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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; requiring that the Office of Program Policy
92 Analysis and Government Accountability conduct a study
93 on the different types of high school diplomas offered
94 in other states; requiring that the study be submitted
95 to the Governor and the Legislature by a specified
96 date; providing an effective date.

97
98 Be It Enacted by the Legislature of the State of Florida:

99
100 Section 1. Paragraph (d) of subsection (3) and subsections
101 (4) and (5) of section 1003.413, Florida Statutes, are amended
102 to read:

103 1003.413 Florida Secondary School Redesign Act.—

104 (3) Based on these guiding principles, district school
105 boards shall establish policies to implement the requirements of
106 ss. 1003.4156, 1003.428, and 1003.493. The policies must
107 address:

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

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117 (4) In order to support the successful implementation of
118 this section by district school boards, the Department of
119 Education shall:

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

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

128 (a) ~~(e)~~ Share best practices for providing a complete
129 education program to students enrolled in course recovery,
130 credit recovery, intensive reading intervention, or intensive
131 mathematics intervention.

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

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

139 ~~(5) The Commissioner of Education shall create and~~
140 ~~implement the Secondary School Improvement Award Program to~~
141 ~~reward public secondary schools that demonstrate continuous~~
142 ~~student academic improvement and show the greatest gains in~~
143 ~~student academic achievement in reading and mathematics.~~

144 Section 2. Paragraph (a) of subsection (1) of section
145 1003.4156, Florida Statutes, is amended to read:

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146 1003.4156 General requirements for middle grades
147 promotion.—

148 (1) Beginning with students entering grade 6 in the 2006-
149 2007 school year, promotion from a school composed of middle
150 grades 6, 7, and 8 requires that:

151 (a) The student must successfully complete academic courses
152 as follows:

153 1. Three middle school or higher courses in English. These
154 courses shall emphasize literature, composition, and technical
155 text.

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

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

171 4. Three middle school or higher courses in science.
172 Successful completion of a high school level Biology I course is
173 not contingent upon the student's performance on the end-of-
174 course assessment required under s. 1008.22(3)(c)2.a.(II).

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175 However, beginning with the 2012-2013 school year, to earn high
176 school credit for a Biology I course, a middle school student
177 must pass the Biology I end-of-course assessment.

178 5. One course in career and education planning to be
179 completed in 7th or 8th grade. The course may be taught by any
180 member of the instructional staff; must include career
181 exploration using Florida CHOICES for the 21st Century or a
182 comparable cost-effective program; must include educational
183 planning using the online student advising system known as
184 Florida Academic Counseling and Tracking for Students at the
185 Internet website FACTS.org; and shall result in the completion
186 of a personalized academic and career plan. The required
187 personalized academic and career plan must inform students of
188 high school graduation requirements, high school assessment and
189 college entrance test requirements, Florida Bright Futures
190 Scholarship Program requirements, state university and Florida
191 college admission requirements, and programs through which a
192 high school student can earn college credit, including Advanced
193 Placement, International Baccalaureate, Advanced International
194 Certificate of Education, dual enrollment, career academy
195 opportunities, and courses that lead to national industry
196 certification.

197
198 Each school must hold a parent meeting either in the evening or
199 on a weekend to inform parents about the course curriculum and
200 activities. Each student shall complete an electronic personal
201 education plan that must be signed by the student; the student's
202 instructor, guidance counselor, or academic advisor; and the
203 student's parent. ~~By January 1, 2007,~~ The Department of

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204 Education shall develop course frameworks and professional
205 development materials for the career exploration and education
206 planning course. The course may be implemented as a stand-alone
207 course or integrated into another course or courses. The
208 Commissioner of Education shall collect longitudinal high school
209 course enrollment data by student ethnicity in order to analyze
210 course-taking patterns.

211 Section 3. Subsections (1) and (2), paragraph (a) of
212 subsection (4), and paragraph (b) of subsection (8) of section
213 1003.428, Florida Statutes, are amended to read:

214 1003.428 General requirements for high school graduation;
215 revised.—

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

224 (2) The 24 credits may be earned through applied,
225 integrated, and combined courses approved by the Department of
226 Education. Beginning with students entering grade 9 in the 2013-
227 2014 school year, one of the 24 credits must be earned through a
228 virtual instruction course. For purposes of this subsection, the
229 term "virtual instruction course" means a course of instruction
230 provided in an interactive learning environment created through
231 technology in which students are separated from their teachers
232 by time or space. This requirement shall be met through a

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233 virtual instruction course that significantly integrates content
234 aligned to appropriate state curriculum standards, as determined
235 by the Department of Education, and for which a standardized
236 end-of-course assessment, as approved by the department, is
237 administered. A student who is enrolled in a full-time virtual
238 instruction program under s. 1002.45 meets this requirement. The
239 24 credits ~~and~~ shall be distributed as follows:

240 (a) Sixteen core curriculum credits:

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

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

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262 ~~encouraged to set specific goals to increase enrollments in, and~~
263 ~~successful completion of, geometry and Algebra II.~~

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

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

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

289 6. One credit in physical education to include integration
290 of health. Participation in an interscholastic sport at the

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

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

314 ~~1. Four credits in a major area of interest, such as~~
315 ~~sequential courses in a career and technical program, fine and~~
316 ~~performing arts, or academic content area, selected by the~~
317 ~~student as part of the education plan required by s. 1003.4156.~~
318 ~~Students may revise major areas of interest each year as part of~~
319 ~~annual course registration processes and should update their~~

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320 ~~education plan to reflect such revisions. Annually by October 1,~~
321 ~~the district school board shall approve major areas of interest~~
322 ~~and submit the list of majors to the Commissioner of Education~~
323 ~~for approval. Each major area of interest shall be deemed~~
324 ~~approved unless specifically rejected by the commissioner within~~
325 ~~60 days. Upon approval, each district's major areas of interest~~
326 ~~shall be available for use by all school districts and shall be~~
327 ~~posted on the department's website.~~

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

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

337 ~~b. Elective courses are selected by the student in order to~~
338 ~~pursue a complete education program as described in s.~~
339 ~~1001.41(3) and to meet eligibility requirements for~~
340 ~~scholarships.~~

341 ~~1.e.~~ For each year in which a student scores at Level 1 on
342 FCAT Reading, the student must be enrolled in and complete an
343 intensive reading course the following year. Placement of Level
344 2 readers in either an intensive reading course or a content
345 area course in which reading strategies are delivered shall be
346 determined by diagnosis of reading needs. The department shall
347 provide guidance on appropriate strategies for diagnosing and
348 meeting the varying instructional needs of students reading

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349 below grade level. Reading courses shall be designed and offered
350 pursuant to the comprehensive reading plan required by s.
351 1011.62(9).

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

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

360 (a) Successful completion of the academic credit or
361 curriculum requirements of subsections (1) and (2). For courses
362 that require statewide, standardized end-of-course assessments
363 under s. 1008.22(3)(c)2.c., a minimum of 30 percent of a
364 student's course grade shall be comprised of performance on the
365 statewide, standardized end-of-course assessment.
366

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

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

394 (8)

395 (b)1. A student with a disability, as defined in s.
396 1007.02(2), for whom the individual education plan (IEP)
397 committee determines that the FCAT cannot accurately measure the
398 student's abilities taking into consideration all allowable
399 accommodations, shall have the FCAT requirement of paragraph
400 (4)(b) waived for the purpose of receiving a standard high
401 school diploma, if the student:

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

404 b.2. Does not meet the requirements of paragraph (4)(b)
405 after one opportunity in 10th grade and one opportunity in 11th
406 grade.

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407 2. A student with a disability, as defined in s.
408 1007.02(2), for whom the IEP committee determines that an end-
409 of-course assessment cannot accurately measure the student's
410 abilities, taking into consideration all allowable
411 accommodations and alternate assessments, shall have the end-of-
412 course assessment results waived for the purpose of determining
413 the student's course grade and credit as required in paragraph
414 (4) (a). However, the student is not eligible for a standard high
415 school diploma. The student is eligible for a special diploma.

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

419 1003.429 Accelerated high school graduation options.—

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

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

426 (b) Completion of a 3-year standard college preparatory
427 program requiring successful completion of a minimum of 18
428 academic credits in grades 9 through 12. At least 6 of the 18
429 credits required for completion of this program must be received
430 in classes that are offered pursuant to the International
431 Baccalaureate Program, the Advanced Placement Program, dual
432 enrollment, Advanced International Certificate of Education, or
433 specifically listed or identified by the Department of Education
434 as rigorous pursuant to s. 1009.531(3). Beginning with students
435 entering grade 9 in the 2013-2014 school year, one of the 18

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

- 450 1. Four credits in English, with major concentration in
451 composition and literature;
- 452 2. Three credits and, beginning with students entering
453 grade 9 in the 2010-2011 school year, four credits in
454 mathematics at the Algebra I level or higher from the list of
455 courses that qualify for state university admission. Beginning
456 with students entering grade 9 in the 2010-2011 school year, in
457 addition to the Algebra I credit requirement, one of the four
458 credits in mathematics must be geometry or a series of courses
459 equivalent to geometry as approved by the State Board of
460 Education. Beginning with students entering grade 9 in the 2010-
461 2011 school year, the end-of-course assessment requirements
462 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
463 to earn the required credit in Algebra I. Beginning with
464 students entering grade 9 in the 2011-2012 school year, the end-

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

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

488 4. Three credits in social sciences, which must include one
489 credit in United States ~~American~~ history, one credit in world
490 history, one-half credit in United States ~~American~~ government,
491 and one-half credit in economics;

492 5. Two credits in the same second language unless the
493 student is a native speaker of or can otherwise demonstrate

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494 competency in a language other than English. If the student
495 demonstrates competency in another language, the student may
496 replace the language requirement with two credits in other
497 academic courses; and

498 6. Three credits in electives and, beginning with students
499 entering grade 9 in the 2010-2011 school year, two credits in
500 electives; or

501 (c) Completion of a 3-year career preparatory program
502 requiring successful completion of a minimum of 18 academic
503 credits in grades 9 through 12. Beginning with students entering
504 grade 9 in the 2013-2014 school year, one of the 18 credits must
505 be earned through a virtual instruction course. For purposes of
506 this paragraph, the term "virtual instruction course" means a
507 course of instruction provided in an interactive learning
508 environment created through technology in which students are
509 separated from their teachers by time or space. This requirement
510 shall be met through a virtual instruction course that
511 significantly integrates content aligned to appropriate state
512 curriculum standards, as determined by the Department of
513 Education, and for which a standardized end-of-course
514 assessment, as approved by the department, is administered. A
515 student who is enrolled in a full-time virtual instruction
516 program under s. 1002.45 meets this requirement. The 18 credits
517 shall be primary requirements and shall be distributed as
518 follows:

519 1. Four credits in English, with major concentration in
520 composition and literature;

521 2. Three credits and, beginning with students entering
522 grade 9 in the 2010-2011 school year, four credits in

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523 mathematics, one of which must be Algebra I. Beginning with
524 students entering grade 9 in the 2010-2011 school year, in
525 addition to the Algebra I credit requirement, one of the four
526 credits in mathematics must be geometry or a series of courses
527 equivalent to geometry as approved by the State Board of
528 Education. Beginning with students entering grade 9 in the 2010-
529 2011 school year, the end-of-course assessment requirements
530 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
531 to earn the required credit in Algebra I. Beginning with
532 students entering grade 9 in the 2011-2012 school year, the end-
533 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
534 must be met in order for a student to earn the required credit
535 in geometry. Beginning with students entering grade 9 in the
536 2012-2013 school year, in addition to the Algebra I and geometry
537 credit requirements, one of the four credits in mathematics must
538 be Algebra II or a series of courses equivalent to Algebra II as
539 approved by the State Board of Education;

540 3. Three credits in ~~natural~~ science, two of which must have
541 a laboratory component. Beginning with students entering grade 9
542 in the 2011-2012 school year, one of the three credits in
543 science must be Biology I or a series of courses equivalent to
544 Biology I as approved by the State Board of Education. Beginning
545 with students entering grade 9 in the 2011-2012 school year, the
546 end-of-course assessment requirements under s.
547 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
548 the required credit in Biology I. Beginning with students
549 entering grade 9 in the 2013-2014 school year, one of the three
550 credits must be Biology I or a series of courses equivalent to
551 Biology I as approved by the State Board of Education, one

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552 credit must be chemistry or physics or a series of courses
553 equivalent to chemistry or physics as approved by the State
554 Board of Education, and one credit must be an equally rigorous
555 course, as approved by the State Board of Education;

556 4. Three credits in social sciences, which must include one
557 credit in United States ~~American~~ history, one credit in world
558 history, one-half credit in United States ~~American~~ government,
559 and one-half credit in economics;

560 5. Three credits in a single vocational or career education
561 program, three credits in career and technical certificate dual
562 enrollment courses, or five credits in vocational or career
563 education courses; and

564 6. Two credits and, beginning with students entering grade
565 9 in the 2010-2011 school year, one credit in electives unless
566 five credits are earned pursuant to subparagraph 5.

567
568 Any student who selected an accelerated graduation program
569 before July 1, 2004, may continue that program, and all
570 statutory program requirements that were applicable when the
571 student made the program choice shall remain applicable to the
572 student as long as the student continues that program.

573 (5) District school boards may not establish requirements
574 for accelerated 3-year high school graduation options in excess
575 of the requirements in paragraphs (1)(b) and (c). For courses
576 that require statewide, standardized end-of-course assessments
577 under s. 1008.22(3)(c)2.c., a minimum of 30 percent of a
578 student's course grade shall be comprised of performance on the
579 statewide, standardized end-of-course assessment.

580 (7) If, at the end of grade 10, a student is not on track

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581 to meet the credit, assessment, or grade-point-average
582 requirements of the accelerated graduation option selected, the
583 school shall notify the student and parent of the following:

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

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

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

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

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

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

598 Section 5. Section 1003.4295, Florida Statutes, is created
599 to read:

600 1003.4295 Acceleration courses.—

601 (1) Each high school shall advise each student of programs
602 through which a high school student can earn college credit,
603 including Advanced Placement, International Baccalaureate,
604 Advanced International Certificate of Education, dual enrollment
605 courses, career academy courses, and courses that lead to
606 national industry certification, as well as the availability of
607 course offerings through virtual instruction.

608 (2) Beginning with the 2011-2012 school year, each high
609 school shall offer an International Baccalaureate Program, an

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610 Advanced International Certificate of Education Program, or a
611 combination of at least four courses in dual enrollment or
612 Advanced Placement, including one course each in English,
613 mathematics, science, and social studies. To meet this
614 requirement, school districts may provide courses through
615 virtual instruction, if the virtual course significantly
616 integrates postsecondary level content for which a student may
617 earn college credit, as determined by the Department of
618 Education, and for which a standardized end-of-course
619 assessment, as approved by the department, is administered.

620 (3) The Credit Acceleration Program (CAP) is created for
621 the purpose of allowing a secondary student to earn high school
622 credit in a course that requires a statewide, standardized end-
623 of-course assessment if the student attains a specified score on
624 the assessment. Notwithstanding s. 1003.436, a school district
625 shall award course credit to a student who is not enrolled in
626 the course, or who has not completed the course, if the student
627 attains a score indicating satisfactory performance, as defined
628 in s. 1008.22(3)(c)5., on the corresponding statewide,
629 standardized end-of-course assessment. The school district shall
630 permit a student who is not enrolled in the course, or who has
631 not completed the course, to take the standardized end-of-course
632 assessment during the regular administration of the assessment.

633 Section 6. Paragraph (k) of subsection (4) of section
634 1003.493, Florida Statutes, is amended to read:

635 1003.493 Career and professional academies.—

636 (4) Each career and professional academy must:

637 (k) Include an evaluation plan developed jointly with the
638 Department of Education and the local workforce board. The

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639 evaluation plan must include an assessment tool based on
640 national industry standards, such as the Career Academy National
641 Standards of Practice, and outcome measures, including, but not
642 limited to, achievement of national industry certifications
643 identified in the Industry Certification Funding List, pursuant
644 to rules adopted by the State Board of Education, graduation
645 rates, enrollment in postsecondary education, business and
646 industry satisfaction, employment and earnings, awards of
647 postsecondary credit and scholarships, and student FCAT
648 achievement levels and learning gains on statewide assessments
649 administered under s. 1008.22(3)(c). The Department of Education
650 shall use Workforce Florida, Inc., and Enterprise Florida, Inc.,
651 in identifying industry experts to participate in developing and
652 implementing such assessments.

653 Section 7. Paragraph (c) of subsection (6) of section
654 1007.35, Florida Statutes, is amended to read:

655 1007.35 Florida Partnership for Minority and
656 Underrepresented Student Achievement.—

657 (6) The partnership shall:

658 (c) Provide teacher training and materials that are aligned
659 with the Next Generation Sunshine State Standards and are
660 consistent with best theory and practice regarding multiple
661 learning styles and research on learning, instructional
662 strategies, instructional design, and classroom assessment.
663 Curriculum materials must be based on current, accepted, and
664 essential academic knowledge. ~~Materials for prerequisite courses~~
665 ~~should, at a minimum, address the skills assessed on the Florida~~
666 ~~Comprehensive Assessment Test (FCAT).~~

667 Section 8. Paragraph (c) of subsection (3) and subsections

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668 (6), (9), (10), (11), and (12) of section 1008.22, Florida
669 Statutes, are amended to read:

670 1008.22 Student assessment program for public schools.—

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

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

688 1. The Florida Comprehensive Assessment Test (FCAT)
689 ~~measures as part of the statewide assessment program to measure~~
690 a student's content knowledge and skills in reading, writing,
691 science, and mathematics. The content knowledge and skills
692 assessed by the FCAT must be aligned to the core curricular
693 content established in the Next Generation Sunshine State
694 Standards. Other content areas may be included as directed by
695 the commissioner. Comprehensive assessments of reading and
696 mathematics shall be administered annually in grades 3 through

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697 10 except, beginning with the 2010-2011 school year, the
698 administration of grade 9 FCAT Mathematics shall be
699 discontinued, and beginning with the 2011-2012 school year, the
700 administration of grade 10 FCAT Mathematics shall be
701 discontinued, except as required for students who have not
702 attained minimum performance expectations for graduation as
703 provided in paragraph (9) (c). FCAT Comprehensive assessments of
704 Writing and FCAT Science shall be administered at least once at
705 the elementary, middle, and high school levels except, beginning
706 with the 2011-2012 school year, the administration of FCAT
707 Science at the high school level shall be discontinued.

708 2.a. End-of-course assessments for a subject shall ~~may~~ be
709 administered in addition to the comprehensive assessments
710 required for that subject under subparagraph 1. this paragraph.
711 ~~An~~ End-of-course assessments ~~assessment~~ must be rigorous,
712 statewide, standardized, and developed or approved by the
713 department. The content knowledge and skills assessed by
714 ~~comprehensive and~~ end-of-course assessments must be aligned to
715 the core curricular content established in the Next Generation
716 Sunshine State Standards.

717 (I) Statewide, standardized end-of-course assessments in
718 mathematics shall be administered according to this sub-sub-
719 subparagraph. Beginning with the 2010-2011 school year, all
720 students enrolled in Algebra I or an equivalent course must take
721 the Algebra I end-of-course assessment. Students who earned high
722 school credit in Algebra I while in grades 6 through 8 during
723 the 2007-2008 through 2009-2010 school years and who have not
724 taken Grade 10 FCAT Mathematics must take the Algebra I end-of-
725 course assessment during the 2010-2011 school year. For students

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726 entering grade 9 during the 2010-2011 school year and who are
727 enrolled in Algebra I or an equivalent, each student's
728 performance on the end-of-course assessment in Algebra I shall
729 constitute 30 percent of the student's final course grade.
730 Beginning with students entering grade 9 in the 2011-2012 school
731 year, a student who is enrolled in Algebra I or an equivalent
732 must earn a passing score on the end-of-course assessment in
733 Algebra I or attain an equivalent score as described in
734 subsection (11) in order to earn course credit. Beginning with
735 the 2011-2012 school year, all students enrolled in geometry or
736 an equivalent course must take the geometry end-of-course
737 assessment. For students entering grade 9 during the 2011-2012
738 school year, each student's performance on the end-of-course
739 assessment in geometry shall constitute 30 percent of the
740 student's final course grade. Beginning with students entering
741 grade 9 during the 2012-2013 school year, a student must earn a
742 passing score on the end-of-course assessment in geometry or
743 attain an equivalent score as described in subsection (11) in
744 order to earn course credit.

745 (II) Statewide, standardized end-of-course assessments in
746 science shall be administered according to this sub-sub-
747 subparagraph. Beginning with the 2011-2012 school year, all
748 students enrolled in Biology I or an equivalent course must take
749 the Biology I end-of-course assessment. For the 2011-2012 school
750 year, each student's performance on the end-of-course assessment
751 in Biology I shall constitute 30 percent of the student's final
752 course grade. Beginning with students entering grade 9 during
753 the 2012-2013 school year, a student must earn a passing score
754 on the end-of-course assessment in Biology I in order to earn

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755 course credit.

756 b. The commissioner may select one or more nationally
757 developed comprehensive examinations, which may include, but
758 need not be limited to, examinations for a College Board
759 Advanced Placement course, International Baccalaureate course,
760 or Advanced International Certificate of Education course, or
761 industry-approved examinations to earn national industry
762 certifications identified in the Industry Certification Funding
763 List, pursuant to rules adopted by the State Board of Education
764 as defined in s. 1003.492, for use as end-of-course assessments
765 under this paragraph, if the commissioner determines that the
766 content knowledge and skills assessed by the examinations meet
767 or exceed the grade level expectations for the core curricular
768 content established for the course in the Next Generation
769 Sunshine State Standards. The commissioner may collaborate with
770 the American Diploma Project in the adoption or development of
771 rigorous end-of-course assessments that are aligned to the Next
772 Generation Sunshine State Standards. ~~The testing program must be~~
773 ~~designed as follows:~~

774 c. Contingent upon funding provided in the General
775 Appropriations Act, including the appropriation of funds
776 received through federal grants, the Commissioner of Education
777 shall establish an implementation schedule for the development
778 and administration of additional statewide, standardized end-of-
779 course assessments in English/Language Arts II, Algebra II,
780 chemistry, physics, earth/space science, United States history,
781 and world history. Priority shall be given to the development of
782 end-of-course assessments in English/Language Arts II. The
783 Commissioner of Education shall evaluate the feasibility and

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784 effect of transitioning from the grade 9 and grade 10 FCAT
785 Reading and high school level FCAT Writing to an end-of-course
786 assessment in English/Language Arts II. The commissioner shall
787 report the results of the evaluation to the President of the
788 Senate and the Speaker of the House of Representatives no later
789 than July 1, 2011.

790 3.1. The testing program tests shall measure student
791 content knowledge and skills and competencies adopted by the
792 State Board of Education as specified in paragraph (a) and. ~~The~~
793 ~~tests must~~ measure and report student performance proficiency
794 levels of all students assessed in reading, writing,
795 mathematics, and science. The commissioner shall provide for the
796 tests to be developed or obtained, as appropriate, through
797 contracts and project agreements with private vendors, public
798 vendors, public agencies, postsecondary educational
799 institutions, or school districts. The commissioner shall obtain
800 input with respect to the design and implementation of the
801 testing program from state educators, assistive technology
802 experts, and the public.

803 4.2. The testing program shall be composed of criterion-
804 referenced tests that shall, to the extent determined by the
805 commissioner, include test items that require the student to
806 produce information or perform tasks in such a way that the core
807 content knowledge and skills he or she uses can be measured.

808 ~~3. Beginning with the 2008-2009 school year, the~~
809 ~~commissioner shall discontinue administration of the selected-~~
810 ~~response test items on the comprehensive assessments of writing.~~
811 ~~Beginning with the 2012-2013 school year, the comprehensive~~
812 ~~assessments of writing shall be composed of a combination of~~

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813 ~~selected response test items, short response performance tasks,~~
814 ~~and extended response performance tasks, which shall measure a~~
815 ~~student's content knowledge of writing, including, but not~~
816 ~~limited to, paragraph and sentence structure, sentence~~
817 ~~construction, grammar and usage, punctuation, capitalization,~~
818 ~~spelling, parts of speech, verb tense, irregular verbs, subject-~~
819 ~~verb agreement, and noun-pronoun agreement.~~

820 5. FCAT Reading, Mathematics, and Science and all
821 statewide, standardized end-of-course assessments shall measure
822 the content knowledge and skills a student has attained on the
823 assessment by the use of scaled scores and achievement levels.
824 Achievement levels shall range from 1 through 5, with level 1
825 being the lowest achievement level, level 5 being the highest
826 achievement level, and level 3 indicating satisfactory
827 performance on an assessment. For purposes of FCAT Writing,
828 student achievement shall be scored using a scale of 1 through 6
829 and the score earned shall be used in calculating school grades.

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

834 6.5. ~~Except as provided in s. 1003.428(8)(b) or s.~~
835 ~~1003.43(11)(b), students must earn a passing score on the grade~~
836 ~~10 assessment test described in this paragraph or attain~~
837 ~~concordant scores as described in subsection (10) in reading,~~
838 ~~writing, and mathematics to qualify for a standard high school~~
839 ~~diploma. The State Board of Education shall, by rule, designate~~
840 ~~a passing score for each part of the grade 10 assessment test~~
841 ~~and end-of-course assessments. In establishing passing scores,~~

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842 ~~the state board shall consider any possible negative impact of~~
843 ~~the test on minority students. The State Board of Education~~
844 ~~shall adopt rules which specify the passing scores for the grade~~
845 ~~10 FCAT. Any rule that has such rules, which have the effect of~~
846 ~~raising the required passing scores may, shall apply only to~~
847 ~~students taking the assessment grade 10 FCAT for the first time~~
848 ~~after the rule is such rules are adopted by the State Board of~~
849 ~~Education. Except as otherwise provided in this subparagraph and~~
850 ~~as provided in s. 1003.428(8) (b) or s. 1003.43(11) (b), students~~
851 ~~must earn a passing score on grade 10 FCAT Reading and grade 10~~
852 ~~FCAT Mathematics or attain concordant scores as described in~~
853 ~~subsection (10) in order to qualify for a standard high school~~
854 ~~diploma.~~

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

861 ~~8.6.~~ Participation in the testing program is mandatory for
862 all students attending public school, including students served
863 in Department of Juvenile Justice programs, except as otherwise
864 prescribed by the commissioner. A student who has not earned
865 passing scores on the grade 10 FCAT as provided in subparagraph
866 6. must participate in each retake of the assessment until the
867 student earns passing scores or achieves scores on a
868 standardized assessment which are concordant with passing scores
869 pursuant to subsection (10). If a student does not participate
870 in the statewide assessment, the district must notify the

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871 student's parent and provide the parent with information
872 regarding the implications of such nonparticipation. A parent
873 must provide signed consent for a student to receive classroom
874 instructional accommodations that would not be available or
875 permitted on the statewide assessments and must acknowledge in
876 writing that he or she understands the implications of such
877 instructional accommodations. The State Board of Education shall
878 adopt rules, based upon recommendations of the commissioner, for
879 the provision of test accommodations for students in exceptional
880 education programs and for students who have limited English
881 proficiency. Accommodations that negate the validity of a
882 statewide assessment are not allowable in the administration of
883 the FCAT or an end-of-course assessment. However, instructional
884 accommodations are allowable in the classroom if included in a
885 student's individual education plan. Students using
886 instructional accommodations in the classroom that are not
887 allowable as accommodations on the FCAT or an end-of-course
888 assessment may have the FCAT or an end-of-course assessment
889 requirement waived pursuant to the requirements of s.
890 1003.428(8)(b) or s. 1003.43(11)(b).

891 9.7. A student seeking an adult high school diploma must
892 meet the same testing requirements that a regular high school
893 student must meet.

894 10.8. District school boards must provide instruction to
895 prepare students ~~to demonstrate proficiency~~ in the core
896 curricular content established in the Next Generation Sunshine
897 State Standards adopted under s. 1003.41, including the core
898 content knowledge and skills necessary for successful grade-to-
899 grade progression and high school graduation. If a student is

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900 provided with instructional accommodations in the classroom that
901 are not allowable as accommodations in the statewide assessment
902 program, as described in the test manuals, the district must
903 inform the parent in writing and must provide the parent with
904 information regarding the impact on the student's ability to
905 meet expected performance ~~proficiency~~ levels in reading,
906 writing, ~~and~~ mathematics, and science. The commissioner shall
907 conduct studies as necessary to verify that the required core
908 curricular content is part of the district instructional
909 programs.

910 ~~11.9.~~ District school boards must provide opportunities for
911 students to demonstrate an acceptable performance level ~~of~~
912 ~~performance~~ on an alternative standardized assessment approved
913 by the State Board of Education following enrollment in summer
914 academies.

915 ~~12.10.~~ The Department of Education must develop, or select,
916 and implement a common battery of assessment tools that will be
917 used in all juvenile justice programs in the state. These tools
918 must accurately measure the core curricular content established
919 in the Next Generation Sunshine State Standards.

920 ~~13.11.~~ For students seeking a special diploma pursuant to
921 s. 1003.438, the Department of Education must develop or select
922 and implement an alternate assessment tool that accurately
923 measures the core curricular content established in the Next
924 Generation Sunshine State Standards for students with
925 disabilities under s. 1003.438.

926 ~~14.12.~~ The Commissioner of Education shall establish
927 schedules for the administration of statewide assessments and
928 the reporting of student test results. When establishing the

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929 schedules for the administration of statewide assessments, the
930 commissioner shall consider the observance of religious and
931 school holidays. The commissioner shall, by August 1 of each
932 year, notify each school district in writing and publish on the
933 department's Internet website the testing and reporting
934 schedules for, at a minimum, the school year following the
935 upcoming school year. The testing and reporting schedules shall
936 require that:

937 a. There is the latest possible administration of statewide
938 assessments and the earliest possible reporting to the school
939 districts of student test results which is feasible within
940 available technology and specific appropriations; however, test
941 results for the FCAT must be made available no later than the
942 week of June 8. Student results for end-of-course assessments
943 must be provided no later than 1 week after the school district
944 completes testing for each course ~~final day of the regular~~
945 ~~school year for students.~~

946 b. Beginning with the 2010-2011 school year, FCAT Writing a
947 ~~comprehensive statewide assessment of writing~~ is not
948 administered earlier than the week of March 1 and a
949 comprehensive statewide assessment of any other subject is not
950 administered earlier than the week of April 15.

951 c. A statewide, standardized end-of-course assessment is
952 administered during a 3-week period at the end ~~within the last 2~~
953 ~~weeks~~ of the course. The commissioner shall select a 3-week
954 administration period for assessments that meets the intent of
955 end-of-course assessments and provides student results prior to
956 the end of the course. School districts shall select one testing
957 week within the 3-week administration period for each end-of-

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958 course assessment. For an end-of-course assessment administered
959 at the end of the first semester, the commissioner shall
960 determine the most appropriate testing dates based on a school
961 district's academic calendar.

962

963 The commissioner may, based on collaboration and input from
964 school districts, design and implement student testing programs,
965 for any grade level and subject area, necessary to effectively
966 monitor educational achievement in the state, including the
967 measurement of educational achievement of the Next Generation
968 Sunshine State Standards for students with disabilities.

969 Development and refinement of assessments shall include
970 universal design principles and accessibility standards that
971 will prevent any unintended obstacles for students with
972 disabilities while ensuring the validity and reliability of the
973 test. These principles should be applicable to all technology
974 platforms and assistive devices available for the assessments.
975 The field testing process and psychometric analyses for the
976 statewide assessment program must include an appropriate
977 percentage of students with disabilities and an evaluation or
978 determination of the effect of test items on such students.

979 (6) SCHOOL TESTING PROGRAMS.—Each public school shall
980 participate in the statewide assessment program in accordance
981 with the testing and reporting schedules published by the
982 Commissioner of Education under subparagraph (3)(c) ~~14.12~~, unless
983 specifically exempted by state board rule based on serving a
984 specialized population for which standardized testing is not
985 appropriate. Student performance data shall be analyzed and
986 reported to parents, the community, and the state. Student

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987 performance data shall be used in developing objectives of the
988 school improvement plan, evaluation of instructional personnel,
989 evaluation of administrative personnel, assignment of staff,
990 allocation of resources, acquisition of instructional materials
991 and technology, performance-based budgeting, and promotion and
992 assignment of students into educational programs. The analysis
993 of student performance data also must identify strengths and
994 needs in the educational program and trends over time. The
995 analysis must be used in conjunction with the budgetary planning
996 processes developed pursuant to s. 1008.385 and the development
997 of the programs of remediation.

998 (9) APPLICABILITY OF TESTING STANDARDS.—

999 (a) If the Commissioner of Education revises a statewide
1000 assessment and the revisions require the State Board of
1001 Education to modify the assessment's performance proficiency
1002 levels or modify the passing scores ~~required for a standard high~~
1003 ~~school diploma~~, until the state board adopts the modifications
1004 by rule, the commissioner shall use calculations for scoring the
1005 assessment which adjust student scores on the revised assessment
1006 for statistical equivalence to student scores on the former
1007 assessment.

1008 (b) A student must attain the passing scores on the
1009 statewide assessment required for a standard high school diploma
1010 or for high school course credits under sub-sub-subparagraphs
1011 (3)(c)2.a.(I) and (II) which are in effect at the time the
1012 student enters grade 9. If a student transfers into a high
1013 school, the school principal shall determine, in accordance with
1014 State Board of Education rule, whether the student must take an
1015 end-of-course assessment in a course for which the student has

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1016 credit that was earned from the previous school ~~if the student's~~
1017 ~~enrollment is continuous.~~

1018 (c) If the commissioner revises a statewide assessment and
1019 the revisions require the State Board of Education to modify the
1020 passing scores required for a standard high school diploma or
1021 for high school course credits under sub-sub-subparagraphs
1022 (3)(c)2.a.(I) and (II), the commissioner may, with approval of
1023 the state board, discontinue administration of the former
1024 assessment upon the graduation, based on normal student
1025 progression, of students participating in the final regular
1026 administration of the former assessment. The state board shall
1027 adopt by rule passing scores for the revised assessment which
1028 are statistically equivalent to passing scores on the
1029 discontinued assessment for a student required under paragraph
1030 (b) to attain passing scores on the discontinued assessment.

1031 (10) CONCORDANT SCORES FOR THE FCAT.—

1032 (a) The Commissioner ~~State Board~~ of Education shall analyze
1033 the content and concordant data sets for nationally recognized
1034 ~~widely used~~ high school achievement tests, including, but not
1035 limited to, the PSAT, PLAN, SAT, ACT, and College Placement
1036 Test, to assess if concordant scores for FCAT scores can be
1037 determined for high school graduation, ~~college placement, and~~
1038 ~~scholarship awards.~~ When ~~In cases where~~ content alignment and
1039 concordant scores can be determined, the Commissioner of
1040 Education shall adopt those scores as meeting the graduation
1041 requirement in lieu of achieving the FCAT passing score and may
1042 adopt those scores as being sufficient to achieve additional
1043 purposes as determined by rule. Each time that test content or
1044 scoring procedures change for the FCAT or for a high school

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1045 achievement test for which a concordant score is determined, new
1046 concordant scores must be determined.

1047 ~~(b) In order to use a concordant subject area score~~
1048 ~~pursuant to this subsection to satisfy the assessment~~
1049 ~~requirement for a standard high school diploma as provided in s.~~
1050 ~~1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must~~
1051 ~~take each subject area of the grade 10 FCAT a total of three~~
1052 ~~times without earning a passing score. The requirements of this~~
1053 ~~paragraph shall not apply to a new student who enters the~~
1054 ~~Florida public school system in grade 12, who may either achieve~~
1055 ~~a passing score on the FCAT or use an approved subject area~~
1056 ~~concordant score to fulfill the graduation requirement.~~

1057 ~~(b)(e)~~ The State Board of Education may define by rule the
1058 allowable uses, other than to satisfy the high school graduation
1059 requirement, for concordant scores as described in this
1060 subsection. Such uses may include, but need not be limited to,
1061 achieving appropriate standardized test scores required for the
1062 awarding of Florida Bright Futures Scholarships and college
1063 placement.

1064 (11) EQUIVALENT SCORES FOR END-OF-COURSE ASSESSMENTS.—

1065 (a) The Commissioner of Education shall analyze the content
1066 and equivalent data sets for nationally recognized high school
1067 achievement tests and industry certification tests under the
1068 Industry Certification Funding List, pursuant to rules adopted
1069 by the State Board of Education, including, but not limited to,
1070 grade 10 FCAT Mathematics retakes until such retakes are
1071 discontinued pursuant to subsection (9), the PSAT, the PLAN, the
1072 SAT, the ACT, and the College Placement Test, to assess if
1073 equivalent scores for end-of-course assessment scores can be

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1074 determined for passage of an end-of-course assessment. When
1075 content alignment and equivalent scores can be determined, the
1076 Commissioner of Education shall adopt those scores as meeting
1077 the requirement to pass the end-of-course assessment and as
1078 being sufficient to achieve additional purposes as determined by
1079 rule. Each time that assessment content or scoring procedures
1080 change for an end-of-course assessment or for a high school
1081 achievement test or an industry certification test under the
1082 Industry Certification Funding List, pursuant to rules adopted
1083 by the State Board of Education for which an equivalent score is
1084 determined, new equivalent scores must be determined.

1085 (b) Use of an equivalent score adopted by the State Board
1086 of Education under paragraph (a) for purposes of grade
1087 adjustment, grade forgiveness, or course credit recovery is
1088 contingent upon and subject to district school board rules.

1089 (12) ~~(11)~~ REPORTS.—The Department of Education shall
1090 annually provide a report to the Governor, the President of the
1091 Senate, and the Speaker of the House of Representatives on the
1092 following:

1093 (a) Longitudinal performance of students in mathematics and
1094 reading.

1095 (b) Longitudinal performance of students by grade level in
1096 mathematics and reading.

1097 (c) Longitudinal performance regarding efforts to close the
1098 achievement gap.

1099 (d) Other student performance data based on national norm-
1100 referenced and criterion-referenced tests, when available, and
1101 numbers of students who after 8th grade enroll in adult
1102 education rather than other secondary education.

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1103 ~~(12)~~ (13) RULES.—The State Board of Education shall adopt
1104 rules pursuant to ss. 120.536(1) and 120.54 to implement the
1105 provisions of this section.

1106 Section 9. Paragraph (a) of subsection (4) of section
1107 1008.25, Florida Statutes, is amended to read:

1108 1008.25 Public school student progression; remedial
1109 instruction; reporting requirements.—

1110 (4) ASSESSMENT AND REMEDIATION.—

1111 (a) Each student must participate in the statewide
1112 assessment tests required by s. 1008.22. Each student who does
1113 not meet specific levels of performance as determined by the
1114 district school board in FCAT reading, writing, science, and
1115 mathematics for each grade level, or who scores below Level 3 in
1116 FCAT reading or FCAT mathematics ~~math~~, must be provided with
1117 additional diagnostic assessments to determine the nature of the
1118 student's difficulty, the areas of academic need, and strategies
1119 for appropriate intervention and instruction as described in
1120 paragraph (b).

1121 Section 10. Subsection (3) of section 1008.30, Florida
1122 Statutes, is amended to read:

1123 1008.30 Common placement testing for public postsecondary
1124 education.—

1125 (3) The State Board of Education shall adopt rules that
1126 require high schools to evaluate before the beginning of grade
1127 12 the college readiness of each student who indicates an
1128 interest in postsecondary education and scores at Level 2 or
1129 Level 3 on the reading portion of the grade 10 FCAT or Level 2,
1130 Level 3, or Level 4 on the mathematics assessments under s.
1131 1008.22 (3) (c) ~~portion of the grade 10 FCAT~~. High schools shall

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1132 perform this evaluation using results from the corresponding
1133 component of the common placement test prescribed in this
1134 section, or an equivalent test identified by the State Board of
1135 Education. The Department of Education shall purchase or develop
1136 the assessments necessary to perform the evaluations required by
1137 this subsection and shall work with the school districts to
1138 administer the assessments. The State Board of Education shall
1139 establish by rule the minimum test scores a student must achieve
1140 to demonstrate readiness. Students who demonstrate readiness by
1141 achieving the minimum test scores established by the state board
1142 and enroll in a community college within 2 years of achieving
1143 such scores shall not be required to enroll in remediation
1144 courses as a condition of acceptance to any community college.
1145 The high school shall use the results of the test to advise the
1146 students of any identified deficiencies and to the maximum
1147 extent practicable provide 12th grade students access to
1148 appropriate remedial instruction prior to high school
1149 graduation. The remedial instruction provided under this
1150 subsection shall be a collaborative effort between secondary and
1151 postsecondary educational institutions. To the extent courses
1152 are available, the Florida Virtual School may be used to provide
1153 the remedial instruction required by this subsection.

1154 Section 11. Paragraphs (b) and (c) of subsection (3) of
1155 section 1008.34, Florida Statutes, are amended to read:

1156 1008.34 School grading system; school report cards;
1157 district grade.—

1158 (3) DESIGNATION OF SCHOOL GRADES.—

1159 (b)1. A school's grade shall be based on a combination of:

1160 a. Student achievement scores, including achievement on all

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1161 FCAT assessments administered under s. 1008.22(3)(c)1., end-of-
1162 course assessments administered under s. 1008.22(3)(c)2.a., and
1163 achievement scores for students seeking a special diploma.

1164 b. Student learning gains in reading and mathematics as
1165 measured by ~~annual~~ FCAT and end-of-course assessments, as
1166 described in s. 1008.22(3)(c)1. and 2.a. in grades 3 through 10,
1167 Learning gains for students seeking a special diploma, as
1168 measured by an alternate assessment tool, shall be included not
1169 later than the 2009-2010 school year.

1170 c. Improvement of the lowest 25th percentile of students in
1171 the school in reading and, ~~mathematics, or writing~~ on the FCAT
1172 or end-of-course assessments described in s. 1008.22(3)(c)2.a.,
1173 unless these students are exhibiting satisfactory performance.

1174 2. Beginning with the 2009-2010 school year for schools
1175 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1176 11, and 12, 50 percent of the school grade shall be based on a
1177 combination of the factors listed in sub-subparagraphs 1.a.-c.
1178 and the remaining 50 percent on the following factors:

1179 a. The high school graduation rate of the school;

1180 b. As valid data becomes available, the performance and
1181 participation of the school's students in College Board Advanced
1182 Placement courses, International Baccalaureate courses, dual
1183 enrollment courses, and Advanced International Certificate of
1184 Education courses; and the students' achievement of national
1185 industry certification identified in the Industry Certification
1186 Funding List, pursuant to rules adopted by the State Board of
1187 Education, ~~as determined by the Agency for Workforce Innovation~~
1188 ~~under s. 1003.492(2) in a career and professional academy, as~~
1189 ~~described in s. 1003.493;~~

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1190 c. Postsecondary readiness of the school's students as
1191 measured by the SAT, ACT, or the common placement test;

1192 d. The high school graduation rate of at-risk students who
1193 scored at Level 2 or lower on the grade 8 FCAT Reading and
1194 Mathematics examinations;

1195 e. As valid data becomes available, the performance of the
1196 school's students on statewide standardized end-of-course
1197 assessments administered under s. 1008.22(3)(c)2.b. and c. ~~s.~~
1198 ~~1008.22~~; and

1199 f. The growth or decline in the components listed in sub-
1200 subparagraphs a.-e. from year to year.

1201 (c) Student assessment data used in determining school
1202 grades shall include:

1203 1. The aggregate scores of all eligible students enrolled
1204 in the school who have been assessed on the FCAT and statewide,
1205 standardized end-of-course assessments in courses required for
1206 high school graduation, including, beginning with the 2010-2011
1207 school year, the end-of-course assessment in Algebra I, and
1208 beginning with the 2011-2012 school year, the end-of-course
1209 assessments in geometry and Biology.

1210 2. The aggregate scores of all eligible students enrolled
1211 in the school who have been assessed on the FCAT and end-of-
1212 course assessments as described in s. 1008.22(3)(c)2.a., and who
1213 have scored at or in the lowest 25th percentile of students in
1214 the school in reading and, mathematics, ~~or writing,~~ unless these
1215 students are exhibiting satisfactory performance.

1216 3. ~~Effective with the 2005-2006 school year,~~ The
1217 achievement scores and learning gains of eligible students
1218 attending alternative schools that provide dropout prevention

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1219 and academic intervention services pursuant to s. 1003.53. The
1220 term "eligible students" in this subparagraph does not include
1221 students attending an alternative school who are subject to
1222 district school board policies for expulsion for repeated or
1223 serious offenses, who are in dropout retrieval programs serving
1224 students who have officially been designated as dropouts, or who
1225 are in programs operated or contracted by the Department of
1226 Juvenile Justice. The student performance data for eligible
1227 students identified in this subparagraph shall be included in
1228 the calculation of the home school's grade. As used in this
1229 section and s. 1008.341, the term "home school" means the school
1230 to which the student would be assigned if the student were not
1231 assigned to an alternative school. If an alternative school
1232 chooses to be graded under this section, student performance
1233 data for eligible students identified in this subparagraph shall
1234 not be included in the home school's grade but shall be included
1235 only in the calculation of the alternative school's grade. A
1236 school district that fails to assign the FCAT and end-of-course
1237 assessment as described in s. 1008.22(3)(c)2.a. scores of each
1238 of its students to his or her home school or to the alternative
1239 school that receives a grade shall forfeit Florida School
1240 Recognition Program funds for 1 fiscal year. School districts
1241 must require collaboration between the home school and the
1242 alternative school in order to promote student success. This
1243 collaboration must include an annual discussion between the
1244 principal of the alternative school and the principal of each
1245 student's home school concerning the most appropriate school
1246 assignment of the student.

1247 4. ~~Beginning with the 2009-2010 school year~~ For schools

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1248 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1249 11, and 12, the data listed in subparagraphs 1.-3. and the
1250 following data as the Department of Education determines such
1251 data are valid and available:

1252 a. The high school graduation rate of the school as
1253 calculated by the Department of Education;

1254 b. The participation rate of all eligible students enrolled
1255 in the school and enrolled in College Board Advanced Placement
1256 courses; International Baccalaureate courses; dual enrollment
1257 courses; Advanced International Certificate of Education
1258 courses; and courses or sequence of courses leading to national
1259 industry certification identified in the Industry Certification
1260 Funding List, pursuant to rules adopted by the State Board of
1261 Education, ~~as determined by the Agency for Workforce Innovation~~
1262 ~~under s. 1003.492(2) in a career and professional academy, as~~
1263 ~~described in s. 1003.493;~~

1264 c. The aggregate scores of all eligible students enrolled
1265 in the school in College Board Advanced Placement courses,
1266 International Baccalaureate courses, and Advanced International
1267 Certificate of Education courses;

1268 d. Earning of college credit by all eligible students
1269 enrolled in the school in dual enrollment programs under s.
1270 1007.271;

1271 e. Earning of a national ~~an~~ industry certification
1272 identified in the Industry Certification Funding List, pursuant
1273 to rules adopted by the State Board of Education, ~~as determined~~
1274 ~~by the Agency for Workforce Innovation under s. 1003.492(2) in a~~
1275 ~~career and professional academy, as described in s. 1003.493;~~

1276 f. The aggregate scores of all eligible students enrolled

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1277 in the school in reading, mathematics, and other subjects as
1278 measured by the SAT, the ACT, and the common placement test for
1279 postsecondary readiness;

1280 g. The high school graduation rate of all eligible at-risk
1281 students enrolled in the school who scored at Level 2 or lower
1282 on the grade 8 FCAT Reading and Mathematics examinations;

1283 h. The performance of the school's students on statewide
1284 standardized end-of-course assessments administered under s.
1285 1008.22(3)(c)2.b. and c. s. 1008.22; and

1286 i. The growth or decline in the data components listed in
1287 sub-subparagraphs a.-h. from year to year.

1288
1289 The State Board of Education shall adopt appropriate criteria
1290 for each school grade. The criteria must also give added weight
1291 to student achievement in reading. Schools designated with a
1292 grade of "C," making satisfactory progress, shall be required to
1293 demonstrate that adequate progress has been made by students in
1294 the school who are in the lowest 25th percentile in reading and
1295 mathematics, or writing on the FCAT and end-of-course
1296 assessments as described in s. 1008.22(3)(c)2.a., unless these
1297 students are exhibiting satisfactory performance. Beginning with
1298 the 2009-2010 school year for schools comprised of high school
1299 grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria
1300 for school grades must also give added weight to the graduation
1301 rate of all eligible at-risk students, as defined in this
1302 paragraph. Beginning in the 2009-2010 school year, in order for
1303 a high school to be designated as having a grade of "A," making
1304 excellent progress, the school must demonstrate that at-risk
1305 students, as defined in this paragraph, in the school are making

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1306 adequate progress.

1307 Section 12. Subsection (3) of section 1008.341, Florida
1308 Statutes, is amended to read:

1309 1008.341 School improvement rating for alternative
1310 schools.—

1311 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data
1312 used in determining an alternative school's school improvement
1313 rating shall include:

1314 (a) The aggregate scores on statewide assessments
1315 administered under s. 1008.22 for ~~of~~ all eligible students who
1316 were assigned to and enrolled in the school during the October
1317 or February FTE count, ~~who have been assessed on the FCAT,~~ and
1318 who have FCAT or comparable scores for the preceding school
1319 year.

1320 (b) The aggregate scores on statewide assessments
1321 administered under s. 1008.22 for ~~of~~ all eligible students who
1322 were assigned to and enrolled in the school during the October
1323 or February FTE count, ~~who have been assessed on the FCAT~~ and
1324 who have scored in the lowest 25th percentile of students in the
1325 state on FCAT Reading.

1326
1327 The assessment scores of students who are subject to district
1328 school board policies for expulsion for repeated or serious
1329 offenses, who are in dropout retrieval programs serving students
1330 who have officially been designated as dropouts, or who are in
1331 programs operated or contracted by the Department of Juvenile
1332 Justice may not be included in an alternative school's school
1333 improvement rating.

1334 Section 13. Subsection (4) of section 1008.36, Florida

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1335 Statutes, is amended to read:

1336 1008.36 Florida School Recognition Program.—

1337 (4) All selected schools shall receive financial awards
1338 depending on the availability of funds appropriated and the
1339 number and size of schools selected to receive an award. Funds
1340 must be distributed to the school's fiscal agent and placed in
1341 the school's account and must be used for purposes listed in
1342 subsection (5) as determined jointly by the school's staff and
1343 school advisory council. If school staff and the school advisory
1344 council cannot reach agreement by February ~~November~~ 1, the
1345 awards must be equally distributed to all classroom teachers
1346 currently teaching in the school. If a school selected to
1347 receive a school recognition award is no longer in existence at
1348 the time the award is paid, the district school superintendent
1349 shall distribute the funds to teachers who taught at the school
1350 in the previous year in the form of a bonus.

1351
1352 Notwithstanding statutory provisions to the contrary, incentive
1353 awards are not subject to collective bargaining.

1354 Section 14. The Office of Program Policy Analysis and
1355 Government Accountability (OPPAGA) shall conduct a study on the
1356 different types of high school diplomas offered in other states.
1357 The study must provide information regarding differentiated high
1358 school diploma options and endorsements that other states offer,
1359 including the criteria for awarding the diplomas or
1360 endorsements, the differences in courses required for college
1361 and career pathways, the advantages and disadvantages of
1362 offering a range of diploma options, and any barriers other
1363 states have encountered when implementing differentiated diploma

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1364 options. OPPAGA shall submit the results of the study to the
1365 Governor, the President of the Senate, and the Speaker of the
1366 House of Representatives no later than January 31, 2011.

1367 Section 15. This act shall take effect July 1, 2010.