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1                   A bill to be entitled  
2           An act relating to high school graduation; amending s.  
3           1003.428, F.S.; requiring that students be advised of the  
4           availability of certain courses for purposes of high  
5           school graduation; providing credit requirements for high  
6           school graduation with a standard diploma beginning with  
7           students entering grade 9 in the 2011-2012 school year and  
8           students entering grade 9 in the 2013-2014 school year;  
9           deleting provisions relating to general requirements for  
10          high school graduation to conform to changes made by the  
11          act; creating s. 1003.4282, F.S.; providing for  
12          accommodations for students with disabilities for purposes  
13          of high school graduation; creating s. 1003.4287, F.S.;  
14          authorizing the award of a standard high school diploma to  
15          certain honorably discharged veterans; amending s.  
16          1003.429, F.S.; requiring that students be advised of the  
17          availability of certain courses for purposes of an  
18          accelerated high school graduation option; amending s.  
19          1003.43, F.S.; deleting provisions relating to general  
20          requirements for high school graduation to conform to  
21          changes made by the act; amending s. 1007.263, F.S.;  
22          conforming a cross-reference; amending s. 1008.22, F.S.;  
23          requiring passing scores on the grade 10 FCAT to meet  
24          grade-level proficiency; conforming cross-references;  
25          amending s. 1009.531, F.S.; conforming provisions;  
26          providing an effective date.

27  
28   Be It Enacted by the Legislature of the State of Florida:

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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29  
 30 Section 1. Subsection (1), paragraph (a) of subsection  
 31 (2), and subsections (5) through (11) of section 1003.428,  
 32 Florida Statutes, are amended to read:

33 1003.428 General requirements for high school graduation;  
 34 revised.--

35 (1) Except as otherwise authorized pursuant to s.  
 36 1003.429, beginning with students entering their first year of  
 37 high school in the 2007-2008 school year, graduation requires  
 38 the successful completion of a minimum of 24 credits, an  
 39 International Baccalaureate curriculum, or an Advanced  
 40 International Certificate of Education curriculum. Students must  
 41 be advised of the Advanced Placement, International  
 42 Baccalaureate, Advanced International Certificate of Education,  
 43 career academy coursework that leads to national industry  
 44 certification, and dual enrollment courses available, as well as  
 45 the availability of course offerings through the Florida Virtual  
 46 School. Students must also be advised of eligibility  
 47 requirements for state scholarship programs and postsecondary  
 48 admissions.

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

52 (a) Sixteen core curriculum credits:

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

55 2. Four credits in mathematics, one of which must be  
 56 Algebra I, a series of courses equivalent to Algebra I, or a

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57 | higher-level mathematics course. Beginning with students  
58 | entering grade 9 in the 2011-2012 school year, one of the four  
59 | credits must be Algebra I or a series of courses equivalent to  
60 | Algebra I as approved by the State Board of Education, and one  
61 | credit must be geometry or a series of courses equivalent to  
62 | geometry as approved by the State Board of Education. Beginning  
63 | with students entering grade 9 in the 2013-2014 school year, one  
64 | of the four credits must be Algebra I or a series of courses  
65 | equivalent to Algebra I as approved by the State Board of  
66 | Education, one credit must be geometry or a series of courses  
67 | equivalent to geometry as approved by the State Board of  
68 | Education, and one credit must be Algebra II or a series of  
69 | courses equivalent to Algebra II as approved by the State Board  
70 | of Education. School districts are encouraged to set specific  
71 | goals to increase enrollments in, and successful completion of,  
72 | geometry and Algebra II.

73 |       3. Three credits in science, two of which must have a  
74 | laboratory component. Beginning with students entering grade 9  
75 | in the 2011-2012 school year, one of the three credits must be  
76 | Biology I or a series of courses equivalent to Biology I as  
77 | approved by the State Board of Education, one credit must be a  
78 | physical science or a series of courses equivalent to a physical  
79 | science as approved by the State Board of Education, and one  
80 | credit must be a higher-level science course. At least two of  
81 | the science courses must have a laboratory component. Beginning  
82 | with students entering grade 9 in the 2013-2014 school year, one  
83 | of the three credits must be Biology I or a series of courses  
84 | equivalent to Biology I as approved by the State Board of

85 Education, one credit must be chemistry or physics or a series  
86 of courses equivalent to chemistry or physics as approved by the  
87 State Board of Education, and one credit must be a higher-level  
88 science course. At least two of the science courses must have a  
89 laboratory component.

90 4. Three credits in social studies as follows: one credit  
91 in American history; one credit in world history; one-half  
92 credit in economics; and one-half credit in American government.

93 5. One credit in fine or performing arts, speech and  
94 debate, or a practical arts course that incorporates artistic  
95 content and techniques of creativity, interpretation, and  
96 imagination. Eligible practical arts courses shall be identified  
97 through the Course Code Directory.

98 6. One credit in physical education to include integration  
99 of health. Participation in an interscholastic sport at the  
100 junior varsity or varsity level for two full seasons shall  
101 satisfy the one-credit requirement in physical education if the  
102 student passes a competency test on personal fitness with a  
103 score of "C" or better. The competency test on personal fitness  
104 must be developed by the Department of Education. A district  
105 school board may not require that the one credit in physical  
106 education be taken during the 9th grade year. Completion of one  
107 semester with a grade of "C" or better in a marching band class,  
108 in a physical activity class that requires participation in  
109 marching band activities as an extracurricular activity, or in a  
110 dance class shall satisfy one-half credit in physical education  
111 or one-half credit in performing arts. This credit may not be  
112 used to satisfy the personal fitness requirement or the

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113 requirement for adaptive physical education under an individual  
114 education plan (IEP) or 504 plan. Completion of 2 years in a  
115 Reserve Officer Training Corps (R.O.T.C.) class, a significant  
116 component of which is drills, shall satisfy the one-credit  
117 requirement in physical education and the one-credit requirement  
118 in performing arts. This credit may not be used to satisfy the  
119 personal fitness requirement or the requirement for adaptive  
120 physical education under an individual education plan (IEP) or  
121 504 plan.

122 ~~(5) The State Board of Education, after a public hearing~~  
123 ~~and consideration, shall adopt rules based upon the~~  
124 ~~recommendations of the commissioner for the provision of test~~  
125 ~~accommodations and modifications of procedures as necessary for~~  
126 ~~students with disabilities which will demonstrate the student's~~  
127 ~~abilities rather than reflect the student's impaired sensory,~~  
128 ~~manual, speaking, or psychological process skills.~~

129 ~~(6) The public hearing and consideration required in~~  
130 ~~subsection (5) shall not be construed to amend or nullify the~~  
131 ~~requirements of security relating to the contents of~~  
132 ~~examinations or assessment instruments and related materials or~~  
133 ~~data as prescribed in s. 1008.23.~~

134 (5)~~(7)~~(a) A student who meets all requirements prescribed  
135 in subsections (1), (2), (3), and (4) shall be awarded a  
136 standard diploma in a form prescribed by the State Board of  
137 Education.

138 (b) A student who completes the minimum number of credits  
139 and other requirements prescribed by subsections (1), (2), and  
140 (3), but who is unable to meet the standards of paragraph

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141 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded  
142 a certificate of completion in a form prescribed by the State  
143 Board of Education. However, any student who is otherwise  
144 entitled to a certificate of completion may elect to remain in  
145 the secondary school either as a full-time student or a part-  
146 time student for up to 1 additional year and receive special  
147 instruction designed to remedy his or her identified  
148 deficiencies.

149 ~~(8) (a) Each district school board must provide instruction~~  
150 ~~to prepare students with disabilities to demonstrate proficiency~~  
151 ~~in the core content knowledge and skills necessary for~~  
152 ~~successful grade to grade progression and high school~~  
153 ~~graduation.~~

154 ~~(b) A student with a disability, as defined in s.~~  
155 ~~1007.02(2), for whom the individual education plan (IEP)~~  
156 ~~committee determines that the FCAT cannot accurately measure the~~  
157 ~~student's abilities taking into consideration all allowable~~  
158 ~~accommodations, shall have the FCAT requirement of paragraph~~  
159 ~~(4) (b) waived for the purpose of receiving a standard high~~  
160 ~~school diploma, if the student:~~

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

163 ~~2. Does not meet the requirements of paragraph (4) (b)~~  
164 ~~after one opportunity in 10th grade and one opportunity in 11th~~  
165 ~~grade.~~

166 ~~(9) The Commissioner of Education may award a standard~~  
167 ~~high school diploma to honorably discharged veterans who started~~  
168 ~~high school between 1937 and 1946 and were scheduled to graduate~~

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169 ~~between 1941 and 1950 but were inducted into the United States~~  
170 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~  
171 ~~prior to completing the necessary high school graduation~~  
172 ~~requirements. Upon the recommendation of the commissioner, the~~  
173 ~~State Board of Education may develop criteria and guidelines for~~  
174 ~~awarding such diplomas.~~

175 ~~(10) The Commissioner of Education may award a standard~~  
176 ~~high school diploma to honorably discharged veterans who started~~  
177 ~~high school between 1946 and 1950 and were scheduled to graduate~~  
178 ~~between 1950 and 1954, but were inducted into the United States~~  
179 ~~Armed Forces between June 27, 1950, and January 31, 1955, and~~  
180 ~~served during the Korean Conflict prior to completing the~~  
181 ~~necessary high school graduation requirements. Upon the~~  
182 ~~recommendation of the commissioner, the State Board of Education~~  
183 ~~may develop criteria and guidelines for awarding such diplomas.~~

184 ~~(6) (11)~~ The State Board of Education may adopt rules  
185 pursuant to ss. 120.536(1) and 120.54 to implement the  
186 provisions of this section and may enforce the provisions of  
187 this section pursuant to s. 1008.32.

188 Section 2. Section 1003.4282, Florida Statutes, is created  
189 to read:

190 1003.4282 Accommodations for students with disabilities;  
191 graduation requirements.--For purposes of high school  
192 graduation:

193 (1) The State Board of Education, after a public hearing  
194 and consideration, shall adopt rules based upon the  
195 recommendations of the Commissioner of Education for the  
196 provision of test accommodations as necessary for students with

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197 disabilities which will demonstrate the student's abilities  
198 rather than reflect the student's impaired sensory, manual,  
199 speaking, or psychological process skills.

200 (2) The public hearing and consideration required in  
201 subsection (1) shall not be construed to amend or nullify the  
202 requirements of security relating to the contents of  
203 examinations or assessment instruments and related materials or  
204 data as prescribed in s. 1008.23.

205 (3) (a) Each district school board must provide instruction  
206 to prepare students with disabilities to demonstrate proficiency  
207 in the core content knowledge and skills necessary for  
208 successful grade-to-grade progression and high school  
209 graduation.

210 (b) A student with a disability, as defined in s.  
211 1007.02(2), for whom the individual education plan committee  
212 determines that the FCAT cannot accurately measure the student's  
213 abilities taking into consideration all allowable  
214 accommodations, shall have the FCAT requirement of s.  
215 1003.428(4) (b) or s. 1003.43(5) (a) waived for the purpose of  
216 receiving a high school diploma, if the student:

217 1. Completes the minimum number of credits and other  
218 requirements prescribed in s. 1003.428(1)-(3) or s. 1003.43(1)  
219 and (4).

220 2. Does not meet the FCAT requirements of s.  
221 1003.428(4) (b) or s. 1003.43(5) (a) after one opportunity in  
222 grade 10 and one opportunity in grade 11.

223 Section 3. Section 1003.4287, Florida Statutes, is created  
224 to read:



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225 1003.4287 Recognition of veterans; high school diploma.--

226 (1) The Commissioner of Education may award a standard  
 227 high school diploma to honorably discharged veterans who started  
 228 high school between 1937 and 1946 and were scheduled to graduate  
 229 between 1941 and 1950 but were inducted into the United States  
 230 Armed Forces between September 16, 1940, and December 31, 1946,  
 231 prior to completing the necessary high school graduation  
 232 requirements. Upon the recommendation of the commissioner, the  
 233 State Board of Education may develop criteria and guidelines for  
 234 awarding such diplomas.

235 (2) The Commissioner of Education may award a standard  
 236 high school diploma to honorably discharged veterans who started  
 237 high school between 1946 and 1950 and were scheduled to graduate  
 238 between 1949 and 1955 but were inducted into the United States  
 239 Armed Forces between June 1949 and January 1955 and served  
 240 during the Korean War prior to completing the necessary high  
 241 school graduation requirements. Upon the recommendation of the  
 242 commissioner, the State Board of Education may develop criteria  
 243 and guidelines for awarding such diplomas.

244 (3) The Commissioner of Education may award a standard  
 245 high school diploma to honorably discharged veterans who were  
 246 inducted into the United States Armed Forces during the Vietnam  
 247 Era, as defined in s. 1.01(14), before completing the necessary  
 248 high school graduation requirements. Upon the recommendation of  
 249 the commissioner, the State Board of Education may develop  
 250 criteria and guidelines for awarding such diplomas.

251 Section 4. Paragraph (b) of subsection (1) of section  
 252 1003.429, Florida Statutes, is amended to read:

253 | 1003.429 Accelerated high school graduation options.--

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

258 | (b) Completion of a 3-year standard college preparatory  
 259 | program requiring successful completion of a minimum of 18  
 260 | academic credits in grades 9 through 12. At least 6 of the 18  
 261 | credits required for completion of this program must be received  
 262 | in classes that are offered pursuant to the International  
 263 | Baccalaureate Program, the Advanced Placement Program, dual  
 264 | enrollment, or the Advanced International Certificate of  
 265 | Education Program, or specifically listed or identified by the  
 266 | Department of Education as rigorous pursuant to s. 1009.531(3).  
 267 | Students must be advised of the Advanced Placement,  
 268 | International Baccalaureate, Advanced International Certificate  
 269 | of Education, career academy coursework that leads to national  
 270 | industry certification, and dual enrollment courses available,  
 271 | as well as the availability of course offerings through the  
 272 | Florida Virtual School. The 18 credits required for completion  
 273 | of this program shall be primary requirements and shall be  
 274 | distributed as follows:

275 | 1. Four credits in English, with major concentration in  
 276 | composition and literature;

277 | 2. Three credits in mathematics at the Algebra I level or  
 278 | higher from the list of courses that qualify for state  
 279 | university admission;

280 | 3. Three credits in natural science, two of which must

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281 have a laboratory component;

282 4. Three credits in social sciences, which must include  
 283 one credit in American history, one credit in world history,  
 284 one-half credit in American government, and one-half credit in  
 285 economics;

286 5. Two credits in the same second language unless the  
 287 student is a native speaker of or can otherwise demonstrate  
 288 competency in a language other than English. If the student  
 289 demonstrates competency in another language, the student may  
 290 replace the language requirement with two credits in other  
 291 academic courses; and

292 6. Three credits in electives; or

293

294 Any student who selected an accelerated graduation program  
 295 before July 1, 2004, may continue that program, and all  
 296 statutory program requirements that were applicable when the  
 297 student made the program choice shall remain applicable to the  
 298 student as long as the student continues that program.

299 Section 5. Subsections (8) through (14) of section  
 300 1003.43, Florida Statutes, are amended to read:

301 1003.43 General requirements for high school graduation.--

302 ~~(8) The State Board of Education, after a public hearing~~  
 303 ~~and consideration, shall adopt rules based upon the~~  
 304 ~~recommendations of the commissioner for the provision of test~~  
 305 ~~accommodations and modifications of procedures as necessary for~~  
 306 ~~students with disabilities which will demonstrate the student's~~  
 307 ~~abilities rather than reflect the student's impaired sensory,~~  
 308 ~~manual, speaking, or psychological process skills.~~

309       ~~(9) The public hearing and consideration required in~~  
310 ~~subsection (8) shall not be construed to amend or nullify the~~  
311 ~~requirements of security relating to the contents of~~  
312 ~~examinations or assessment instruments and related materials or~~  
313 ~~data as prescribed in s. 1008.23.~~

314       (8)~~(10)~~(a) A student who meets all requirements prescribed  
315 in subsections (1), (4), and (5) shall be awarded a standard  
316 diploma in a form prescribed by the State Board of Education. A  
317 district school board may attach the Florida gold seal career  
318 endorsement to a standard diploma or, instead of the standard  
319 diploma, award differentiated diplomas to those exceeding the  
320 prescribed minimums.

321       (b) A student who completes the minimum number of credits  
322 and other requirements prescribed by subsections (1) and (4),  
323 but who is unable to meet the standards of paragraph (5)(a),  
324 paragraph (5)(b), or paragraph (5)(c), shall be awarded a  
325 certificate of completion in a form prescribed by the State  
326 Board of Education. However, any student who is otherwise  
327 entitled to a certificate of completion may elect to remain in  
328 the secondary school either as a full-time student or a part-  
329 time student for up to 1 additional year and receive special  
330 instruction designed to remedy his or her identified  
331 deficiencies.

332       ~~(11)(a) Each district school board must provide~~  
333 ~~instruction to prepare students with disabilities to demonstrate~~  
334 ~~proficiency in the core content knowledge and skills necessary~~  
335 ~~for successful grade-to-grade progression and high school~~  
336 ~~graduation.~~

337 ~~(b) A student with a disability, as defined in s.~~  
338 ~~1007.02(2), for whom the individual educational plan (IEP)~~  
339 ~~committee determines that the FCAT cannot accurately measure the~~  
340 ~~student's abilities taking into consideration all allowable~~  
341 ~~accommodations, shall have the FCAT requirement of paragraph~~  
342 ~~(5)(a) waived for the purpose of receiving a standard high~~  
343 ~~school diploma, if the student:~~

344 ~~1. Completes the minimum number of credits and other~~  
345 ~~requirements prescribed by subsections (1) and (4).~~

346 ~~2. Does not meet the requirements of paragraph (5)(a)~~  
347 ~~after one opportunity in 10th grade and one opportunity in 11th~~  
348 ~~grade.~~

349 ~~(12) The Commissioner of Education may award a standard~~  
350 ~~high school diploma to honorably discharged veterans who started~~  
351 ~~high school between 1937 and 1946 and were scheduled to graduate~~  
352 ~~between 1941 and 1950 but were inducted into the United States~~  
353 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~  
354 ~~prior to completing the necessary high school graduation~~  
355 ~~requirements. Upon the recommendation of the commissioner, the~~  
356 ~~State Board of Education may develop criteria and guidelines for~~  
357 ~~awarding such diplomas.~~

358 ~~(13) The Commissioner of Education may award a standard~~  
359 ~~high school diploma to honorably discharged veterans who started~~  
360 ~~high school between 1946 and 1950 and were scheduled to graduate~~  
361 ~~between 1949 and 1955, but were inducted into the United States~~  
362 ~~Armed Forces between June 1949 and January 1955, and served~~  
363 ~~during the Korean War prior to completing the necessary high~~  
364 ~~school graduation requirements. Upon the recommendation of the~~

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365 ~~commissioner, the State Board of Education may develop criteria~~  
 366 ~~and guidelines for awarding such diplomas.~~

367 ~~(14) The Commissioner of Education may award a standard~~  
 368 ~~high school diploma to honorably discharged veterans who were~~  
 369 ~~inducted into the United States Armed Forces during the Vietnam~~  
 370 ~~Era, as defined in s. 1.01(14), before completing the necessary~~  
 371 ~~high school graduation requirements. Upon the recommendation of~~  
 372 ~~the commissioner, the State Board of Education may develop~~  
 373 ~~criteria and guidelines for awarding such diplomas.~~

374 Section 6. Subsection (4) of section 1007.263, Florida  
 375 Statutes, is amended to read:

376 1007.263 Community colleges; admissions of students.--Each  
 377 community college board of trustees is authorized to adopt rules  
 378 governing admissions of students subject to this section and  
 379 rules of the State Board of Education. These rules shall include  
 380 the following:

381 (4) A student who has been awarded a special diploma as  
 382 defined in s. 1003.438 or a certificate of completion as defined  
 383 in s. 1003.43(8)~~(10)~~ is eligible to enroll in certificate career  
 384 education programs.

385  
 386 Each board of trustees shall establish policies that notify  
 387 students about, and place students into, adult basic education,  
 388 adult secondary education, or other instructional programs that  
 389 provide students with alternatives to traditional college-  
 390 preparatory instruction, including private provider instruction.  
 391 A student is prohibited from enrolling in additional college-  
 392 level courses until the student scores above the cut-score on

393 | all sections of the common placement test.

394 |       Section 7. Paragraph (c) of subsection (3) of section  
395 | 1008.22, Florida Statutes, is amended to read:

396 |       1008.22 Student assessment program for public schools.--

397 |       (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall  
398 | design and implement a statewide program of educational  
399 | assessment that provides information for the improvement of the  
400 | operation and management of the public schools, including  
401 | schools operating for the purpose of providing educational  
402 | services to youth in Department of Juvenile Justice programs.  
403 | The commissioner may enter into contracts for the continued  
404 | administration of the assessment, testing, and evaluation  
405 | programs authorized and funded by the Legislature. Contracts may  
406 | be initiated in 1 fiscal year and continue into the next and may  
407 | be paid from the appropriations of either or both fiscal years.  
408 | The commissioner is authorized to negotiate for the sale or  
409 | lease of tests, scoring protocols, test scoring services, and  
410 | related materials developed pursuant to law. Pursuant to the  
411 | statewide assessment program, the commissioner shall:

412 |       (c) Develop and implement a student achievement testing  
413 | program known as the Florida Comprehensive Assessment Test  
414 | (FCAT) as part of the statewide assessment program to measure a  
415 | student's content knowledge and skills in reading, writing,  
416 | science, and mathematics. Other content areas may be included as  
417 | directed by the commissioner. Comprehensive assessments of  
418 | reading and mathematics shall be administered annually in grades  
419 | 3 through 10. Comprehensive assessments of writing and science  
420 | shall be administered at least once at the elementary, middle,

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421 and high school levels. End-of-course assessments for a subject  
422 may be administered in addition to the comprehensive assessments  
423 required for that subject under this paragraph. An end-of-course  
424 assessment must be rigorous, statewide, standardized, and  
425 developed or approved by the department. The content knowledge  
426 and skills assessed by comprehensive and end-of-course  
427 assessments must be aligned to the core curricular content  
428 established in the Sunshine State Standards. The commissioner  
429 may select one or more nationally developed comprehensive  
430 examinations, which may include, but need not be limited to,  
431 examinations for a College Board Advanced Placement course,  
432 International Baccalaureate course, or Advanced International  
433 Certificate of Education course or industry-approved  
434 examinations to earn national industry certifications as defined  
435 in s. 1003.492, for use as end-of-course assessments under this  
436 paragraph, if the commissioner determines that the content  
437 knowledge and skills assessed by the examinations meet or exceed  
438 the grade level expectations for the core curricular content  
439 established for the course in the Next Generation Sunshine State  
440 Standards. The commissioner may collaborate with the American  
441 Diploma Project in the adoption or development of rigorous end-  
442 of-course assessments that are aligned to the Next Generation  
443 Sunshine State Standards. The testing program must be designed  
444 as follows:

445 1. The tests shall measure student skills and competencies  
446 adopted by the State Board of Education as specified in  
447 paragraph (a). The tests must measure and report student  
448 proficiency levels of all students assessed in reading, writing,



449 mathematics, and science. The commissioner shall provide for the  
450 tests to be developed or obtained, as appropriate, through  
451 contracts and project agreements with private vendors, public  
452 vendors, public agencies, postsecondary educational  
453 institutions, or school districts. The commissioner shall obtain  
454 input with respect to the design and implementation of the  
455 testing program from state educators, assistive technology  
456 experts, and the public.

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

462         3. Beginning with the 2008-2009 school year, the  
463 commissioner shall discontinue administration of the selected-  
464 response test items on the comprehensive assessments of writing.  
465 Beginning with the 2012-2013 school year, the comprehensive  
466 assessments of writing shall be composed of a combination of  
467 selected-response test items, short-response performance tasks,  
468 and extended-response performance tasks, which shall measure a  
469 student's content knowledge of writing, including, but not  
470 limited to, paragraph and sentence structure, sentence  
471 construction, grammar and usage, punctuation, capitalization,  
472 spelling, parts of speech, verb tense, irregular verbs, subject-  
473 verb agreement, and noun-pronoun agreement.

474         4. A score shall be designated for each subject area  
475 tested, below which score a student's performance is deemed  
476 inadequate. The school districts shall provide appropriate

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477 remedial instruction to students who score below these levels.

478 5. Except as provided in s. 1003.4282 ~~1003.428(8)(b) or s.~~  
479 ~~1003.43(11)(b)~~, students must earn a passing score on the grade  
480 10 assessment test described in this paragraph or attain  
481 concordant scores as described in subsection (10) in reading,  
482 writing, and mathematics to qualify for a standard high school  
483 diploma. The State Board of Education shall designate a passing  
484 score for each part of the grade 10 assessment test. In  
485 establishing passing scores, the state board shall consider any  
486 possible negative impact of the test on minority students. The  
487 State Board of Education shall adopt rules which specify the  
488 passing scores for the grade 10 FCAT. Beginning in the 2012-2013  
489 school year, such passing scores must at a minimum meet grade-  
490 level proficiency. Any such rules, which have the effect of  
491 raising the required passing scores, shall apply only to  
492 students taking the grade 10 FCAT for the first time after such  
493 rules are adopted by the State Board of Education.

494 6. Participation in the testing program is mandatory for  
495 all students attending public school, including students served  
496 in Department of Juvenile Justice programs, except as otherwise  
497 prescribed by the commissioner. If a student does not  
498 participate in the statewide assessment, the district must  
499 notify the student's parent and provide the parent with  
500 information regarding the implications of such nonparticipation.  
501 A parent must provide signed consent for a student to receive  
502 classroom instructional accommodations that would not be  
503 available or permitted on the statewide assessments and must  
504 acknowledge in writing that he or she understands the

505 implications of such instructional accommodations. The State  
506 Board of Education shall adopt rules, based upon recommendations  
507 of the commissioner, for the provision of test accommodations  
508 for students in exceptional education programs and for students  
509 who have limited English proficiency. Accommodations that negate  
510 the validity of a statewide assessment are not allowable in the  
511 administration of the FCAT. However, instructional  
512 accommodations are allowable in the classroom if included in a  
513 student's individual education plan. Students using  
514 instructional accommodations in the classroom that are not  
515 allowable as accommodations on the FCAT may have the FCAT  
516 requirement waived pursuant to the requirements of s. 1003.4282  
517 ~~1003.428(8)(b) or s. 1003.43(11)(b)~~.

518 7. A student seeking an adult high school diploma must  
519 meet the same testing requirements that a regular high school  
520 student must meet.

521 8. District school boards must provide instruction to  
522 prepare students to demonstrate proficiency in the core  
523 curricular content established in the Next Generation Sunshine  
524 State Standards adopted under s. 1003.41, including the core  
525 content knowledge and skills necessary for successful grade-to-  
526 grade progression and high school graduation. If a student is  
527 provided with instructional accommodations in the classroom that  
528 are not allowable as accommodations in the statewide assessment  
529 program, as described in the test manuals, the district must  
530 inform the parent in writing and must provide the parent with  
531 information regarding the impact on the student's ability to  
532 meet expected proficiency levels in reading, writing, and

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533 mathematics. The commissioner shall conduct studies as necessary  
534 to verify that the required core curricular content is part of  
535 the district instructional programs.

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

540 10. The Department of Education must develop, or select,  
541 and implement a common battery of assessment tools that will be  
542 used in all juvenile justice programs in the state. These tools  
543 must accurately measure the core curricular content established  
544 in the Sunshine State Standards.

545 11. For students seeking a special diploma pursuant to s.  
546 1003.438, the Department of Education must develop or select and  
547 implement an alternate assessment tool that accurately measures  
548 the core curricular content established in the Sunshine State  
549 Standards for students with disabilities under s. 1003.438.

550 12. The Commissioner of Education shall establish  
551 schedules for the administration of statewide assessments and  
552 the reporting of student test results. The commissioner shall,  
553 by August 1 of each year, notify each school district in writing  
554 and publish on the department's Internet website the testing and  
555 reporting schedules for, at a minimum, the school year following  
556 the upcoming school year. The testing and reporting schedules  
557 shall require that:

558 a. There is the latest possible administration of  
559 statewide assessments and the earliest possible reporting to the  
560 school districts of student test results which is feasible

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561 within available technology and specific appropriations;  
562 however, test results must be made available no later than the  
563 final day of the regular school year for students.

564 b. Beginning with the 2010-2011 school year, a  
565 comprehensive statewide assessment of writing is not  
566 administered earlier than the week of March 1 and a  
567 comprehensive statewide assessment of any other subject is not  
568 administered earlier than the week of April 15.

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

571  
572 The commissioner may, based on collaboration and input from  
573 school districts, design and implement student testing programs,  
574 for any grade level and subject area, necessary to effectively  
575 monitor educational achievement in the state, including the  
576 measurement of educational achievement of the Sunshine State  
577 Standards for students with disabilities. Development and  
578 refinement of assessments shall include universal design  
579 principles and accessibility standards that will prevent any  
580 unintended obstacles for students with disabilities while  
581 ensuring the validity and reliability of the test. These  
582 principles should be applicable to all technology platforms and  
583 assistive devices available for the assessments. The field  
584 testing process and psychometric analyses for the statewide  
585 assessment program must include an appropriate percentage of  
586 students with disabilities and an evaluation or determination of  
587 the effect of test items on such students.

588 Section 8. Paragraph (b) of subsection (1) of section

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589 1009.531, Florida Statutes, is amended to read:

590 1009.531 Florida Bright Futures Scholarship Program;  
591 student eligibility requirements for initial awards.--

592 (1) Effective January 1, 2008, in order to be eligible for  
593 an initial award from any of the three types of scholarships  
594 under the Florida Bright Futures Scholarship Program, a student  
595 must:

596 (b) Earn a standard Florida high school diploma or its  
597 equivalent as described in s. 1003.428, s. 1003.429, s. 1003.43,  
598 or s. 1003.435 unless:

599 1. The student completes a home education program  
600 according to s. 1002.41; or

601 2. The student earns a high school diploma from a non-  
602 Florida school while living with a parent or guardian who is on  
603 military or public service assignment away from Florida.

604 Section 9. This act shall take effect July 1, 2010.