
898 end-of-course assessment which indicates that a student is high
899 achieving and has the potential to meet college-readiness

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900 standards by the time the student graduates from high school.

901 ~~8.6.~~ Participation in the testing program is mandatory for
902 all students attending public school, including students served
903 in Department of Juvenile Justice programs, except as otherwise
904 prescribed by the commissioner. A student who has not earned
905 passing scores on the grade 10 FCAT as provided in subparagraph
906 6. must participate in each retake of the assessment until the
907 student earns passing scores or achieves scores on a
908 standardized assessment which are concordant with passing scores
909 pursuant to subsection (10). If a student does not participate
910 in the statewide assessment, the district must notify the
911 student's parent and provide the parent with information
912 regarding the implications of such nonparticipation. A parent
913 must provide signed consent for a student to receive classroom
914 instructional accommodations that would not be available or
915 permitted on the statewide assessments and must acknowledge in
916 writing that he or she understands the implications of such
917 instructional accommodations. The State Board of Education shall
918 adopt rules, based upon recommendations of the commissioner, for
919 the provision of test accommodations for students in exceptional
920 education programs and for students who have limited English
921 proficiency. Accommodations that negate the validity of a
922 statewide assessment are not allowable in the administration of
923 the FCAT or an end-of-course assessment. However, instructional
924 accommodations are allowable in the classroom if included in a
925 student's individual education plan. Students using
926 instructional accommodations in the classroom that are not
927 allowable as accommodations on the FCAT or an end-of-course
928 assessment may have the FCAT or an end-of-course assessment

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929 requirement waived pursuant to the requirements of s.
930 1003.428(8)(b) or s. 1003.43(11)(b).

931 ~~9.7.~~ A student seeking an adult high school diploma must
932 meet the same testing requirements that a regular high school
933 student must meet.

934 ~~10.8.~~ District school boards must provide instruction to
935 prepare students ~~to demonstrate proficiency~~ in the core
936 curricular content established in the Next Generation Sunshine
937 State Standards adopted under s. 1003.41, including the core
938 content knowledge and skills necessary for successful grade-to-
939 grade progression and high school graduation. If a student is
940 provided with instructional accommodations in the classroom that
941 are not allowable as accommodations in the statewide assessment
942 program, as described in the test manuals, the district must
943 inform the parent in writing and must provide the parent with
944 information regarding the impact on the student's ability to
945 meet expected performance ~~proficiency~~ levels in reading,
946 writing, ~~and~~ mathematics, and science. The commissioner shall
947 conduct studies as necessary to verify that the required core
948 curricular content is part of the district instructional
949 programs.

950 ~~11.9.~~ District school boards must provide opportunities for
951 students to demonstrate an acceptable performance level ~~of~~
952 ~~performance~~ on an alternative standardized assessment approved
953 by the State Board of Education following enrollment in summer
954 academies.

955 ~~12.10.~~ The Department of Education must develop, or select,
956 and implement a common battery of assessment tools that will be
957 used in all juvenile justice programs in the state. These tools

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958 must accurately measure the core curricular content established
959 in the Next Generation Sunshine State Standards.

960 ~~13.11.~~ For students seeking a special diploma pursuant to
961 s. 1003.438, the Department of Education must develop or select
962 and implement an alternate assessment tool that accurately
963 measures the core curricular content established in the Next
964 Generation Sunshine State Standards for students with
965 disabilities under s. 1003.438.

966 ~~14.12.~~ The Commissioner of Education shall establish
967 schedules for the administration of statewide assessments and
968 the reporting of student test results. When establishing the
969 schedules for the administration of statewide assessments, the
970 commissioner shall consider the observance of religious and
971 school holidays. The commissioner shall, by August 1 of each
972 year, notify each school district in writing and publish on the
973 department's Internet website the testing and reporting
974 schedules for, at a minimum, the school year following the
975 upcoming school year. The testing and reporting schedules shall
976 require that:

977 a. There is the latest possible administration of statewide
978 assessments and the earliest possible reporting to the school
979 districts of student test results which is feasible within
980 available technology and specific appropriations; however, test
981 results for the FCAT must be made available no later than the
982 week of June 8. Student results for end-of-course assessments
983 must be provided no later than 1 week after the school district
984 completes testing for each course ~~final day of the regular~~
985 ~~school year for students.~~

986 b. Beginning with the 2010-2011 school year, FCAT Writing a

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987 ~~comprehensive statewide assessment of writing~~ is not
988 administered earlier than the week of March 1 and a
989 comprehensive statewide assessment of any other subject is not
990 administered earlier than the week of April 15.

991 c. A statewide, standardized end-of-course assessment is
992 administered during a 3-week period at the end ~~within the last 2~~
993 ~~weeks~~ of the course. The commissioner shall select a 3-week
994 administration period for assessments that meets the intent of
995 end-of-course assessments and provides student results prior to
996 the end of the course. School districts shall select one testing
997 week within the 3-week administration period for each end-of-
998 course assessment. For an end-of-course assessment administered
999 at the end of the first semester, the commissioner shall
1000 determine the most appropriate testing dates based on a school
1001 district's academic calendar.

1002
1003 The commissioner may, based on collaboration and input from
1004 school districts, design and implement student testing programs,
1005 for any grade level and subject area, necessary to effectively
1006 monitor educational achievement in the state, including the
1007 measurement of educational achievement of the Next Generation
1008 Sunshine State Standards for students with disabilities.
1009 Development and refinement of assessments shall include
1010 universal design principles and accessibility standards that
1011 will prevent any unintended obstacles for students with
1012 disabilities while ensuring the validity and reliability of the
1013 test. These principles should be applicable to all technology
1014 platforms and assistive devices available for the assessments.
1015 The field testing process and psychometric analyses for the

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1016 statewide assessment program must include an appropriate
1017 percentage of students with disabilities and an evaluation or
1018 determination of the effect of test items on such students.

1019 (6) SCHOOL TESTING PROGRAMS.—Each public school shall
1020 participate in the statewide assessment program in accordance
1021 with the testing and reporting schedules published by the
1022 Commissioner of Education under subparagraph (3)(c) 14.12 unless
1023 specifically exempted by state board rule based on serving a
1024 specialized population for which standardized testing is not
1025 appropriate. Student performance data shall be analyzed and
1026 reported to parents, the community, and the state. Student
1027 performance data shall be used in developing objectives of the
1028 school improvement plan, evaluation of instructional personnel,
1029 evaluation of administrative personnel, assignment of staff,
1030 allocation of resources, acquisition of instructional materials
1031 and technology, performance-based budgeting, and promotion and
1032 assignment of students into educational programs. The analysis
1033 of student performance data also must identify strengths and
1034 needs in the educational program and trends over time. The
1035 analysis must be used in conjunction with the budgetary planning
1036 processes developed pursuant to s. 1008.385 and the development
1037 of the programs of remediation.

1038 (9) APPLICABILITY OF TESTING STANDARDS.—

1039 (a) If the Commissioner of Education revises a statewide
1040 assessment and the revisions require the State Board of
1041 Education to modify the assessment's performance ~~proficiency~~
1042 levels or modify the passing scores ~~required for a standard high~~
1043 ~~school diploma~~, until the state board adopts the modifications
1044 by rule, the commissioner shall use calculations for scoring the

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1045 assessment which adjust student scores on the revised assessment
1046 for statistical equivalence to student scores on the former
1047 assessment.

1048 (b) A student must attain the passing scores on the
1049 statewide assessment required for a standard high school diploma
1050 or for high school course credits under sub-sub-subparagraphs
1051 (3)(c)2.a.(I) and (II) which are in effect at the time the
1052 student enters grade 9. If a student transfers into a high
1053 school, the school principal shall determine, in accordance with
1054 State Board of Education rule, whether the student must take an
1055 end-of-course assessment in a course for which the student has
1056 credit that was earned from the previous school ~~if the student's~~
1057 ~~enrollment is continuous.~~

1058 (c) If the commissioner revises a statewide assessment and
1059 the revisions require the State Board of Education to modify the
1060 passing scores required for a standard high school diploma or
1061 for high school course credits under sub-sub-subparagraphs
1062 (3)(c)2.a.(I) and (II), the commissioner may, with approval of
1063 the state board, discontinue administration of the former
1064 assessment upon the graduation, based on normal student
1065 progression, of students participating in the final regular
1066 administration of the former assessment. The state board shall
1067 adopt by rule passing scores for the revised assessment which
1068 are statistically equivalent to passing scores on the
1069 discontinued assessment for a student required under paragraph
1070 (b) to attain passing scores on the discontinued assessment.

1071 (10) CONCORDANT SCORES FOR THE FCAT.—

1072 (a) The Commissioner ~~State Board~~ of Education shall analyze
1073 the content and concordant data sets for nationally recognized

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1074 ~~widely used~~ high school achievement tests, including, but not
1075 limited to, the PSAT, PLAN, SAT, ACT, and College Placement
1076 Test, to assess if concordant scores for FCAT scores can be
1077 determined for high school graduation, ~~college placement, and~~
1078 ~~scholarship awards.~~ When ~~In cases where~~ content alignment and
1079 concordant scores can be determined, the Commissioner of
1080 Education shall adopt those scores as meeting the graduation
1081 requirement in lieu of achieving the FCAT passing score and may
1082 adopt those scores as being sufficient to achieve additional
1083 purposes as determined by rule. Each time that test content or
1084 scoring procedures change for the FCAT or for a high school
1085 achievement test for which a concordant score is determined, new
1086 concordant scores must be determined.

1087 ~~(b) In order to use a concordant subject area score~~
1088 ~~pursuant to this subsection to satisfy the assessment~~
1089 ~~requirement for a standard high school diploma as provided in s.~~
1090 ~~1003.429(6) (a), s. 1003.43(5) (a), or s. 1003.428, a student must~~
1091 ~~take each subject area of the grade 10 FCAT a total of three~~
1092 ~~times without earning a passing score. The requirements of this~~
1093 ~~paragraph shall not apply to a new student who enters the~~
1094 ~~Florida public school system in grade 12, who may either achieve~~
1095 ~~a passing score on the FCAT or use an approved subject area~~
1096 ~~concordant score to fulfill the graduation requirement.~~

1097 (b)(e) The State Board of Education may define by rule the
1098 allowable uses, other than to satisfy the high school graduation
1099 requirement, for concordant scores as described in this
1100 subsection. Such uses may include, but need not be limited to,
1101 achieving appropriate standardized test scores required for the
1102 awarding of Florida Bright Futures Scholarships and college

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1103 placement.

1104 (11) EQUIVALENT SCORES FOR END-OF-COURSE ASSESSMENTS.-

1105 (a) The Commissioner of Education shall analyze the content
1106 and equivalent data sets for nationally recognized high school
1107 achievement tests and industry certification tests under the
1108 Industry Certification Funding List, pursuant to rules adopted
1109 by the State Board of Education, including, but not limited to,
1110 grade 10 FCAT Mathematics retakes until such retakes are
1111 discontinued pursuant to subsection (9), the PSAT, the PLAN, the
1112 SAT, the ACT, and the College Placement Test, to assess if
1113 equivalent scores for end-of-course assessment scores can be
1114 determined for passage of an end-of-course assessment. When
1115 content alignment and equivalent scores can be determined, the
1116 Commissioner of Education shall adopt those scores as meeting
1117 the requirement to pass the end-of-course assessment and as
1118 being sufficient to achieve additional purposes as determined by
1119 rule. Each time that assessment content or scoring procedures
1120 change for an end-of-course assessment or for a high school
1121 achievement test or an industry certification test under the
1122 Industry Certification Funding List, pursuant to rules adopted
1123 by the State Board of Education for which an equivalent score is
1124 determined, new equivalent scores must be determined.

1125 (b) Use of an equivalent score adopted by the State Board
1126 of Education under paragraph (a) for purposes of grade
1127 adjustment, grade forgiveness, or course credit recovery is
1128 contingent upon and subject to district school board rules.

1129 (12) ~~(11)~~ REPORTS.-The Department of Education shall
1130 annually provide a report to the Governor, the President of the
1131 Senate, and the Speaker of the House of Representatives on the

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1132 following:

1133 (a) Longitudinal performance of students in mathematics and
1134 reading.

1135 (b) Longitudinal performance of students by grade level in
1136 mathematics and reading.

1137 (c) Longitudinal performance regarding efforts to close the
1138 achievement gap.

1139 (d) Other student performance data based on national norm-
1140 referenced and criterion-referenced tests, when available, and
1141 numbers of students who after 8th grade enroll in adult
1142 education rather than other secondary education.

1143 (13)~~(12)~~ RULES.—The State Board of Education shall adopt
1144 rules pursuant to ss. 120.536(1) and 120.54 to implement the
1145 provisions of this section.

1146 Section 9. Paragraph (a) of subsection (4) of section
1147 1008.25, Florida Statutes, is amended to read:

1148 1008.25 Public school student progression; remedial
1149 instruction; reporting requirements.—

1150 (4) ASSESSMENT AND REMEDIATION.—

1151 (a) Each student must participate in the statewide
1152 assessment tests required by s. 1008.22. Each student who does
1153 not meet specific levels of performance as determined by the
1154 district school board in FCAT reading, writing, science, and
1155 mathematics for each grade level, or who scores below Level 3 in
1156 FCAT reading or FCAT mathematics ~~math~~, must be provided with
1157 additional diagnostic assessments to determine the nature of the
1158 student's difficulty, the areas of academic need, and strategies
1159 for appropriate intervention and instruction as described in
1160 paragraph (b).

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1161 Section 10. Subsection (3) of section 1008.30, Florida
1162 Statutes, is amended to read:

1163 1008.30 Common placement testing for public postsecondary
1164 education.—

1165 (3) The State Board of Education shall adopt rules that
1166 require high schools to evaluate before the beginning of grade
1167 12 the college readiness of each student who indicates an
1168 interest in postsecondary education and scores at Level 2 or
1169 Level 3 on the reading portion of the grade 10 FCAT or Level 2,
1170 Level 3, or Level 4 on the mathematics assessments under s.
1171 1008.22(3)(c) ~~portion of the grade 10 FCAT~~. High schools shall
1172 perform this evaluation using results from the corresponding
1173 component of the common placement test prescribed in this
1174 section, or an equivalent test identified by the State Board of
1175 Education. The Department of Education shall purchase or develop
1176 the assessments necessary to perform the evaluations required by
1177 this subsection and shall work with the school districts to
1178 administer the assessments. The State Board of Education shall
1179 establish by rule the minimum test scores a student must achieve
1180 to demonstrate readiness. Students who demonstrate readiness by
1181 achieving the minimum test scores established by the state board
1182 and enroll in a community college within 2 years of achieving
1183 such scores shall not be required to enroll in remediation
1184 courses as a condition of acceptance to any community college.
1185 The high school shall use the results of the test to advise the
1186 students of any identified deficiencies and to the maximum
1187 extent practicable provide 12th grade students access to
1188 appropriate remedial instruction prior to high school
1189 graduation. The remedial instruction provided under this

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1190 subsection shall be a collaborative effort between secondary and
1191 postsecondary educational institutions. To the extent courses
1192 are available, the Florida Virtual School may be used to provide
1193 the remedial instruction required by this subsection.

1194 Section 11. Paragraphs (b) and (c) of subsection (3) of
1195 section 1008.34, Florida Statutes, are amended to read:

1196 1008.34 School grading system; school report cards;
1197 district grade.—

1198 (3) DESIGNATION OF SCHOOL GRADES.—

1199 (b)1. A school's grade shall be based on a combination of:

1200 a. Student achievement scores, including achievement on all
1201 FCAT and end-of-course assessments administered under s.
1202 1008.22(3)(c)1., end-of-course assessments administered under s.
1203 1008.22(3)(c)2.a., and achievement scores for students seeking a
1204 special diploma.

1205 b. Student learning gains in reading and mathematics as
1206 measured by ~~annual~~ FCAT and end-of-course assessments, as
1207 described in s. 1008.22(3)(c)1. and 2.a. in grades 3 through 10;
1208 Learning gains for students seeking a special diploma, as
1209 measured by an alternate assessment tool, shall be included not
1210 later than the 2009-2010 school year.

1211 c. Improvement of the lowest 25th percentile of students in
1212 the school in reading and, ~~mathematics, or writing~~ on the FCAT
1213 or end-of-course assessments described in s. 1008.22(3)(c)2.a.,
1214 unless these students are exhibiting satisfactory performance.

1215 2. Beginning with the 2009-2010 school year for schools
1216 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1217 11, and 12, 50 percent of the school grade shall be based on a
1218 combination of the factors listed in sub-subparagraphs 1.a.-c.

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1219 and the remaining 50 percent on the following factors:

1220 a. The high school graduation rate of the school;

1221 b. As valid data becomes available, the performance and
1222 participation of the school's students in College Board Advanced
1223 Placement courses, International Baccalaureate courses, dual
1224 enrollment courses, and Advanced International Certificate of
1225 Education courses; and the students' achievement of national
1226 industry certification identified in the Industry Certification
1227 Funding List, pursuant to rules adopted by the State Board of
1228 Education, as determined by the Agency for Workforce Innovation
1229 under s. 1003.492(2) in a career and professional academy, as
1230 described in s. 1003.493;

1231 c. Postsecondary readiness of the school's students as
1232 measured by the SAT, ACT, or the common placement test;

1233 d. The high school graduation rate of at-risk students who
1234 scored at Level 2 or lower on the grade 8 FCAT Reading and
1235 Mathematics examinations;

1236 e. As valid data becomes available, the performance of the
1237 school's students on statewide standardized end-of-course
1238 assessments administered under s. 1008.22 and standardized end-
1239 of-course assessments administered under s. 1008.22(3)(c)2.b.
1240 and c.; and

1241 f. The growth or decline in the components listed in sub-
1242 subparagraphs a.-e. from year to year.

1243 (c) Student assessment data used in determining school
1244 grades shall include:

1245 1. The aggregate scores of all eligible students enrolled
1246 in the school who have been assessed on the FCAT and statewide,
1247 standardized end-of-course assessments in courses required for

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1248 high school graduation, including, beginning with the 2010-2011
1249 school year, the end-of-course assessment in Algebra I,
1250 beginning with the 2011-2012 school year, the end-of-course
1251 assessments in geometry and Biology, and beginning with the
1252 2013-2014 school year, the end-of-course assessments in Algebra
1253 II, chemistry, and physics.

1254 2. The aggregate scores of all eligible students enrolled
1255 in the school who have been assessed on the FCAT and end-of-
1256 course assessments as described in s. 1008.22(3)(c)2.a., and who
1257 have scored at or in the lowest 25th percentile of students in
1258 the school in reading and, mathematics, ~~or writing,~~ unless these
1259 students are exhibiting satisfactory performance.

1260 3. ~~Effective with the 2005-2006 school year,~~ The
1261 achievement scores and learning gains of eligible students
1262 attending alternative schools that provide dropout prevention
1263 and academic intervention services pursuant to s. 1003.53. The
1264 term "eligible students" in this subparagraph does not include
1265 students attending an alternative school who are subject to
1266 district school board policies for expulsion for repeated or
1267 serious offenses, who are in dropout retrieval programs serving
1268 students who have officially been designated as dropouts, or who
1269 are in programs operated or contracted by the Department of
1270 Juvenile Justice. The student performance data for eligible
1271 students identified in this subparagraph shall be included in
1272 the calculation of the home school's grade. As used in this
1273 section and s. 1008.341, the term "home school" means the school
1274 to which the student would be assigned if the student were not
1275 assigned to an alternative school. If an alternative school
1276 chooses to be graded under this section, student performance

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1277 data for eligible students identified in this subparagraph shall
1278 not be included in the home school's grade but shall be included
1279 only in the calculation of the alternative school's grade. A
1280 school district that fails to assign the FCAT and end-of-course
1281 assessment as described in s. 1008.22(3)(c)2.a. scores of each
1282 of its students to his or her home school or to the alternative
1283 school that receives a grade shall forfeit Florida School
1284 Recognition Program funds for 1 fiscal year. School districts
1285 must require collaboration between the home school and the
1286 alternative school in order to promote student success. This
1287 collaboration must include an annual discussion between the
1288 principal of the alternative school and the principal of each
1289 student's home school concerning the most appropriate school
1290 assignment of the student.

1291 4. ~~Beginning with the 2009-2010 school year~~ For schools
1292 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1293 11, and 12, the data listed in subparagraphs 1.-3. and the
1294 following data as the Department of Education determines such
1295 data are valid and available:

1296 a. The high school graduation rate of the school as
1297 calculated by the Department of Education;

1298 b. The participation rate of all eligible students enrolled
1299 in the school and enrolled in College Board Advanced Placement
1300 courses; International Baccalaureate courses; dual enrollment
1301 courses; Advanced International Certificate of Education
1302 courses; and courses or sequence of courses leading to national
1303 industry certification identified in the Industry Certification
1304 Funding List, pursuant to rules adopted by the State Board of
1305 Education, ~~as determined by the Agency for Workforce Innovation~~

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1306 ~~under s. 1003.492(2) in a career and professional academy, as~~
1307 ~~described in s. 1003.493;~~

1308 c. The aggregate scores of all eligible students enrolled
1309 in the school in College Board Advanced Placement courses,
1310 International Baccalaureate courses, and Advanced International
1311 Certificate of Education courses;

1312 d. Earning of college credit by all eligible students
1313 enrolled in the school in dual enrollment programs under s.
1314 1007.271;

1315 e. Earning of a national ~~an~~ industry certification
1316 identified in the Industry Certification Funding List, pursuant
1317 to rules adopted by the State Board of Education, ~~as determined~~
1318 ~~by the Agency for Workforce Innovation under s. 1003.492(2) in a~~
1319 ~~career and professional academy, as described in s. 1003.493;~~

1320 f. The aggregate scores of all eligible students enrolled
1321 in the school in reading, mathematics, and other subjects as
1322 measured by the SAT, the ACT, and the common placement test for
1323 postsecondary readiness;

1324 g. The high school graduation rate of all eligible at-risk
1325 students enrolled in the school who scored at Level 2 or lower
1326 on the grade 8 FCAT Reading and Mathematics examinations;

1327 h. The performance of the school's students on statewide
1328 standardized end-of-course assessments administered under s.
1329 1008.22; and

1330 i. The growth or decline in the data components listed in
1331 sub-subparagraphs a.-h. from year to year.

1332

1333 The State Board of Education shall adopt appropriate criteria
1334 for each school grade. The criteria must also give added weight

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1335 to student achievement in reading. Schools designated with a
1336 grade of "C," making satisfactory progress, shall be required to
1337 demonstrate that adequate progress has been made by students in
1338 the school who are in the lowest 25th percentile in reading and
1339 ~~mathematics, or writing~~ on the FCAT and end-of-course
1340 assessments as described in s. 1008.22(3)(c)2.a., unless these
1341 students are exhibiting satisfactory performance. Beginning with
1342 the 2009-2010 school year for schools comprised of high school
1343 grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria
1344 for school grades must also give added weight to the graduation
1345 rate of all eligible at-risk students, as defined in this
1346 paragraph. Beginning in the 2009-2010 school year, in order for
1347 a high school to be designated as having a grade of "A," making
1348 excellent progress, the school must demonstrate that at-risk
1349 students, as defined in this paragraph, in the school are making
1350 adequate progress.

1351 Section 12. Subsection (3) of section 1008.341, Florida
1352 Statutes, is amended to read:

1353 1008.341 School improvement rating for alternative
1354 schools.—

1355 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data
1356 used in determining an alternative school's school improvement
1357 rating shall include:

1358 (a) The aggregate scores on statewide assessments
1359 administered under s. 1008.22 for ~~of~~ all eligible students who
1360 were assigned to and enrolled in the school during the October
1361 or February FTE count, ~~who have been assessed on the FCAT,~~ and
1362 who have FCAT or comparable scores for the preceding school
1363 year.

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1364 (b) The aggregate scores on statewide assessments
1365 administered under s. 1008.22 for ~~of~~ all eligible students who
1366 were assigned to and enrolled in the school during the October
1367 or February FTE count, ~~who have been assessed on the FCAT and~~
1368 who have scored in the lowest 25th percentile of students in the
1369 state on FCAT Reading.

1370
1371 The assessment scores of students who are subject to district
1372 school board policies for expulsion for repeated or serious
1373 offenses, who are in dropout retrieval programs serving students
1374 who have officially been designated as dropouts, or who are in
1375 programs operated or contracted by the Department of Juvenile
1376 Justice may not be included in an alternative school's school
1377 improvement rating.

1378 Section 13. Subsection (4) of section 1008.36, Florida
1379 Statutes, is amended to read:

1380 1008.36 Florida School Recognition Program.—

1381 (4) All selected schools shall receive financial awards
1382 depending on the availability of funds appropriated and the
1383 number and size of schools selected to receive an award. Funds
1384 must be distributed to the school's fiscal agent and placed in
1385 the school's account and must be used for purposes listed in
1386 subsection (5) as determined jointly by the school's staff and
1387 school advisory council. If school staff and the school advisory
1388 council cannot reach agreement by February ~~November~~ 1, the
1389 awards must be equally distributed to all classroom teachers
1390 currently teaching in the school. If a school selected to
1391 receive a school recognition award is no longer in existence at
1392 the time the award is paid, the district school superintendent

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1393 shall distribute the funds to teachers who taught at the school
1394 in the previous year in the form of a bonus.

1395

1396 Notwithstanding statutory provisions to the contrary, incentive
1397 awards are not subject to collective bargaining.

1398 Section 14. This act shall take effect July 1, 2010.