

20104er

1
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 district school board
21 standards for grades in certain courses; providing for
22 waiver of end-of-course assessment results for the
23 purpose of determining a course grade and credit for
24 students with disabilities; amending s. 1003.429,
25 F.S.; revising requirements for accelerated high
26 school graduation options; updating cross-references;
27 requiring students entering grade 9 in specified
28 school years to meet end-of-course assessment
29 requirements and revised credit requirements in

20104er

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

20104er

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

20104er

88 Analysis and Government Accountability conduct a study
89 on the different types of high school diplomas offered
90 in other states; requiring that the study be submitted
91 to the Governor and the Legislature by a specified
92 date; providing an effective date.
93

94 Be It Enacted by the Legislature of the State of Florida:
95

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

99 1003.413 Florida Secondary School Redesign Act.—

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

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

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

116 ~~(a) By February 1, 2007, increase the number of approved~~

20104er

117 ~~applied, integrated, and combined courses available to school~~
118 ~~districts.~~

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

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

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

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

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

140 Section 2. Paragraph (a) of subsection (1) of section
141 1003.4156, Florida Statutes, is amended to read:

142 1003.4156 General requirements for middle grades
143 promotion.—

144 (1) Beginning with students entering grade 6 in the 2006-
145 2007 school year, promotion from a school composed of middle

20104er

146 grades 6, 7, and 8 requires that:

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

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

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

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

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

174 5. One course in career and education planning to be

20104er

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

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

20104er

204 Commissioner of Education shall collect longitudinal high school
205 course enrollment data by student ethnicity in order to analyze
206 course-taking patterns.

207 Section 3. Subsections (1) and (2), paragraph (a) of
208 subsection (4), and paragraph (b) of subsection (8) of section
209 1003.428, Florida Statutes, are amended to read:

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

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

220 (2) The 24 credits may be earned through applied,
221 integrated, and combined courses approved by the Department of
222 Education. The 24 credits ~~and~~ shall be distributed as follows:

223 (a) Sixteen core curriculum credits:

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

226 2. Four credits in mathematics, one of which must be
227 Algebra I, a series of courses equivalent to Algebra I, or a
228 higher-level mathematics course. Beginning with students
229 entering grade 9 in the 2010-2011 school year, in addition to
230 the Algebra I credit requirement, one of the four credits in
231 mathematics must be geometry or a series of courses equivalent
232 to geometry as approved by the State Board of Education.

20104er

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

247 3. Three credits in science, two of which must have a
248 laboratory component. Beginning with students entering grade 9
249 in the 2011-2012 school year, one of the three credits in
250 science must be Biology I or a series of courses equivalent to
251 Biology I as approved by the State Board of Education. Beginning
252 with students entering grade 9 in the 2011-2012 school year, the
253 end-of-course assessment requirements under s.
254 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
255 the required credit in Biology I. Beginning with students
256 entering grade 9 in the 2013-2014 school year, one of the three
257 credits must be Biology I or a series of courses equivalent to
258 Biology I as approved by the State Board of Education, one
259 credit must be chemistry or physics or a series of courses
260 equivalent to chemistry or physics as approved by the State
261 Board of Education, and one credit must be an equally rigorous

20104er

262 course, as determined by the State Board of Education.

263 4. Three credits in social studies as follows: one credit
264 in United States ~~American~~ history; one credit in world history;
265 one-half credit in economics; and one-half credit in United
266 States ~~American~~ government.

267 5. One credit in fine or performing arts, speech and
268 debate, or a practical arts course that incorporates artistic
269 content and techniques of creativity, interpretation, and
270 imagination. Eligible practical arts courses shall be identified
271 through the Course Code Directory.

272 6. One credit in physical education to include integration
273 of health. Participation in an interscholastic sport at the
274 junior varsity or varsity level for two full seasons shall
275 satisfy the one-credit requirement in physical education if the
276 student passes a competency test on personal fitness with a
277 score of "C" or better. The competency test on personal fitness
278 must be developed by the Department of Education. A district
279 school board may not require that the one credit in physical
280 education be taken during the 9th grade year. Completion of one
281 semester with a grade of "C" or better in a marching band class,
282 in a physical activity class that requires participation in
283 marching band activities as an extracurricular activity, or in a
284 dance class shall satisfy one-half credit in physical education
285 or one-half credit in performing arts. This credit may not be
286 used to satisfy the personal fitness requirement or the
287 requirement for adaptive physical education under an individual
288 education plan (IEP) or 504 plan. Completion of 2 years in a
289 Reserve Officer Training Corps (R.O.T.C.) class, a significant
290 component of which is drills, shall satisfy the one-credit

20104er

291 requirement in physical education and the one-credit requirement
292 in performing arts. This credit may not be used to satisfy the
293 personal fitness requirement or the requirement for adaptive
294 physical education under an individual education plan (IEP) or
295 504 plan.

296 (b) Eight credits in ~~majors, minors, or~~ electives.~~;~~

297 ~~1. Four credits in a major area of interest, such as~~
298 ~~sequential courses in a career and technical program, fine and~~
299 ~~performing arts, or academic content area, selected by the~~
300 ~~student as part of the education plan required by s. 1003.4156.~~
301 ~~Students may revise major areas of interest each year as part of~~
302 ~~annual course registration processes and should update their~~
303 ~~education plan to reflect such revisions. Annually by October 1,~~
304 ~~the district school board shall approve major areas of interest~~
305 ~~and submit the list of majors to the Commissioner of Education~~
306 ~~for approval. Each major area of interest shall be deemed~~
307 ~~approved unless specifically rejected by the commissioner within~~
308 ~~60 days. Upon approval, each district's major areas of interest~~
309 ~~shall be available for use by all school districts and shall be~~
310 ~~posted on the department's website.~~

311 ~~2. Four credits in elective courses selected by the student~~
312 ~~as part of the education plan required by s. 1003.4156. These~~
313 ~~credits may be combined to allow for a second major area of~~
314 ~~interest pursuant to subparagraph 1., a minor area of interest,~~
315 ~~elective courses, or intensive reading or mathematics~~
316 ~~intervention courses as described in this subparagraph.~~

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

20104er

320 ~~b. Elective courses are selected by the student in order to~~
321 ~~pursue a complete education program as described in s.~~
322 ~~1001.41(3) and to meet eligibility requirements for~~
323 ~~scholarships.~~

324 ~~1.e.~~ For each year in which a student scores at Level 1 on
325 FCAT Reading, the student must be enrolled in and complete an
326 intensive reading course the following year. Placement of Level
327 2 readers in either an intensive reading course or a content
328 area course in which reading strategies are delivered shall be
329 determined by diagnosis of reading needs. The department shall
330 provide guidance on appropriate strategies for diagnosing and
331 meeting the varying instructional needs of students reading
332 below grade level. Reading courses shall be designed and offered
333 pursuant to the comprehensive reading plan required by s.
334 1011.62(9).

335 ~~2.d.~~ For each year in which a student scores at Level 1 or
336 Level 2 on FCAT Mathematics, the student must receive
337 remediation the following year. These courses may be taught
338 through applied, integrated, or combined courses and are subject
339 to approval by the department for inclusion in the Course Code
340 Directory.

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

343 (a) Successful completion of the academic credit or
344 curriculum requirements of subsections (1) and (2). For courses
345 that require statewide, standardized end-of-course assessments
346 under s. 1008.22(3)(c)2.c., a minimum of 30 percent of a
347 student's course grade shall be comprised of performance on the
348 statewide, standardized end-of-course assessment.

20104er

349
350 Each district school board shall adopt policies designed to
351 assist students in meeting the requirements of this subsection.
352 These policies may include, but are not limited to: forgiveness
353 policies, summer school or before or after school attendance,
354 special counseling, volunteers or peer tutors, school-sponsored
355 help sessions, homework hotlines, and study skills classes.
356 Forgiveness policies for required courses shall be limited to
357 replacing a grade of "D" or "F," or the equivalent of a grade of
358 "D" or "F," with a grade of "C" or higher, or the equivalent of
359 a grade of "C" or higher, earned subsequently in the same or
360 comparable course. Forgiveness policies for elective courses
361 shall be limited to replacing a grade of "D" or "F," or the
362 equivalent of a grade of "D" or "F," with a grade of "C" or
363 higher, or the equivalent of a grade of "C" or higher, earned
364 subsequently in another course. The only exception to these
365 forgiveness policies shall be made for a student in the middle
366 grades who takes any high school course for high school credit
367 and earns a grade of "C," "D," or "F" or the equivalent of a
368 grade of "C," "D," or "F." In such case, the district
369 forgiveness policy must allow the replacement of the grade with
370 a grade of "C" or higher, or the equivalent of a grade of "C" or
371 higher, earned subsequently in the same or comparable course. In
372 all cases of grade forgiveness, only the new grade shall be used
373 in the calculation of the student's grade point average. Any
374 course grade not replaced according to a district school board
375 forgiveness policy shall be included in the calculation of the
376 cumulative grade point average required for graduation.

377 (8)

20104er

378 (b)1. A student with a disability, as defined in s.
379 1007.02(2), for whom the individual education plan (IEP)
380 committee determines that the FCAT cannot accurately measure the
381 student's abilities taking into consideration all allowable
382 accommodations, shall have the FCAT requirement of paragraph
383 (4)(b) waived for the purpose of receiving a standard high
384 school diploma, if the student:

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

387 ~~b.2.~~ Does not meet the requirements of paragraph (4)(b)
388 after one opportunity in 10th grade and one opportunity in 11th
389 grade.

390 2. A student with a disability, as defined in s.
391 1007.02(2), for whom the IEP committee determines that an end-
392 of-course assessment cannot accurately measure the student's
393 abilities, taking into consideration all allowable
394 accommodations, shall have the end-of-course assessment results
395 waived for the purpose of determining the student's course grade
396 and credit as required in paragraph (4)(a).

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

400 1003.429 Accelerated high school graduation options.—

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

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

20104er

407 (b) Completion of a 3-year standard college preparatory
408 program requiring successful completion of a minimum of 18
409 academic credits in grades 9 through 12. At least 6 of the 18
410 credits required for completion of this program must be received
411 in classes that are offered pursuant to the International
412 Baccalaureate Program, the Advanced Placement Program, dual
413 enrollment, Advanced International Certificate of Education, or
414 specifically listed or identified by the Department of Education
415 as rigorous pursuant to s. 1009.531(3). The 18 credits required
416 for completion of this program shall be primary requirements and
417 shall be distributed as follows:

418 1. Four credits in English, with major concentration in
419 composition and literature;

420 2. Three credits and, beginning with students entering
421 grade 9 in the 2010-2011 school year, four credits in
422 mathematics at the Algebra I level or higher from the list of
423 courses that qualify for state university admission. Beginning
424 with students entering grade 9 in the 2010-2011 school year, in
425 addition to the Algebra I credit requirement, one of the four
426 credits in mathematics must be geometry or a series of courses
427 equivalent to geometry as approved by the State Board of
428 Education. Beginning with students entering grade 9 in the 2010-
429 2011 school year, the end-of-course assessment requirements
430 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
431 to earn the required credit in Algebra I. Beginning with
432 students entering grade 9 in the 2011-2012 school year, the end-
433 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
434 must be met in order for a student to earn the required credit
435 in geometry. Beginning with students entering grade 9 in the

20104er

436 2012-2013 school year, in addition to the Algebra I and geometry
437 credit requirements, one of the four credits in mathematics must
438 be Algebra II or a series of courses equivalent to Algebra II as
439 approved by the State Board of Education;

440 3. Three credits in ~~natural~~ science, two of which must have
441 a laboratory component. Beginning with students entering grade 9
442 in the 2011-2012 school year, one of the three credits in
443 science must be Biology I or a series of courses equivalent to
444 Biology I as approved by the State Board of Education. Beginning
445 with students entering grade 9 in the 2011-2012 school year, the
446 end-of-course assessment requirements under s.

447 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
448 the required credit in Biology I. Beginning with students
449 entering grade 9 in the 2013-2014 school year, one of the three
450 credits must be Biology I or a series of courses equivalent to
451 Biology I as approved by the State Board of Education, one
452 credit must be chemistry or physics or a series of courses
453 equivalent to chemistry or physics as approved by the State
454 Board of Education, and one credit must be an equally rigorous
455 course, as approved by the State Board of Education;

456 4. Three credits in social sciences, which must include one
457 credit in United States ~~American~~ history, one credit in world
458 history, one-half credit in United States ~~American~~ government,
459 and one-half credit in economics;

460 5. Two credits in the same second language unless the
461 student is a native speaker of or can otherwise demonstrate
462 competency in a language other than English. If the student
463 demonstrates competency in another language, the student may
464 replace the language requirement with two credits in other

20104er

465 academic courses; and

466 6. Three credits in electives and, beginning with students
467 entering grade 9 in the 2010-2011 school year, two credits in
468 electives; or

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

473 1. Four credits in English, with major concentration in
474 composition and literature;

475 2. Three credits and, beginning with students entering
476 grade 9 in the 2010-2011 school year, four credits in
477 mathematics, one of which must be Algebra I. Beginning with
478 students entering grade 9 in the 2010-2011 school year, in
479 addition to the Algebra I credit requirement, one of the four
480 credits in mathematics must be geometry or a series of courses
481 equivalent to geometry as approved by the State Board of
482 Education. Beginning with students entering grade 9 in the 2010-
483 2011 school year, the end-of-course assessment requirements
484 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
485 to earn the required credit in Algebra I. Beginning with
486 students entering grade 9 in the 2011-2012 school year, the end-
487 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
488 must be met in order for a student to earn the required credit
489 in geometry. Beginning with students entering grade 9 in the
490 2012-2013 school year, in addition to the Algebra I and geometry
491 credit requirements, one of the four credits in mathematics must
492 be Algebra II or a series of courses equivalent to Algebra II as
493 approved by the State Board of Education;

20104er

494 3. Three credits in ~~natural~~ science, two of which must have
495 a laboratory component. Beginning with students entering grade 9
496 in the 2011-2012 school year, one of the three credits in
497 science must be Biology I or a series of courses equivalent to
498 Biology I as approved by the State Board of Education. Beginning
499 with students entering grade 9 in the 2011-2012 school year, the
500 end-of-course assessment requirements under s.
501 1008.22 (3) (c) 2.a. (II) must be met in order for a student to earn
502 the required credit in Biology I. Beginning with students
503 entering grade 9 in the 2013-2014 school year, one of the three
504 credits must be Biology I or a series of courses equivalent to
505 Biology I as approved by the State Board of Education, one
506 credit must be chemistry or physics or a series of courses
507 equivalent to chemistry or physics as approved by the State
508 Board of Education, and one credit must be an equally rigorous
509 course, as approved by the State Board of Education;

510 4. Three credits in social sciences, which must include one
511 credit in United States ~~American~~ history, one credit in world
512 history, one-half credit in United States ~~American~~ government,
513 and one-half credit in economics;

514 5. Three credits in a single vocational or career education
515 program, three credits in career and technical certificate dual
516 enrollment courses, or five credits in vocational or career
517 education courses; and

518 6. Two credits and, beginning with students entering grade
519 9 in the 2010-2011 school year, one credit in electives unless
520 five credits are earned pursuant to subparagraph 5.

521
522 Any student who selected an accelerated graduation program

20104er

523 before July 1, 2004, may continue that program, and all
524 statutory program requirements that were applicable when the
525 student made the program choice shall remain applicable to the
526 student as long as the student continues that program.

527 (5) District school boards may not establish requirements
528 for accelerated 3-year high school graduation options in excess
529 of the requirements in paragraphs (1)(b) and (c). For courses
530 that require statewide, standardized end-of-course assessments
531 under s. 1008.22(3)(c)2.c., a minimum of 30 percent of a
532 student's course grade shall be comprised of performance on the
533 statewide, standardized end-of-course assessment.

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

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

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

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

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

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

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

20104er

552 Section 5. Section 1003.4295, Florida Statutes, is created
553 to read:

554 1003.4295 Acceleration courses.-

555 (1) Each high school shall advise each student of programs
556 through which a high school student can earn college credit,
557 including Advanced Placement, International Baccalaureate,
558 Advanced International Certificate of Education, dual enrollment
559 courses, career academy courses, and courses that lead to
560 national industry certification, as well as the availability of
561 course offerings through virtual instruction.

562 (2) Beginning with the 2011-2012 school year, each high
563 school shall offer an International Baccalaureate Program, an
564 Advanced International Certificate of Education Program, or a
565 combination of at least four courses in dual enrollment or
566 Advanced Placement, including one course each in English,
567 mathematics, science, and social studies. To meet this
568 requirement, school districts may provide courses through
569 virtual instruction, if the virtual course significantly
570 integrates postsecondary level content for which a student may
571 earn college credit, as determined by the Department of
572 Education, and for which a standardized end-of-course
573 assessment, as approved by the department, is administered.

574 (3) The Credit Acceleration Program (CAP) is created for
575 the purpose of allowing a secondary student to earn high school
576 credit in a course that requires a statewide, standardized end-
577 of-course assessment if the student attains a specified score on
578 the assessment. Notwithstanding s. 1003.436, a school district
579 shall award course credit to a student who is not enrolled in
580 the course, or who has not completed the course, if the student

20104er

581 attains a score indicating satisfactory performance, as defined
582 in s. 1008.22(3)(c)5., on the corresponding statewide,
583 standardized end-of-course assessment. The school district shall
584 permit a student who is not enrolled in the course, or who has
585 not completed the course, to take the standardized end-of-course
586 assessment during the regular administration of the assessment.

587 Section 6. Paragraph (k) of subsection (4) of section
588 1003.493, Florida Statutes, is amended to read:

589 1003.493 Career and professional academies.—

590 (4) Each career and professional academy must:

591 (k) Include an evaluation plan developed jointly with the
592 Department of Education and the local workforce board. The
593 evaluation plan must include an assessment tool based on
594 national industry standards, such as the Career Academy National
595 Standards of Practice, and outcome measures, including, but not
596 limited to, achievement of national industry certifications
597 identified in the Industry Certification Funding List, pursuant
598 to rules adopted by the State Board of Education, graduation
599 rates, enrollment in postsecondary education, business and
600 industry satisfaction, employment and earnings, awards of
601 postsecondary credit and scholarships, and ~~student~~ FCAT
602 achievement levels and learning gains on statewide assessments
603 administered under s. 1008.22(3)(c). The Department of Education
604 shall use Workforce Florida, Inc., and Enterprise Florida, Inc.,
605 in identifying industry experts to participate in developing and
606 implementing such assessments.

607 Section 7. Paragraph (c) of subsection (6) of section
608 1007.35, Florida Statutes, is amended to read:

609 1007.35 Florida Partnership for Minority and

20104er

610 Underrepresented Student Achievement.—

611 (6) The partnership shall:

612 (c) Provide teacher training and materials that are aligned
613 with the Next Generation Sunshine State Standards and are
614 consistent with best theory and practice regarding multiple
615 learning styles and research on learning, instructional
616 strategies, instructional design, and classroom assessment.
617 Curriculum materials must be based on current, accepted, and
618 essential academic knowledge. ~~Materials for prerequisite courses~~
619 ~~should, at a minimum, address the skills assessed on the Florida~~
620 ~~Comprehensive Assessment Test (FCAT).~~

621 Section 8. Paragraph (c) of subsection (3) and subsections
622 (6), (9), (10), (11), and (12) of section 1008.22, Florida
623 Statutes, are amended to read:

624 1008.22 Student assessment program for public schools.—

625 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
626 design and implement a statewide program of educational
627 assessment that provides information for the improvement of the
628 operation and management of the public schools, including
629 schools operating for the purpose of providing educational
630 services to youth in Department of Juvenile Justice programs.
631 The commissioner may enter into contracts for the continued
632 administration of the assessment, testing, and evaluation
633 programs authorized and funded by the Legislature. Contracts may
634 be initiated in 1 fiscal year and continue into the next and may
635 be paid from the appropriations of either or both fiscal years.
636 The commissioner is authorized to negotiate for the sale or
637 lease of tests, scoring protocols, test scoring services, and
638 related materials developed pursuant to law. Pursuant to the

20104er

639 statewide assessment program, the commissioner shall:

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

642 1. The Florida Comprehensive Assessment Test (FCAT)
643 ~~measures as part of the statewide assessment program to measure~~
644 a student's content knowledge and skills in reading, writing,
645 science, and mathematics. The content knowledge and skills
646 assessed by the FCAT must be aligned to the core curricular
647 content established in the Next Generation Sunshine State
648 Standards. Other content areas may be included as directed by
649 the commissioner. Comprehensive assessments of reading and
650 mathematics shall be administered annually in grades 3 through
651 10 except, beginning with the 2010-2011 school year, the
652 administration of grade 9 FCAT Mathematics shall be
653 discontinued, and beginning with the 2011-2012 school year, the
654 administration of grade 10 FCAT Mathematics shall be
655 discontinued, except as required for students who have not
656 attained minimum performance expectations for graduation as
657 provided in paragraph (9) (c). ~~FCAT Comprehensive assessments of~~
658 Writing and FCAT Science shall be administered at least once at
659 the elementary, middle, and high school levels except, beginning
660 with the 2011-2012 school year, the administration of FCAT
661 Science at the high school level shall be discontinued.

662 2.a. End-of-course assessments for a subject shall ~~may~~ be
663 administered in addition to the comprehensive assessments
664 required ~~for that subject~~ under subparagraph 1. ~~this paragraph.~~
665 ~~An~~ End-of-course assessments ~~assessment~~ must be rigorous,
666 statewide, standardized, and developed or approved by the
667 department. The content knowledge and skills assessed by

20104er

668 ~~comprehensive and~~ end-of-course assessments must be aligned to
669 the core curricular content established in the Next Generation
670 Sunshine State Standards.

671 (I) Statewide, standardized end-of-course assessments in
672 mathematics shall be administered according to this sub-sub-
673 subparagraph. Beginning with the 2010-2011 school year, all
674 students enrolled in Algebra I or an equivalent course must take
675 the Algebra I end-of-course assessment. Students who earned high
676 school credit in Algebra I while in grades 6 through 8 during
677 the 2007-2008 through 2009-2010 school years and who have not
678 taken Grade 10 FCAT Mathematics must take the Algebra I end-of-
679 course assessment during the 2010-2011 school year. For students
680 entering grade 9 during the 2010-2011 school year and who are
681 enrolled in Algebra I or an equivalent, each student's
682 performance on the end-of-course assessment in Algebra I shall
683 constitute 30 percent of the student's final course grade.

684 Beginning with students entering grade 9 in the 2011-2012 school
685 year, a student who is enrolled in Algebra I or an equivalent
686 must earn a passing score on the end-of-course assessment in
687 Algebra I or attain an equivalent score as described in
688 subsection (11) in order to earn course credit. Beginning with
689 the 2011-2012 school year, all students enrolled in geometry or
690 an equivalent course must take the geometry end-of-course
691 assessment. For students entering grade 9 during the 2011-2012
692 school year, each student's performance on the end-of-course
693 assessment in geometry shall constitute 30 percent of the
694 student's final course grade. Beginning with students entering
695 grade 9 during the 2012-2013 school year, a student must earn a
696 passing score on the end-of-course assessment in geometry or

20104er

697 attain an equivalent score as described in subsection (11) in
698 order to earn course credit.

699 (II) Statewide, standardized end-of-course assessments in
700 science shall be administered according to this sub-sub-
701 subparagraph. Beginning with the 2011-2012 school year, all
702 students enrolled in Biology I or an equivalent course must take
703 the Biology I end-of-course assessment. For the 2011-2012 school
704 year, each student's performance on the end-of-course assessment
705 in Biology I shall constitute 30 percent of the student's final
706 course grade. Beginning with students entering grade 9 during
707 the 2012-2013 school year, a student must earn a passing score
708 on the end-of-course assessment in Biology I in order to earn
709 course credit.

710 b. The commissioner may select one or more nationally
711 developed comprehensive examinations, which may include, but
712 need not be limited to, examinations for a College Board
713 Advanced Placement course, International Baccalaureate course,
714 or Advanced International Certificate of Education course, or
715 industry-approved examinations to earn national industry
716 certifications identified in the Industry Certification Funding
717 List, pursuant to rules adopted by the State Board of Education
718 ~~as defined in s. 1003.492,~~ for use as end-of-course assessments
719 under this paragraph, if the commissioner determines that the
720 content knowledge and skills assessed by the examinations meet
721 or exceed the grade level expectations for the core curricular
722 content established for the course in the Next Generation
723 Sunshine State Standards. The commissioner may collaborate with
724 the American Diploma Project in the adoption or development of
725 rigorous end-of-course assessments that are aligned to the Next

20104er

726 Generation Sunshine State Standards. ~~The testing program must be~~
727 ~~designed as follows:~~

728 c. Contingent upon funding provided in the General
729 Appropriations Act, including the appropriation of funds
730 received through federal grants, the Commissioner of Education
731 shall establish an implementation schedule for the development
732 and administration of additional statewide, standardized end-of-
733 course assessments in English/Language Arts II, Algebra II,
734 chemistry, physics, earth/space science, United States history,
735 and world history. Priority shall be given to the development of
736 end-of-course assessments in English/Language Arts II. The
737 Commissioner of Education shall evaluate the feasibility and
738 effect of transitioning from the grade 9 and grade 10 FCAT
739 Reading and high school level FCAT Writing to an end-of-course
740 assessment in English/Language Arts II. The commissioner shall
741 report the results of the evaluation to the President of the
742 Senate and the Speaker of the House of Representatives no later
743 than July 1, 2011.

744 3.1. The testing program tests shall measure student
745 content knowledge and skills and competencies adopted by the
746 State Board of Education as specified in paragraph (a) and. ~~The~~
747 ~~tests must~~ measure and report student performance proficiency
748 levels of all students assessed in reading, writing,
749 mathematics, and science. The commissioner shall provide for the
750 tests to be developed or obtained, as appropriate, through
751 contracts and project agreements with private vendors, public
752 vendors, public agencies, postsecondary educational
753 institutions, or school districts. The commissioner shall obtain
754 input with respect to the design and implementation of the

20104er

755 testing program from state educators, assistive technology
756 experts, and the public.

757 ~~4.2.~~ The testing program shall be composed of criterion-
758 referenced tests that shall, to the extent determined by the
759 commissioner, include test items that require the student to
760 produce information or perform tasks in such a way that the core
761 content knowledge and skills he or she uses can be measured.

762 ~~3. Beginning with the 2008-2009 school year, the~~
763 ~~commissioner shall discontinue administration of the selected-~~
764 ~~response test items on the comprehensive assessments of writing.~~
765 ~~Beginning with the 2012-2013 school year, the comprehensive~~
766 ~~assessments of writing shall be composed of a combination of~~
767 ~~selected response test items, short response performance tasks,~~
768 ~~and extended response performance tasks, which shall measure a~~
769 ~~student's content knowledge of writing, including, but not~~
770 ~~limited to, paragraph and sentence structure, sentence~~
771 ~~construction, grammar and usage, punctuation, capitalization,~~
772 ~~spelling, parts of speech, verb tense, irregular verbs, subject-~~
773 ~~verb agreement, and noun-pronoun agreement.~~

774 5. FCAT Reading, Mathematics, and Science and all
775 statewide, standardized end-of-course assessments shall measure
776 the content knowledge and skills a student has attained on the
777 assessment by the use of scaled scores and achievement levels.
778 Achievement levels shall range from 1 through 5, with level 1
779 being the lowest achievement level, level 5 being the highest
780 achievement level, and level 3 indicating satisfactory
781 performance on an assessment. For purposes of FCAT Writing,
782 student achievement shall be scored using a scale of 1 through 6
783 and the score earned shall be used in calculating school grades.

20104er

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

788 ~~6.5. Except as provided in s. 1003.428(8)(b) or s.~~
789 ~~1003.43(11)(b), students must earn a passing score on the grade~~
790 ~~10 assessment test described in this paragraph or attain~~
791 ~~concordant scores as described in subsection (10) in reading,~~
792 ~~writing, and mathematics to qualify for a standard high school~~
793 ~~diploma. The State Board of Education shall, by rule, designate~~
794 ~~a passing score for each part of the grade 10 assessment test~~
795 ~~and end-of-course assessments. In establishing passing scores,~~
796 ~~the state board shall consider any possible negative impact of~~
797 ~~the test on minority students. The State Board of Education~~
798 ~~shall adopt rules which specify the passing scores for the grade~~
799 ~~10 FCAT. Any rule that has such rules, which have the effect of~~
800 ~~raising the required passing scores may, shall apply only to~~
801 ~~students taking the assessment grade 10 FCAT for the first time~~
802 ~~after the rule is such rules are adopted by the State Board of~~
803 ~~Education. Except as otherwise provided in this subparagraph and~~
804 ~~as provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students~~
805 ~~must earn a passing score on grade 10 FCAT Reading and grade 10~~
806 ~~FCAT Mathematics or attain concordant scores as described in~~
807 ~~subsection (10) in order to qualify for a standard high school~~
808 ~~diploma.~~

809 7. In addition to designating a passing score under
810 subparagraph 6., the State Board of Education shall also
811 designate, by rule, a score for each statewide, standardized
812 end-of-course assessment which indicates that a student is high

20104er

813 achieving and has the potential to meet college-readiness
814 standards by the time the student graduates from high school.

815 ~~8.6.~~ Participation in the testing program is mandatory for
816 all students attending public school, including students served
817 in Department of Juvenile Justice programs, except as otherwise
818 prescribed by the commissioner. A student who has not earned
819 passing scores on the grade 10 FCAT as provided in subparagraph
820 6. must participate in each retake of the assessment until the
821 student earns passing scores or achieves scores on a
822 standardized assessment which are concordant with passing scores
823 pursuant to subsection (10). If a student does not participate
824 in the statewide assessment, the district must notify the
825 student's parent and provide the parent with information
826 regarding the implications of such nonparticipation. A parent
827 must provide signed consent for a student to receive classroom
828 instructional accommodations that would not be available or
829 permitted on the statewide assessments and must acknowledge in
830 writing that he or she understands the implications of such
831 instructional accommodations. The State Board of Education shall
832 adopt rules, based upon recommendations of the commissioner, for
833 the provision of test accommodations for students in exceptional
834 education programs and for students who have limited English
835 proficiency. Accommodations that negate the validity of a
836 statewide assessment are not allowable in the administration of
837 the FCAT or an end-of-course assessment. However, instructional
838 accommodations are allowable in the classroom if included in a
839 student's individual education plan. Students using
840 instructional accommodations in the classroom that are not
841 allowable as accommodations on the FCAT or an end-of-course

20104er

842 assessment may have the FCAT or an end-of-course assessment
843 requirement waived pursuant to the requirements of s.
844 1003.428(8) (b) or s. 1003.43(11) (b) .

845 9.7. A student seeking an adult high school diploma must
846 meet the same testing requirements that a regular high school
847 student must meet.

848 10.8. District school boards must provide instruction to
849 prepare students ~~to demonstrate proficiency~~ in the core
850 curricular content established in the Next Generation Sunshine
851 State Standards adopted under s. 1003.41, including the core
852 content knowledge and skills necessary for successful grade-to-
853 grade progression and high school graduation. If a student is
854 provided with instructional accommodations in the classroom that
855 are not allowable as accommodations in the statewide assessment
856 program, as described in the test manuals, the district must
857 inform the parent in writing and must provide the parent with
858 information regarding the impact on the student's ability to
859 meet expected performance ~~proficiency~~ levels in reading,
860 writing, ~~and~~ mathematics, and science. The commissioner shall
861 conduct studies as necessary to verify that the required core
862 curricular content is part of the district instructional
863 programs.

864 11.9. District school boards must provide opportunities for
865 students to demonstrate an acceptable performance level ~~of~~
866 ~~performance~~ on an alternative standardized assessment approved
867 by the State Board of Education following enrollment in summer
868 academies.

869 12.10. The Department of Education must develop, or select,
870 and implement a common battery of assessment tools that will be

20104er

871 used in all juvenile justice programs in the state. These tools
872 must accurately measure the core curricular content established
873 in the Next Generation Sunshine State Standards.

874 ~~13.11.~~ For students seeking a special diploma pursuant to
875 s. 1003.438, the Department of Education must develop or select
876 and implement an alternate assessment tool that accurately
877 measures the core curricular content established in the Next
878 Generation Sunshine State Standards for students with
879 disabilities under s. 1003.438.

880 ~~14.12.~~ The Commissioner of Education shall establish
881 schedules for the administration of statewide assessments and
882 the reporting of student test results. When establishing the
883 schedules for the administration of statewide assessments, the
884 commissioner shall consider the observance of religious and
885 school holidays. The commissioner shall, by August 1 of each
886 year, notify each school district in writing and publish on the
887 department's Internet website the testing and reporting
888 schedules for, at a minimum, the school year following the
889 upcoming school year. The testing and reporting schedules shall
890 require that:

891 a. There is the latest possible administration of statewide
892 assessments and the earliest possible reporting to the school
893 districts of student test results which is feasible within
894 available technology and specific appropriations; however, test
895 results for the FCAT must be made available no later than the
896 week of June 8. Student results for end-of-course assessments
897 must be provided no later than 1 week after the school district
898 completes testing for each course ~~final day of the regular~~
899 ~~school year for students.~~

20104er

900 b. Beginning with the 2010-2011 school year, FCAT Writing a
901 ~~comprehensive statewide assessment of writing~~ is not
902 administered earlier than the week of March 1 and a
903 comprehensive statewide assessment of any other subject is not
904 administered earlier than the week of April 15.

905 c. A statewide, standardized end-of-course assessment is
906 administered during a 3-week period at the end ~~within the last 2~~
907 ~~weeks~~ of the course. The commissioner shall select a 3-week
908 administration period for assessments that meets the intent of
909 end-of-course assessments and provides student results prior to
910 the end of the course. School districts shall select one testing
911 week within the 3-week administration period for each end-of-
912 course assessment. For an end-of-course assessment administered
913 at the end of the first semester, the commissioner shall
914 determine the most appropriate testing dates based on a school
915 district's academic calendar.

916
917 The commissioner may, based on collaboration and input from
918 school districts, design and implement student testing programs,
919 for any grade level and subject area, necessary to effectively
920 monitor educational achievement in the state, including the
921 measurement of educational achievement of the Next Generation
922 Sunshine State Standards for students with disabilities.
923 Development and refinement of assessments shall include
924 universal design principles and accessibility standards that
925 will prevent any unintended obstacles for students with
926 disabilities while ensuring the validity and reliability of the
927 test. These principles should be applicable to all technology
928 platforms and assistive devices available for the assessments.

20104er

929 The field testing process and psychometric analyses for the
930 statewide assessment program must include an appropriate
931 percentage of students with disabilities and an evaluation or
932 determination of the effect of test items on such students.

933 (6) SCHOOL TESTING PROGRAMS.—Each public school shall
934 participate in the statewide assessment program in accordance
935 with the testing and reporting schedules published by the
936 Commissioner of Education under subparagraph (3)(c) 14.12. unless
937 specifically exempted by state board rule based on serving a
938 specialized population for which standardized testing is not
939 appropriate. Student performance data shall be analyzed and
940 reported to parents, the community, and the state. Student
941 performance data shall be used in developing objectives of the
942 school improvement plan, evaluation of instructional personnel,
943 evaluation of administrative personnel, assignment of staff,
944 allocation of resources, acquisition of instructional materials
945 and technology, performance-based budgeting, and promotion and
946 assignment of students into educational programs. The analysis
947 of student performance data also must identify strengths and
948 needs in the educational program and trends over time. The
949 analysis must be used in conjunction with the budgetary planning
950 processes developed pursuant to s. 1008.385 and the development
951 of the programs of remediation.

952 (9) APPLICABILITY OF TESTING STANDARDS.—

953 (a) If the Commissioner of Education revises a statewide
954 assessment and the revisions require the State Board of
955 Education to modify the assessment's performance ~~proficiency~~
956 levels or modify the passing scores ~~required for a standard high~~
957 ~~school diploma~~, until the state board adopts the modifications

20104er

958 by rule, the commissioner shall use calculations for scoring the
959 assessment which adjust student scores on the revised assessment
960 for statistical equivalence to student scores on the former
961 assessment.

962 (b) A student must attain the passing scores on the
963 statewide assessment required for a standard high school diploma
964 or for high school course credits under sub-sub-subparagraphs
965 (3)(c)2.a.(I) and (II) which are in effect at the time the
966 student enters grade 9. If a student transfers into a high
967 school, the school principal shall determine, in accordance with
968 State Board of Education rule, whether the student must take an
969 end-of-course assessment in a course for which the student has
970 credit that was earned from the previous school ~~if the student's~~
971 ~~enrollment is continuous.~~

972 (c) If the commissioner revises a statewide assessment and
973 the revisions require the State Board of Education to modify the
974 passing scores required for a standard high school diploma or
975 for high school course credits under sub-sub-subparagraphs
976 (3)(c)2.a.(I) and (II), the commissioner may, with approval of
977 the state board, discontinue administration of the former
978 assessment upon the graduation, based on normal student
979 progression, of students participating in the final regular
980 administration of the former assessment. The state board shall
981 adopt by rule passing scores for the revised assessment which
982 are statistically equivalent to passing scores on the
983 discontinued assessment for a student required under paragraph
984 (b) to attain passing scores on the discontinued assessment.

985 (10) CONCORDANT SCORES FOR THE FCAT.—

986 (a) The Commissioner ~~State Board~~ of Education shall analyze

20104er

987 the content and concordant data sets for nationally recognized
988 ~~widely used~~ high school achievement tests, including, but not
989 limited to, the PSAT, PLAN, SAT, ACT, and College Placement
990 Test, to assess if concordant scores for FCAT scores can be
991 determined for high school graduation, ~~college placement, and~~
992 ~~scholarship awards.~~ When ~~In cases where~~ content alignment and
993 concordant scores can be determined, the Commissioner of
994 Education shall adopt those scores as meeting the graduation
995 requirement in lieu of achieving the FCAT passing score and may
996 adopt those scores as being sufficient to achieve additional
997 purposes as determined by rule. Each time that test content or
998 scoring procedures change for the FCAT or for a high school
999 achievement test for which a concordant score is determined, new
1000 concordant scores must be determined.

1001 ~~(b) In order to use a concordant subject area score~~
1002 ~~pursuant to this subsection to satisfy the assessment~~
1003 ~~requirement for a standard high school diploma as provided in s.~~
1004 ~~1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must~~
1005 ~~take each subject area of the grade 10 FCAT a total of three~~
1006 ~~times without earning a passing score. The requirements of this~~
1007 ~~paragraph shall not apply to a new student who enters the~~
1008 ~~Florida public school system in grade 12, who may either achieve~~
1009 ~~a passing score on the FCAT or use an approved subject area~~
1010 ~~concordant score to fulfill the graduation requirement.~~

1011 (b)(e) The State Board of Education may define by rule the
1012 allowable uses, other than to satisfy the high school graduation
1013 requirement, for concordant scores as described in this
1014 subsection. Such uses may include, but need not be limited to,
1015 achieving appropriate standardized test scores required for the

20104er

1016 awarding of Florida Bright Futures Scholarships and college
1017 placement.

1018 (11) EQUIVALENT SCORES FOR END-OF-COURSE ASSESSMENTS.-

1019 (a) The Commissioner of Education shall analyze the content
1020 and equivalent data sets for nationally recognized high school
1021 achievement tests and industry certification tests under the
1022 Industry Certification Funding List, pursuant to rules adopted
1023 by the State Board of Education, including, but not limited to,
1024 grade 10 FCAT Mathematics retakes until such retakes are
1025 discontinued pursuant to subsection (9), the PSAT, the PLAN, the
1026 SAT, the ACT, and the College Placement Test, to assess if
1027 equivalent scores for end-of-course assessment scores can be
1028 determined for passage of an end-of-course assessment. When
1029 content alignment and equivalent scores can be determined, the
1030 Commissioner of Education shall adopt those scores as meeting
1031 the requirement to pass the end-of-course assessment and as
1032 being sufficient to achieve additional purposes as determined by
1033 rule. Each time that assessment content or scoring procedures
1034 change for an end-of-course assessment or for a high school
1035 achievement test or an industry certification test under the
1036 Industry Certification Funding List, pursuant to rules adopted
1037 by the State Board of Education for which an equivalent score is
1038 determined, new equivalent scores must be determined.

1039 (b) Use of an equivalent score adopted by the State Board
1040 of Education under paragraph (a) for purposes of grade
1041 adjustment, grade forgiveness, or course credit recovery is
1042 contingent upon and subject to district school board rules.

1043 (12)-~~(11)~~ REPORTS.-The Department of Education shall
1044 annually provide a report to the Governor, the President of the

20104er

1045 Senate, and the Speaker of the House of Representatives on the
1046 following:

1047 (a) Longitudinal performance of students in mathematics and
1048 reading.

1049 (b) Longitudinal performance of students by grade level in
1050 mathematics and reading.

1051 (c) Longitudinal performance regarding efforts to close the
1052 achievement gap.

1053 (d) Other student performance data based on national norm-
1054 referenced and criterion-referenced tests, when available, and
1055 numbers of students who after 8th grade enroll in adult
1056 education rather than other secondary education.

1057 (13)~~(12)~~ RULES.—The State Board of Education shall adopt
1058 rules pursuant to ss. 120.536(1) and 120.54 to implement the
1059 provisions of this section.

1060 Section 9. Paragraph (a) of subsection (4) of section
1061 1008.25, Florida Statutes, is amended to read:

1062 1008.25 Public school student progression; remedial
1063 instruction; reporting requirements.—

1064 (4) ASSESSMENT AND REMEDIATION.—

1065 (a) Each student must participate in the statewide
1066 assessment tests required by s. 1008.22. Each student who does
1067 not meet specific levels of performance as determined by the
1068 district school board in FCAT reading, writing, science, and
1069 mathematics for each grade level, or who scores below Level 3 in
1070 FCAT reading or FCAT mathematics ~~math~~, must be provided with
1071 additional diagnostic assessments to determine the nature of the
1072 student's difficulty, the areas of academic need, and strategies
1073 for appropriate intervention and instruction as described in

20104er

1074 paragraph (b).

1075 Section 10. Subsection (3) of section 1008.30, Florida
1076 Statutes, is amended to read:

1077 1008.30 Common placement testing for public postsecondary
1078 education.—

1079 (3) The State Board of Education shall adopt rules that
1080 require high schools to evaluate before the beginning of grade
1081 12 the college readiness of each student who indicates an
1082 interest in postsecondary education and scores at Level 2 or
1083 Level 3 on the reading portion of the grade 10 FCAT or Level 2,
1084 Level 3, or Level 4 on the mathematics assessments under s.
1085 1008.22(3)(c) ~~portion of the grade 10 FCAT~~. High schools shall
1086 perform this evaluation using results from the corresponding
1087 component of the common placement test prescribed in this
1088 section, or an equivalent test identified by the State Board of
1089 Education. The Department of Education shall purchase or develop
1090 the assessments necessary to perform the evaluations required by
1091 this subsection and shall work with the school districts to
1092 administer the assessments. The State Board of Education shall
1093 establish by rule the minimum test scores a student must achieve
1094 to demonstrate readiness. Students who demonstrate readiness by
1095 achieving the minimum test scores established by the state board
1096 and enroll in a community college within 2 years of achieving
1097 such scores shall not be required to enroll in remediation
1098 courses as a condition of acceptance to any community college.
1099 The high school shall use the results of the test to advise the
1100 students of any identified deficiencies and to the maximum
1101 extent practicable provide 12th grade students access to
1102 appropriate remedial instruction prior to high school

20104er

1103 graduation. The remedial instruction provided under this
1104 subsection shall be a collaborative effort between secondary and
1105 postsecondary educational institutions. To the extent courses
1106 are available, the Florida Virtual School may be used to provide
1107 the remedial instruction required by this subsection.

1108 Section 11. Paragraphs (b) and (c) of subsection (3) of
1109 section 1008.34, Florida Statutes, are amended to read:

1110 1008.34 School grading system; school report cards;
1111 district grade.—

1112 (3) DESIGNATION OF SCHOOL GRADES.—

1113 (b)1. A school's grade shall be based on a combination of:

1114 a. Student achievement scores, including achievement on all
1115 FCAT assessments administered under s. 1008.22(3)(c)1., end-of-
1116 course assessments administered under s. 1008.22(3)(c)2.a., and
1117 achievement scores for students seeking a special diploma.

1118 b. Student learning gains in reading and mathematics as
1119 measured by ~~annual~~ FCAT and end-of-course assessments, as
1120 described in s. 1008.22(3)(c)1. and 2.a. in grades 3 through 10;
1121 Learning gains for students seeking a special diploma, as
1122 measured by an alternate assessment tool, shall be included not
1123 later than the 2009-2010 school year.

1124 c. Improvement of the lowest 25th percentile of students in
1125 the school in reading and, ~~mathematics, or writing~~ on the FCAT
1126 or end-of-course assessments described in s. 1008.22(3)(c)2.a.,
1127 unless these students are exhibiting satisfactory performance.

1128 2. Beginning with the 2009-2010 school year for schools
1129 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1130 11, and 12, 50 percent of the school grade shall be based on a
1131 combination of the factors listed in sub-subparagraphs 1.a.-c.

20104er

1132 and the remaining 50 percent on the following factors:
1133 a. The high school graduation rate of the school;
1134 b. As valid data becomes available, the performance and
1135 participation of the school's students in College Board Advanced
1136 Placement courses, International Baccalaureate courses, dual
1137 enrollment courses, and Advanced International Certificate of
1138 Education courses; and the students' achievement of national
1139 industry certification identified in the Industry Certification
1140 Funding List, pursuant to rules adopted by the State Board of
1141 Education, as determined by the Agency for Workforce Innovation
1142 under s. 1003.492(2) in a career and professional academy, as
1143 described in s. 1003.493;
1144 c. Postsecondary readiness of the school's students as
1145 measured by the SAT, ACT, or the common placement test;
1146 d. The high school graduation rate of at-risk students who
1147 scored at Level 2 or lower on the grade 8 FCAT Reading and
1148 Mathematics examinations;
1149 e. As valid data becomes available, the performance of the
1150 school's students on statewide standardized end-of-course
1151 assessments administered under s. 1008.22(3)(c)2.b. and c. s.
1152 1008.22; and
1153 f. The growth or decline in the components listed in sub-
1154 subparagraphs a.-e. from year to year.
1155 (c) Student assessment data used in determining school
1156 grades shall include:
1157 1. The aggregate scores of all eligible students enrolled
1158 in the school who have been assessed on the FCAT and statewide,
1159 standardized end-of-course assessments in courses required for
1160 high school graduation, including, beginning with the 2010-2011

20104er

1161 school year, the end-of-course assessment in Algebra I, and
1162 beginning with the 2011-2012 school year, the end-of-course
1163 assessments in geometry and Biology.

1164 2. The aggregate scores of all eligible students enrolled
1165 in the school who have been assessed on the FCAT and end-of-
1166 course assessments as described in s. 1008.22(3)(c)2.a., and who
1167 have scored at or in the lowest 25th percentile of students in
1168 the school in reading and, mathematics, ~~or writing,~~ unless these
1169 students are exhibiting satisfactory performance.

1170 3. ~~Effective with the 2005-2006 school year,~~ The
1171 achievement scores and learning gains of eligible students
1172 attending alternative schools that provide dropout prevention
1173 and academic intervention services pursuant to s. 1003.53. The
1174 term "eligible students" in this subparagraph does not include
1175 students attending an alternative school who are subject to
1176 district school board policies for expulsion for repeated or
1177 serious offenses, who are in dropout retrieval programs serving
1178 students who have officially been designated as dropouts, or who
1179 are in programs operated or contracted by the Department of
1180 Juvenile Justice. The student performance data for eligible
1181 students identified in this subparagraph shall be included in
1182 the calculation of the home school's grade. As used in this
1183 section and s. 1008.341, the term "home school" means the school
1184 to which the student would be assigned if the student were not
1185 assigned to an alternative school. If an alternative school
1186 chooses to be graded under this section, student performance
1187 data for eligible students identified in this subparagraph shall
1188 not be included in the home school's grade but shall be included
1189 only in the calculation of the alternative school's grade. A

20104er

1190 school district that fails to assign the FCAT and end-of-course
1191 assessment as described in s. 1008.22(3)(c)2.a. scores of each
1192 of its students to his or her home school or to the alternative
1193 school that receives a grade shall forfeit Florida School
1194 Recognition Program funds for 1 fiscal year. School districts
1195 must require collaboration between the home school and the
1196 alternative school in order to promote student success. This
1197 collaboration must include an annual discussion between the
1198 principal of the alternative school and the principal of each
1199 student's home school concerning the most appropriate school
1200 assignment of the student.

1201 4. ~~Beginning with the 2009-2010 school year~~ For schools
1202 comprised of high school grades 9, 10, 11, and 12, or grades 10,
1203 11, and 12, the data listed in subparagraphs 1.-3. and the
1204 following data as the Department of Education determines such
1205 data are valid and available:

1206 a. The high school graduation rate of the school as
1207 calculated by the Department of Education;

1208 b. The participation rate of all eligible students enrolled
1209 in the school and enrolled in College Board Advanced Placement
1210 courses; International Baccalaureate courses; dual enrollment
1211 courses; Advanced International Certificate of Education
1212 courses; and courses or sequence of courses leading to national
1213 industry certification identified in the Industry Certification
1214 Funding List, pursuant to rules adopted by the State Board of
1215 Education, ~~as determined by the Agency for Workforce Innovation~~
1216 ~~under s. 1003.492(2) in a career and professional academy, as~~
1217 ~~described in s. 1003.493;~~

1218 c. The aggregate scores of all eligible students enrolled

20104er

1219 in the school in College Board Advanced Placement courses,
1220 International Baccalaureate courses, and Advanced International
1221 Certificate of Education courses;
1222 d. Earning of college credit by all eligible students
1223 enrolled in the school in dual enrollment programs under s.
1224 1007.271;
1225 e. Earning of a national ~~an~~ industry certification
1226 identified in the Industry Certification Funding List, pursuant
1227 to rules adopted by the State Board of Education, ~~as determined~~
1228 ~~by the Agency for Workforce Innovation under s. 1003.492(2) in a~~
1229 ~~career and professional academy, as described in s. 1003.493;~~
1230 f. The aggregate scores of all eligible students enrolled
1231 in the school in reading, mathematics, and other subjects as
1232 measured by the SAT, the ACT, and the common placement test for
1233 postsecondary readiness;
1234 g. The high school graduation rate of all eligible at-risk
1235 students enrolled in the school who scored at Level 2 or lower
1236 on the grade 8 FCAT Reading and Mathematics examinations;
1237 h. The performance of the school's students on statewide
1238 standardized end-of-course assessments administered under s.
1239 1008.22(3)(c)2.b. and c. ~~s. 1008.22;~~ and
1240 i. The growth or decline in the data components listed in
1241 sub-subparagraphs a.-h. from year to year.
1242
1243 The State Board of Education shall adopt appropriate criteria
1244 for each school grade. The criteria must also give added weight
1245 to student achievement in reading. Schools designated with a
1246 grade of "C," making satisfactory progress, shall be required to
1247 demonstrate that adequate progress has been made by students in

20104er

1248 the school who are in the lowest 25th percentile in reading and
1249 mathematics, ~~or writing~~ on the FCAT and end-of-course
1250 assessments as described in s. 1008.22(3)(c)2.a., unless these
1251 students are exhibiting satisfactory performance. Beginning with
1252 the 2009-2010 school year for schools comprised of high school
1253 grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria
1254 for school grades must also give added weight to the graduation
1255 rate of all eligible at-risk students, as defined in this
1256 paragraph. Beginning in the 2009-2010 school year, in order for
1257 a high school to be designated as having a grade of "A," making
1258 excellent progress, the school must demonstrate that at-risk
1259 students, as defined in this paragraph, in the school are making
1260 adequate progress.

1261 Section 12. Subsection (3) of section 1008.341, Florida
1262 Statutes, is amended to read:

1263 1008.341 School improvement rating for alternative
1264 schools.—

1265 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data
1266 used in determining an alternative school's school improvement
1267 rating shall include:

1268 (a) The aggregate scores on statewide assessments
1269 administered under s. 1008.22 for ~~of~~ all eligible students who
1270 were assigned to and enrolled in the school during the October
1271 or February FTE count, ~~who have been assessed on the FCAT,~~ and
1272 who have FCAT or comparable scores for the preceding school
1273 year.

1274 (b) The aggregate scores on statewide assessments
1275 administered under s. 1008.22 for ~~of~~ all eligible students who
1276 were assigned to and enrolled in the school during the October

20104er

1277 or February FTE count, ~~who have been assessed on the FCAT~~ and
1278 who have scored in the lowest 25th percentile of students in the
1279 state on FCAT Reading.

1280
1281 The assessment scores of students who are subject to district
1282 school board policies for expulsion for repeated or serious
1283 offenses, who are in dropout retrieval programs serving students
1284 who have officially been designated as dropouts, or who are in
1285 programs operated or contracted by the Department of Juvenile
1286 Justice may not be included in an alternative school's school
1287 improvement rating.

1288 Section 13. Subsection (4) of section 1008.36, Florida
1289 Statutes, is amended to read:

1290 1008.36 Florida School Recognition Program.—

1291 (4) All selected schools shall receive financial awards
1292 depending on the availability of funds appropriated and the
1293 number and size of schools selected to receive an award. Funds
1294 must be distributed to the school's fiscal agent and placed in
1295 the school's account and must be used for purposes listed in
1296 subsection (5) as determined jointly by the school's staff and
1297 school advisory council. If school staff and the school advisory
1298 council cannot reach agreement by February ~~November~~ 1, the
1299 awards must be equally distributed to all classroom teachers
1300 currently teaching in the school. If a school selected to
1301 receive a school recognition award is no longer in existence at
1302 the time the award is paid, the district school superintendent
1303 shall distribute the funds to teachers who taught at the school
1304 in the previous year in the form of a bonus.

1305

20104er

1306 Notwithstanding statutory provisions to the contrary, incentive
1307 awards are not subject to collective bargaining.

1308 Section 14. The Office of Program Policy Analysis and
1309 Government Accountability (OPPAGA) shall conduct a study on the
1310 different types of high school diplomas offered in other states.
1311 The study must provide information regarding differentiated high
1312 school diploma options and endorsements that other states offer,
1313 including the criteria for awarding the diplomas or
1314 endorsements, the differences in courses required for college
1315 and career pathways, the advantages and disadvantages of
1316 offering a range of diploma options, and any barriers other
1317 states have encountered when implementing differentiated diploma
1318 options. OPPAGA shall submit the results of the study to the
1319 Governor, the President of the Senate, and the Speaker of the
1320 House of Representatives no later than January 31, 2011.

1321 Section 15. This act shall take effect July 1, 2010.