

1 A bill to be entitled
2 An act relating to public school assessments; amending s.
3 1003.25, F.S.; requiring the State Board of Education to
4 establish uniform procedures for the acceptance of student
5 credits and grades according to certain criteria; amending
6 s. 1003.413, F.S., relating to secondary school redesign,
7 to delete obsolete provisions and to conform to changes
8 made by the act; amending s. 1003.4156, F.S.; revising
9 requirements for middle grades promotion; providing that
10 successful completion of a high school level Algebra I,
11 geometry, or Biology I course is not contingent upon a
12 student's performance on the end-of-course assessment;
13 requiring a student to pass the end-of-course assessment
14 to earn high school credit for such courses; specifying
15 information that must be provided to students as part of
16 the personalized academic and career plan; amending s.
17 1003.428, F.S.; revising requirements for high school
18 graduation; requiring students entering grade 9 in
19 specified school years to meet end-of-course assessment
20 requirements and revised credit requirements in
21 mathematics and science for high school graduation;
22 requiring credit in an online course; requiring district
23 school board standards for grades in certain courses;
24 providing for waiver of end-of-course assessment results
25 for the purpose of receiving a course grade and credit for
26 students with disabilities; amending s. 1003.429, F.S.;
27 revising requirements for accelerated high school
28 graduation options; updating cross-references; requiring

29 | students entering grade 9 in specified school years to
30 | meet end-of-course assessment requirements and revised
31 | credit requirements in mathematics and science for high
32 | school graduation; requiring credit in an online course;
33 | requiring district school board standards for grades in
34 | certain courses; creating s. 1003.4295, F.S.; requiring
35 | high schools to advise students of, and offer,
36 | acceleration opportunities; establishing the Credit
37 | Acceleration Program to allow a secondary student who is
38 | not enrolled in or has not completed a course to earn
39 | credit if certain requirements are met; amending s.
40 | 1003.437, F.S.; revising the middle and high school
41 | grading system as it relates to grades for a high school
42 | student who fails an end-of-course assessment; amending s.
43 | 1003.493, F.S., relating to career and professional
44 | academies; clarifying provisions relating to industry
45 | certifications; conforming provisions to changes made by
46 | the act; amending s. 1007.35, F.S., relating to the
47 | Florida Partnership for Minority and Underrepresented
48 | Student Achievement, to conform to changes made by the
49 | act; amending s. 1008.22, F.S.; revising the statewide
50 | student achievement testing program; requiring end-of-
51 | course assessments in mathematics and science to replace
52 | FCAT Mathematics and FCAT Science beginning with students
53 | entering grade 9 in specified school years; providing
54 | requirements for administration of, and student
55 | performance on, statewide, standardized end-of-course
56 | assessments in mathematics and science; clarifying

57 | provisions relating to industry certifications; providing
58 | for establishment of an implementation schedule to develop
59 | and administer end-of-course assessments in certain
60 | courses; requiring evaluation and reporting of transition
61 | to specified end-of-course assessments; deleting certain
62 | requirements relating to the assessment of writing;
63 | requiring the use of scaled scores and achievement levels
64 | for measuring a student's knowledge and skills; requiring
65 | the State Board of Education to designate passing scores
66 | for end-of-course assessments and scores that indicate
67 | high achievement; providing requirements for retaking
68 | specified assessments; providing for waiver of end-of-
69 | course assessment requirements for students in exceptional
70 | education programs and students who have limited English
71 | proficiency; revising provisions relating to testing and
72 | reporting schedules; conforming provisions and cross-
73 | references; deleting certain uses of concordant scores for
74 | the FCAT; deleting retake requirements for the use of
75 | concordant scores; authorizing the Commissioner of
76 | Education to adopt equivalent scores for end-of-course
77 | assessments; providing requirements for use of equivalent
78 | scores; amending s. 1008.25, F.S., relating to public
79 | school student progression, to conform to changes made by
80 | the act; amending s. 1008.30, F.S., relating to the common
81 | placement test, to conform to changes made by the act;
82 | amending s. 1008.34, F.S.; revising provisions that
83 | specify the basis for determining school grades to include
84 | student performance on end-of-course assessments and to

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85 conform provisions to current FCAT assessments; clarifying
86 provisions relating to industry certifications; amending
87 s. 1008.341, F.S.; revising provisions that specify the
88 basis for determining an alternative school's school
89 improvement rating to include student performance on end-
90 of-course assessments; amending s. 1008.36, F.S.; revising
91 provisions relating to the use of school recognition
92 awards; providing an effective date.

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

95
96 Section 1. Subsection (3) of section 1003.25, Florida
97 Statutes, is amended to read:

98 1003.25 Procedures for maintenance and transfer of student
99 records.—

100 (3) The State Board of Education shall establish, by rule,
101 uniform procedures relating to the acceptance of credits and
102 grades earned by students entering Florida's public schools.
103 Credits and grades earned in courses, including those courses
104 that in Florida would require a statewide, standardized end-of-
105 course assessment under s. 1008.22(3)(c)2., shall be accepted at
106 face value if based on official transcripts and subject to
107 validation procedures established by rule ~~transfer work and~~
108 ~~credit for students shall be prescribed by rule by the State~~
109 ~~Board of Education.~~

110 Section 2. Paragraph (d) of subsection (3) and subsections
111 (4) and (5) of section 1003.413, Florida Statutes, are amended
112 to read:

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113 | 1003.413 Florida Secondary School Redesign Act.—

114 | (3) Based on these guiding principles, district school
 115 | boards shall establish policies to implement the requirements of
 116 | ss. 1003.4156, 1003.428, and 1003.493. The policies must
 117 | address:

118 | (d) Credit recovery courses and intensive reading and
 119 | mathematics intervention courses based on student performance on
 120 | ~~the~~ FCAT Reading and FCAT Mathematics. These courses should be
 121 | competency based and offered through innovative delivery
 122 | systems, including computer-assisted instruction. School
 123 | districts should use learning gains as well as other appropriate
 124 | data and provide incentives to identify and reward high-
 125 | performing teachers who teach credit recovery and intensive
 126 | intervention courses.

127 | (4) In order to support the successful implementation of
 128 | this section by district school boards, the Department of
 129 | Education shall:

130 | ~~(a) By February 1, 2007, increase the number of approved~~
 131 | ~~applied, integrated, and combined courses available to school~~
 132 | ~~districts.~~

133 | ~~(b) By the beginning of the 2006-2007 school year, make~~
 134 | ~~available a professional development package designed to provide~~
 135 | ~~the information that content area teachers need to become~~
 136 | ~~proficient in applying scientifically based reading strategies~~
 137 | ~~through their content areas.~~

138 | (a)-(e) Share best practices for providing a complete
 139 | education program to students enrolled in course recovery,
 140 | credit recovery, intensive reading intervention, or intensive

141 mathematics intervention.

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

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

149 ~~(5) The Commissioner of Education shall create and~~
 150 ~~implement the Secondary School Improvement Award Program to~~
 151 ~~reward public secondary schools that demonstrate continuous~~
 152 ~~student academic improvement and show the greatest gains in~~
 153 ~~student academic achievement in reading and mathematics.~~

154 Section 3. Paragraph (a) of subsection (1) of section
 155 1003.4156, Florida Statutes, is amended to read:

156 1003.4156 General requirements for middle grades
 157 promotion.—

158 (1) Beginning with students entering grade 6 in the 2006-
 159 2007 school year, promotion from a school composed of middle
 160 grades 6, 7, and 8 requires that:

161 (a) The student must successfully complete academic
 162 courses as follows:

163 1. Three middle school or higher courses in English. These
 164 courses shall emphasize literature, composition, and technical
 165 text.

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

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169 credit. Successful completion of a high school level Algebra I
170 or geometry course is not contingent upon the student's
171 performance on the end-of-course assessment required under s.
172 1008.22(3)(c)2.a.(I). However, to earn high school credit for an
173 Algebra I or geometry course, a middle school student must meet
174 the end-of-course assessment requirement under s.
175 1008.22(3)(c)2.a.(I). Students in grades 6 through 8 who earn
176 high school credit for an Algebra I or geometry course before
177 the 2010-2011 school year are not subject to the end-of-course
178 assessment requirement.

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

182 4. Three middle school or higher courses in science.
183 Successful completion of a high school level Biology I course is
184 not contingent upon the student's performance on the end-of-
185 course assessment required under s. 1008.22(3)(c)2.a.(II).
186 However, to earn high school credit for a Biology I course, a
187 middle school student must meet the end-of-course assessment
188 requirement under s. 1008.22(3)(c)2.a.(II). Students in grades 6
189 through 8 who earn high school credit for a Biology I course
190 before the 2011-2012 school year are not subject to the end-of-
191 course assessment requirement.

192 5. One course in career and education planning to be
193 completed in 7th or 8th grade. The course may be taught by any
194 member of the instructional staff; must include career
195 exploration using Florida CHOICES ~~for the 21st Century~~ or a
196 comparable cost-effective program; must include educational

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197 | planning using the online student advising system known as
198 | Florida Academic Counseling and Tracking for Students at the
199 | Internet website FACTS.org; and shall result in the completion
200 | of a personalized academic and career plan. The required
201 | personalized academic and career plan must inform students of
202 | high school graduation requirements, high school assessment and
203 | college entrance test requirements, Florida Bright Futures
204 | Scholarship Program requirements, state university and Florida
205 | college admission requirements, and opportunities through which
206 | a high school student can earn college credit, including
207 | Advanced Placement, International Baccalaureate, Advanced
208 | International Certificate of Education, dual enrollment, career
209 | academy courses, and programs that lead to national industry
210 | certification.

211 |
212 | Each school must hold a parent meeting either in the evening or
213 | on a weekend to inform parents about the course curriculum and
214 | activities. Each student shall complete an electronic personal
215 | education plan that must be signed by the student; the student's
216 | instructor, guidance counselor, or academic advisor; and the
217 | student's parent. ~~By January 1, 2007,~~ The Department of
218 | Education shall develop course frameworks and professional
219 | development materials for the career exploration and education
220 | planning course. The course may be implemented as a stand-alone
221 | course or integrated into another course or courses. The
222 | Commissioner of Education shall collect longitudinal high school
223 | course enrollment data by student ethnicity in order to analyze
224 | course-taking patterns.

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225 Section 4. Subsections (1) and (2), paragraph (a) of
226 subsection (4), and paragraph (b) of subsection (8) of section
227 1003.428, Florida Statutes, are amended to read:

228 1003.428 General requirements for high school graduation;
229 revised.—

230 (1) Except as otherwise authorized pursuant to s.
231 1003.429, beginning with students entering grade 9 ~~their first~~
232 ~~year of high school~~ in the 2007-2008 school year, graduation
233 requires the successful completion of a minimum of 24 credits,
234 an International Baccalaureate curriculum, or an Advanced
235 International Certificate of Education curriculum. Students must
236 be advised of eligibility requirements for state scholarship
237 programs and postsecondary admissions.

238 (2) The 24 credits may be earned through applied,
239 integrated, and combined courses approved by the Department of
240 Education. Beginning with students entering grade 9 in the 2013-
241 2014 school year, one of the 24 credits must contain online
242 learning. This requirement shall be met through an online course
243 offered by the Florida Virtual School, through a course offered
244 by the high school that significantly integrates online content,
245 or through an online dual enrollment course offered pursuant to
246 a district interinstitutional articulation agreement under s.
247 1007.235. A student who is enrolled in a full-time virtual
248 instruction program under s. 1002.45 meets this requirement. The
249 24 credits ~~and~~ shall be distributed as follows:

250 (a) Sixteen core curriculum credits:

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

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253 2. Four credits in mathematics, one of which must be
254 Algebra I, a series of courses equivalent to Algebra I, or a
255 higher-level mathematics course. Beginning with students
256 entering grade 9 in the 2010-2011 school year, in addition to
257 the Algebra I credit requirement, one of the four credits in
258 mathematics must be geometry or a series of courses equivalent
259 to geometry as approved by the State Board of Education.
260 Beginning with students entering grade 9 in the 2010-2011 school
261 year, the end-of-course assessment requirements under s.
262 1008.22(3)(c)2.a.(I) must be met in order for a student to earn
263 the required credits in Algebra I and geometry. Beginning with
264 students entering grade 9 in the 2012-2013 school year, in
265 addition to the Algebra I and geometry credit requirements, one
266 of the four credits in mathematics must be Algebra II or a
267 series of courses equivalent to Algebra II as approved by the
268 State Board of Education. ~~School districts are encouraged to set~~
269 ~~specific goals to increase enrollments in, and successful~~
270 ~~completion of, geometry and Algebra II.~~

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

281 the Biology I credit requirement, one of the three credits in
 282 science must be chemistry or physics or a series of courses
 283 equivalent to chemistry or physics as approved by the State
 284 Board of Education.

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

289 5. One credit in fine or performing arts, speech and
 290 debate, or a practical arts course that incorporates artistic
 291 content and techniques of creativity, interpretation, and
 292 imagination. Eligible practical arts courses shall be identified
 293 through the Course Code Directory.

294 6. One credit in physical education to include integration
 295 of health. Participation in an interscholastic sport at the
 296 junior varsity or varsity level for two full seasons shall
 297 satisfy the one-credit requirement in physical education if the
 298 student passes a competency test on personal fitness with a
 299 score of "C" or better. The competency test on personal fitness
 300 must be developed by the Department of Education. A district
 301 school board may not require that the one credit in physical
 302 education be taken during the 9th grade year. Completion of one
 303 semester with a grade of "C" or better in a marching band class,
 304 in a physical activity class that requires participation in
 305 marching band activities as an extracurricular activity, or in a
 306 dance class shall satisfy one-half credit in physical education
 307 or one-half credit in performing arts. This credit may not be
 308 used to satisfy the personal fitness requirement or the

309 requirement for adaptive physical education under an individual
310 education plan (IEP) or 504 plan. Completion of 2 years in a
311 Reserve Officer Training Corps (R.O.T.C.) class, a significant
312 component of which is drills, shall satisfy the one-credit
313 requirement in physical education and the one-credit requirement
314 in performing arts. This credit may not be used to satisfy the
315 personal fitness requirement or the requirement for adaptive
316 physical education under an individual education plan (IEP) or
317 504 plan.

318 (b) Eight credits in majors, minors, or electives:

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

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

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337 interest, elective courses, or intensive reading or mathematics
338 intervention courses as described in this subparagraph.

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

342 b. Elective courses are selected by the student in order
343 to pursue a complete education program as described in s.
344 1001.41(3) and to meet eligibility requirements for
345 scholarships.

346 c. For each year in which a student scores at Level 1 on
347 FCAT Reading, the student must be enrolled in and complete an
348 intensive reading course the following year. Placement of Level
349 2 readers in either an intensive reading course or a content
350 area course in which reading strategies are delivered shall be
351 determined by diagnosis of reading needs. The department shall
352 provide guidance on appropriate strategies for diagnosing and
353 meeting the varying instructional needs of students reading
354 below grade level. Reading courses shall be designed and offered
355 pursuant to the comprehensive reading plan required by s.
356 1011.62(9).

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

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

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

371
372 Each district school board shall adopt policies designed to
373 assist students in meeting the requirements of this subsection.
374 These policies may include, but are not limited to: forgiveness
375 policies, summer school or before or after school attendance,
376 special counseling, volunteers or peer tutors, school-sponsored
377 help sessions, homework hotlines, and study skills classes.
378 Forgiveness policies for required courses shall be limited to
379 replacing a grade of "D" or "F," or the equivalent of a grade of
380 "D" or "F," with a grade of "C" or higher, or the equivalent of
381 a grade of "C" or higher, earned subsequently in the same or
382 comparable course. Forgiveness policies for elective courses
383 shall be limited to replacing a grade of "D" or "F," or the
384 equivalent of a grade of "D" or "F," with a grade of "C" or
385 higher, or the equivalent of a grade of "C" or higher, earned
386 subsequently in another course. The only exception to these
387 forgiveness policies shall be made for a student in the middle
388 grades who takes any high school course for high school credit
389 and earns a grade of "C," "D," or "F" or the equivalent of a
390 grade of "C," "D," or "F." In such case, the district
391 forgiveness policy must allow the replacement of the grade with
392 a grade of "C" or higher, or the equivalent of a grade of "C" or

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393 higher, earned subsequently in the same or comparable course. In
394 all cases of grade forgiveness, only the new grade shall be used
395 in the calculation of the student's grade point average. Any
396 course grade not replaced according to a district school board
397 forgiveness policy shall be included in the calculation of the
398 cumulative grade point average required for graduation.

399 (8)

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

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

409 ~~b.2~~. Does not meet the requirements of paragraph (4)(b)
410 after one opportunity in 10th grade and one opportunity in 11th
411 grade.

412 2. A student with a disability, as defined in s.
413 1007.02(2), for whom the individual education plan (IEP)
414 committee determines that an end-of-course assessment cannot
415 accurately measure the student's abilities, taking into
416 consideration all allowable accommodations, shall have the end-
417 of-course assessment results waived for the purpose of
418 determining the student's course grade and credit as required in
419 paragraph (4)(a).

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

423 1003.429 Accelerated high school graduation options.—

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

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

430 (b) Completion of a 3-year standard college preparatory
431 program requiring successful completion of a minimum of 18
432 academic credits in grades 9 through 12. At least 6 of the 18
433 credits required for completion of this program must be received
434 in classes that are offered pursuant to the International
435 Baccalaureate Program, the Advanced Placement Program, dual
436 enrollment, Advanced International Certificate of Education, or
437 specifically listed or identified by the Department of Education
438 as rigorous pursuant to s. 1009.531(3). Beginning with students
439 entering grade 9 in the 2013-2014 school year, one of the 18
440 credits must contain online learning. This requirement shall be
441 met through an online course offered by the Florida Virtual
442 School, through a course offered by the high school that
443 significantly integrates online content, or through an online
444 dual enrollment course offered pursuant to a district
445 interinstitutional articulation agreement under s. 1007.235. A
446 student who is enrolled in a full-time virtual instruction
447 program under s. 1002.45 meets this requirement. The 18 credits

448 required for completion of this program shall be primary
 449 requirements and shall be distributed as follows:

450 1. Four credits in English, with major concentration in
 451 composition and literature;

452 2. Three credits and, beginning with students entering
 453 grade 9 in the 2010-2011 school year, four credits in
 454 mathematics at the Algebra I level or higher from the list of
 455 courses that qualify for state university admission. Beginning
 456 with students entering grade 9 in the 2010-2011 school year, in
 457 addition to the Algebra I credit requirement, one of the four
 458 credits in mathematics must be geometry or a series of courses
 459 equivalent to geometry as approved by the State Board of
 460 Education. Beginning with students entering grade 9 in the 2010-
 461 2011 school year, the end-of-course assessment requirements
 462 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
 463 to earn the required credits in Algebra I and geometry.
 464 Beginning with students entering grade 9 in the 2012-2013 school
 465 year, in addition to the Algebra I and geometry credit
 466 requirements, one of the four credits in mathematics must be
 467 Algebra II or a series of courses equivalent to Algebra II as
 468 approved by the State Board of Education;

469 3. Three credits in ~~natural~~ science, two of which must
 470 have a laboratory component. Beginning with students entering
 471 grade 9 in the 2011-2012 school year, one of the three credits
 472 in science must be Biology I or a series of courses equivalent
 473 to Biology I as approved by the State Board of Education.
 474 Beginning with students entering grade 9 in the 2011-2012 school
 475 year, the end-of-course assessment requirements under s.

476 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
 477 the required credit in Biology I. Beginning with students
 478 entering grade 9 in the 2013-2014 school year, in addition to
 479 the Biology I credit requirement, one of the three credits in
 480 science must be chemistry or physics or a series of courses
 481 equivalent to chemistry or physics as approved by the State
 482 Board of Education;

483 4. Three credits in social sciences, which must include
 484 one credit in United States ~~American~~ history, one credit in
 485 world history, one-half credit in United States ~~American~~
 486 government, and one-half credit in economics;

487 5. Two credits in the same second language unless the
 488 student is a native speaker of or can otherwise demonstrate
 489 competency in a language other than English. If the student
 490 demonstrates competency in another language, the student may
 491 replace the language requirement with two credits in other
 492 academic courses; and

493 6. Three credits and, beginning with students entering
 494 grade 9 in the 2010-2011 school year, two credits in electives;
 495 or

496 (c) Completion of a 3-year career preparatory program
 497 requiring successful completion of a minimum of 18 academic
 498 credits in grades 9 through 12. Beginning with students entering
 499 grade 9 in the 2013-2014 school year, one of the 18 credits must
 500 contain online learning. This requirement shall be met through
 501 an online course offered by the Florida Virtual School, through
 502 a course offered by the high school that significantly
 503 integrates online content, or through an online dual enrollment

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504 course offered pursuant to a district interinstitutional
505 articulation agreement under s. 1007.235. A student who is
506 enrolled in a full-time virtual instruction program under s.
507 1002.45 meets this requirement. The 18 credits shall be primary
508 requirements and shall be distributed as follows:

509 1. Four credits in English, with major concentration in
510 composition and literature;

511 2. Three credits and, beginning with students entering
512 grade 9 in the 2010-2011 school year, four credits in
513 mathematics, one of which must be Algebra I. Beginning with
514 students entering grade 9 in the 2010-2011 school year, in
515 addition to the Algebra I credit requirement, one of the four
516 credits in mathematics must be geometry or a series of courses
517 equivalent to geometry as approved by the State Board of
518 Education. Beginning with students entering grade 9 in the 2010-
519 2011 school year, the end-of-course assessment requirements
520 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
521 to earn the required credits in Algebra I and geometry.
522 Beginning with students entering grade 9 in the 2012-2013 school
523 year, in addition to the Algebra I and geometry credit
524 requirements, one of the four credits in mathematics must be
525 Algebra II or a series of courses equivalent to Algebra II as
526 approved by the State Board of Education;

527 3. Three credits in ~~natural~~ science, two of which must
528 have a laboratory component. Beginning with students entering
529 grade 9 in the 2011-2012 school year, one of the three credits
530 in science must be Biology I or a series of courses equivalent
531 to Biology I as approved by the State Board of Education.

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532 Beginning with students entering grade 9 in the 2011-2012 school
533 year, the end-of-course assessment requirements under s.
534 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
535 the required credit in Biology I. Beginning with students
536 entering grade 9 in the 2013-2014 school year, in addition to
537 the Biology I credit requirement, one of the three credits in
538 science must be chemistry or physics or a series of courses
539 equivalent to chemistry or physics as approved by the State
540 Board of Education;

541 4. Three credits in social sciences, which must include
542 one credit in United States ~~American~~ history, one credit in
543 world history, one-half credit in United States ~~American~~
544 government, and one-half credit in economics;

545 5. Three credits in a single vocational or career
546 education program, three credits in career and technical
547 certificate dual enrollment courses, or five credits in
548 vocational or career education courses; and

549 6. Two credits and, beginning with students entering grade
550 9 in the 2010-2011 school year, one credit in electives unless
551 five credits are earned pursuant to subparagraph 5.

552
553 Any student who selected an accelerated graduation program
554 before July 1, 2004, may continue that program, and all
555 statutory program requirements that were applicable when the
556 student made the program choice shall remain applicable to the
557 student as long as the student continues that program.

558 (5) District school boards may not establish requirements
559 for accelerated 3-year high school graduation options in excess

560 of the requirements in paragraphs (1)(b) and (c). For courses
 561 that require statewide, standardized end-of-course assessments
 562 under s. 1008.22(3)(c)2.c., a minimum of 30 percent of a
 563 student's course grade shall be comprised of performance on the
 564 statewide, standardized end-of-course assessment.

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

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

571 (8) A student who selected one of the accelerated 3-year
 572 graduation options shall automatically move to the 4-year
 573 program set forth in s. 1003.428 or s. 1003.43, as applicable,
 574 if the student:

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

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

579 (c) Does not achieve a score of 3 or higher on the grade
 580 10 FCAT Writing assessment; or

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

583 Section 6. Section 1003.4295, Florida Statutes, is created
 584 to read:

585 1003.4295 Acceleration opportunities for secondary
 586 students.—

587 (1) Each high school shall advise each student of

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588 opportunities through which a high school student can earn
589 college credit, including Advanced Placement, International
590 Baccalaureate, Advanced International Certificate of Education,
591 dual enrollment, career academy courses, and programs that lead
592 to national industry certification, as well as the availability
593 of course offerings through the Florida Virtual School.

594 (2) Beginning with the 2011-2012 school year, each high
595 school shall offer an International Baccalaureate Program, an
596 Advanced International Certificate of Education Program, or a
597 combination of at least four courses in dual enrollment or
598 Advanced Placement, including one course each in English,
599 mathematics, science, and social studies. To meet this
600 requirement, school districts may utilize the course offerings
601 provided by the Florida Virtual School established under s.
602 1002.37 or through virtual instruction programs authorized under
603 s. 1002.45.

604 (3) The Credit Acceleration Program (CAP) is established
605 to allow a secondary student to earn high school credit in a
606 course that requires a statewide, standardized end-of-course
607 assessment if the student attains a specified score on the
608 assessment. Notwithstanding s. 1003.436, a school district shall
609 award a course credit to a student who is not enrolled in the
610 course or who has not completed the course if the student
611 attains a score that indicates the student is high achieving,
612 pursuant to s. 1008.22(3)(c)7., on the corresponding statewide,
613 standardized end-of-course assessment. A student who is not
614 enrolled in the course or who has not completed the course may
615 take the statewide, standardized end-of-course assessment during

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616 the regular administration of the assessment and may only take
617 the end-of-course assessment once pursuant to this subsection.

618 Section 7. Subsection (6) of section 1003.437, Florida
619 Statutes, is amended to read:

620 1003.437 Middle and high school grading system.—The
621 grading system and interpretation of letter grades used for
622 students in public schools in grades 6-12 shall be as follows:

623 (6) Grade "I" equals zero percent, has a grade point
624 average value of zero, and is defined as "incomplete." A high
625 school student who fails to pass an end-of-course assessment
626 required under s. 1008.22(3)(c) may receive a grade "I" in the
627 course until the next administration of the end-of-course
628 assessment. If the student then passes the end-of-course
629 assessment, the appropriate grade shall be substituted.

630
631 For the purposes of class ranking, district school boards may
632 exercise a weighted grading system pursuant to s. 1007.271.

633 Section 8. Paragraph (k) of subsection (4) of section
634 1003.493, Florida Statutes, is amended to read:

635 1003.493 Career and professional academies.—

636 (4) Each career and professional academy must:

637 (k) Include an evaluation plan developed jointly with the
638 Department of Education and the local workforce board. The
639 evaluation plan must include an assessment tool based on
640 national industry standards, such as the Career Academy National
641 Standards of Practice, and outcome measures, including, but not
642 limited to, achievement of national industry certifications
643 identified in the Industry Certification Funding List, pursuant

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644 to rules adopted by the State Board of Education, graduation
645 rates, enrollment in postsecondary education, business and
646 industry satisfaction, employment and earnings, awards of
647 postsecondary credit and scholarships, and student FCAT
648 achievement levels and learning gains on statewide assessments
649 administered under s. 1008.22(3)(c). The Department of Education
650 shall use Workforce Florida, Inc., and Enterprise Florida, Inc.,
651 in identifying industry experts to participate in developing and
652 implementing such assessments.

653 Section 9. Paragraph (c) of subsection (6) of section
654 1007.35, Florida Statutes, is amended to read:

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

657 (6) The partnership shall:

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

667 Section 10. Paragraph (c) of subsection (3) and
668 subsections (6), (9), and (10) of section 1008.22, Florida
669 Statutes, are amended, present subsections (11) and (12) are
670 renumbered as subsections (12) and (13), respectively, and a new
671 subsection (11) is added to that section, to read:

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672 1008.22 Student assessment program for public schools.—
 673 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
 674 design and implement a statewide program of educational
 675 assessment that provides information for the improvement of the
 676 operation and management of the public schools, including
 677 schools operating for the purpose of providing educational
 678 services to youth in Department of Juvenile Justice programs.
 679 The commissioner may enter into contracts for the continued
 680 administration of the assessment, testing, and evaluation
 681 programs authorized and funded by the Legislature. Contracts may
 682 be initiated in 1 fiscal year and continue into the next and may
 683 be paid from the appropriations of either or both fiscal years.
 684 The commissioner is authorized to negotiate for the sale or
 685 lease of tests, scoring protocols, test scoring services, and
 686 related materials developed pursuant to law. Pursuant to the
 687 statewide assessment program, the commissioner shall:
 688 (c) Develop and implement a student achievement testing
 689 program as follows:
 690 1. ~~known as~~ The Florida Comprehensive Assessment Test
 691 (FCAT) measures as part of the statewide assessment program to
 692 ~~measure~~ a student's content knowledge and skills in reading,
 693 writing, science, and mathematics. The content knowledge and
 694 skills assessed by the FCAT must be aligned to the core
 695 curricular content established in the Next Generation Sunshine
 696 State Standards. Other content areas may be included as directed
 697 by the commissioner. Comprehensive assessments of reading and
 698 mathematics shall be administered annually in grades 3 through
 699 10 except, beginning with students entering grade 9 in the 2010-

700 2011 school year, the end-of-course assessments in Algebra I and
 701 geometry required under sub-sub-subparagraph 2.a.(I) shall
 702 replace grade 9 and grade 10 FCAT Mathematics. Comprehensive
 703 assessments of writing and science shall be administered at
 704 least once at the elementary, middle, and high school levels
 705 except, beginning with students entering grade 9 in the 2011-
 706 2012 school year, the end-of-course assessment in Biology I
 707 required under sub-sub-subparagraph 2.a.(II) shall replace FCAT
 708 Science at the high school level.

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

718 (I) Statewide, standardized end-of-course assessments in
 719 mathematics shall be administered according to this sub-sub-
 720 subparagraph. Beginning with the 2010-2011 school year, all
 721 students enrolled in Algebra I or an equivalent course must take
 722 the Algebra I end-of-course assessment. For students entering
 723 grade 9 during the 2010-2011 school year, each student's
 724 performance on the end-of-course assessment in Algebra I shall
 725 constitute 30 percent of the student's final course grade.
 726 Beginning with students entering grade 9 in the 2011-2012 school
 727 year, a student must earn a passing score on the end-of-course

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728 assessment in Algebra I in order to pass the course and earn
729 course credit. Beginning with the 2010-2011 school year, all
730 students enrolled in geometry or an equivalent course must take
731 the geometry end-of-course assessment. For students entering
732 grade 9 during the 2010-2011 and 2011-2012 school years, each
733 student's performance on the end-of-course assessment in
734 geometry shall constitute 30 percent of the student's final
735 course grade. Beginning with students entering grade 9 during
736 the 2012-2013 school year, a student must earn a passing score
737 on the end-of-course assessment in geometry in order to pass the
738 course and earn course credit.

739 (II) A statewide, standardized end-of-course assessment in
740 Biology I shall be administered according to this sub-sub-
741 subparagraph. Beginning with the 2011-2012 school year, all
742 students enrolled in Biology I or an equivalent course must take
743 the Biology I end-of-course assessment. For students entering
744 grade 9 during the 2011-2012 school year, each student's
745 performance on the end-of-course assessment in Biology I shall
746 constitute 30 percent of the student's final course grade.
747 Beginning with students entering grade 9 during the 2012-2013
748 school year, a student must earn a passing score on the end-of-
749 course assessment in Biology I in order to pass the course and
750 earn course credit.

751 b. The commissioner may select one or more nationally
752 developed comprehensive examinations, which may include, but
753 need not be limited to, examinations for a College Board
754 Advanced Placement course, International Baccalaureate course,
755 or Advanced International Certificate of Education course or

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756 industry-approved examinations to earn national industry
757 certifications identified in the Industry Certification Funding
758 List, pursuant to rules adopted by the State Board of Education
759 ~~as defined in s. 1003.492~~, for use as end-of-course assessments
760 under this paragraph, if the commissioner determines that the
761 content knowledge and skills assessed by the examinations meet
762 or exceed the grade level expectations for the core curricular
763 content established for the course in the Next Generation
764 Sunshine State Standards. The commissioner may collaborate with
765 the American Diploma Project in the adoption or development of
766 rigorous end-of-course assessments that are aligned to the Next
767 Generation Sunshine State Standards. ~~The testing program must be~~
768 ~~designed as follows:~~

769 c. Contingent upon funding provided in the General
770 Appropriations Act, including appropriation of federal funds,
771 the Commissioner of Education shall establish an implementation
772 schedule for the development and administration of statewide,
773 standardized end-of-course assessments in English/Language Arts
774 II, Algebra II, chemistry, physics, earth/space science, United
775 States history, and world history. Priority shall be given to
776 the development of an end-of-course assessment in
777 English/Language Arts II. The Commissioner of Education shall
778 evaluate the feasibility and effect of transitioning from the
779 grade 9 and grade 10 FCAT Reading and high school level FCAT
780 Writing to an end-of-course assessment in English/Language Arts
781 II. The commissioner shall report the results of the evaluation
782 to the President of the Senate and the Speaker of the House of
783 Representatives no later July 1, 2011.

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784 3.1. The testing program ~~tests~~ shall measure student
785 skills and competencies adopted by the State Board of Education
786 as specified in paragraph (a) and. ~~The tests must~~ measure and
787 report student performance ~~proficiency~~ levels of all students
788 assessed in reading, writing, mathematics, and science. The
789 commissioner shall provide for the tests to be developed or
790 obtained, as appropriate, through contracts and project
791 agreements with private vendors, public vendors, public
792 agencies, postsecondary educational institutions, or school
793 districts. The commissioner shall obtain input with respect to
794 the design and implementation of the testing program from state
795 educators, assistive technology experts, and the public.

796 4.2. The testing program shall be composed of criterion-
797 referenced tests that shall, to the extent determined by the
798 commissioner, include test items that require the student to
799 produce information or perform tasks in such a way that the core
800 content knowledge and skills he or she uses can be measured.

801 ~~3. Beginning with the 2008-2009 school year, the~~
802 ~~commissioner shall discontinue administration of the selected-~~
803 ~~response test items on the comprehensive assessments of writing.~~
804 ~~Beginning with the 2012-2013 school year, the comprehensive~~
805 ~~assessments of writing shall be composed of a combination of~~
806 ~~selected response test items, short response performance tasks,~~
807 ~~and extended-response performance tasks, which shall measure a~~
808 ~~student's content knowledge of writing, including, but not~~
809 ~~limited to, paragraph and sentence structure, sentence~~
810 ~~construction, grammar and usage, punctuation, capitalization,~~
811 ~~spelling, parts of speech, verb tense, irregular verbs, subject-~~

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812 ~~verb agreement, and noun-pronoun agreement.~~

813 5.4. FCAT Reading, Mathematics, and Science and all
814 statewide, standardized end-of-course assessments shall measure,
815 by use of scaled scores and achievement levels, the content
816 knowledge and skills a student has attained. Achievement levels
817 shall range from 1 through 5, with level 1 being the lowest
818 achievement level, level 5 being the highest achievement level,
819 and level 3 indicating satisfactory performance on an
820 assessment. For FCAT Writing, student achievement shall be
821 scored using the rubric scale of 1 through 6 and the score
822 earned shall be used in calculating school grades. A score shall
823 be designated for each subject area tested, below which score a
824 student's performance is deemed inadequate. The school districts
825 shall provide appropriate remedial instruction to students who
826 score below these levels.

827 ~~6.5. Except as provided in s. 1003.428(8)(b) or s.~~
828 ~~1003.43(11)(b), students must earn a passing score on the grade~~
829 ~~10 assessment test described in this paragraph or attain~~
830 ~~concordant scores as described in subsection (10) in reading,~~
831 ~~writing, and mathematics to qualify for a standard high school~~
832 ~~diploma. The State Board of Education shall, by rule, designate~~
833 a passing score for each part of the grade 10 assessment test
834 and end-of-course assessments. In establishing passing scores,
835 the state board shall consider any possible negative impact of
836 the test on minority students. ~~The State Board of Education~~
837 ~~shall adopt rules which specify the passing scores for the grade~~
838 ~~10 FCAT. Any such rules that, which~~ have the effect of raising
839 the required passing scores, shall apply only to students taking

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840 the assessment ~~grade 10 FCAT~~ for the first time after such rules
841 are adopted by the State Board of Education. Except as otherwise
842 provided in this paragraph and as provided in s. 1003.428(8)(b)
843 or s. 1003.43(11)(b), students must earn a passing score on
844 grade 10 FCAT Reading and grade 10 FCAT Mathematics or attain
845 concordant scores as described in subsection (10) to qualify for
846 a standard high school diploma.

847 7. In addition to designating a passing score under
848 subparagraph 6., the State Board of Education shall also
849 designate, by rule, a score for each statewide, standardized
850 end-of-course assessment which indicates that a student is high
851 achieving and is likely to meet college-readiness standards by
852 the time the student graduates from high school.

853 ~~8.6.~~ Participation in the testing program is mandatory for
854 all students attending public school, including students served
855 in Department of Juvenile Justice programs, except as otherwise
856 prescribed by the commissioner. A student who has not earned
857 passing scores on the grade 10 FCAT as provided in subparagraph
858 6. must participate in each retake of the assessment until the
859 student earns passing scores or achieves scores on a
860 standardized assessment that are concordant with passing scores
861 pursuant to subsection (10). If a student does not participate
862 in the statewide assessment, the district must notify the
863 student's parent and provide the parent with information
864 regarding the implications of such nonparticipation. A parent
865 must provide signed consent for a student to receive classroom
866 instructional accommodations that would not be available or
867 permitted on the statewide assessments and must acknowledge in

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868 writing that he or she understands the implications of such
869 instructional accommodations. The State Board of Education shall
870 adopt rules, based upon recommendations of the commissioner, for
871 the provision of test accommodations for students in exceptional
872 education programs and for students who have limited English
873 proficiency. Accommodations that negate the validity of a
874 statewide assessment are not allowable in the administration of
875 the FCAT or an end-of-course assessment. However, instructional
876 accommodations are allowable in the classroom if included in a
877 student's individual education plan. Students using
878 instructional accommodations in the classroom that are not
879 allowable as accommodations on the FCAT or an end-of-course
880 assessment may have the FCAT or end-of-course assessment
881 requirement waived pursuant to the requirements of s.
882 1003.428(8)(b) or s. 1003.43(11)(b).

883 9.7. A student seeking an adult high school diploma must
884 meet the same testing requirements that a regular high school
885 student must meet.

886 10.8. District school boards must provide instruction to
887 prepare students ~~to demonstrate proficiency~~ in the core
888 curricular content established in the Next Generation Sunshine
889 State Standards adopted under s. 1003.41, including the core
890 content knowledge and skills necessary for successful grade-to-
891 grade progression and high school graduation. If a student is
892 provided with instructional accommodations in the classroom that
893 are not allowable as accommodations in the statewide assessment
894 program, as described in the test manuals, the district must
895 inform the parent in writing and must provide the parent with

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896 information regarding the impact on the student's ability to
897 meet expected performance ~~proficiency~~ levels in reading,
898 writing, ~~and~~ mathematics, and science. The commissioner shall
899 conduct studies as necessary to verify that the required core
900 curricular content is part of the district instructional
901 programs.

902 ~~11.9.~~ District school boards must provide opportunities
903 for students to demonstrate an acceptable level of performance
904 on an alternative standardized assessment approved by the State
905 Board of Education following enrollment in summer academies.

906 ~~12.10.~~ The Department of Education must develop, or
907 select, and implement a common battery of assessment tools that
908 will be used in all juvenile justice programs in the state.
909 These tools must accurately measure the core curricular content
910 established in the Next Generation Sunshine State Standards.

911 ~~13.11.~~ For students seeking a special diploma pursuant to
912 s. 1003.438, the Department of Education must develop or select
913 and implement an alternate assessment tool that accurately
914 measures the core curricular content established in the Next
915 Generation Sunshine State Standards for students with
916 disabilities under s. 1003.438.

917 ~~14.12.~~ The Commissioner of Education shall establish
918 schedules for the administration of statewide assessments and
919 the reporting of student test results. When establishing the
920 schedules for the administration of statewide assessments, the
921 commissioner shall consider the observance of religious and
922 school holidays. The commissioner shall, by August 1 of each
923 year, notify each school district in writing and publish on the

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924 department's Internet website the testing and reporting
925 schedules for, at a minimum, the school year following the
926 upcoming school year. The testing and reporting schedules shall
927 require that:

928 a. There is the latest possible administration of
929 statewide assessments and the earliest possible reporting to the
930 school districts of student test results which is feasible
931 within available technology and specific appropriations;
932 however, test results for the FCAT must be made available no
933 later than the week of June 8. Student results for end-of-course
934 assessments must be provided no later than 1 week after the
935 school district completes testing for each course final day of
936 the regular school year for students.

937 b. Beginning with the 2010-2011 school year, FCAT a
938 ~~comprehensive statewide assessment of~~ Writing is not
939 administered earlier than the week of March 1 and a
940 comprehensive statewide assessment of any other subject is not
941 administered earlier than the week of April 15.

942 c. A statewide, standardized end-of-course assessment is
943 administered during a 3-week period at the end of a year-long
944 course. The commissioner shall select a 3-week administration
945 period for assessments that meets the intent of end-of-course
946 assessments and provides student results prior to the end of the
947 course. School districts shall select one testing week within
948 the 3-week administration period for each end-of-course
949 assessment. For an end-of-course assessment administered at the
950 end of a semester-long course, the commissioner shall determine
951 the most appropriate testing dates based on a school district's

952 academic calendar ~~within the last 2 weeks of the course.~~

953
 954 The commissioner may, based on collaboration and input from
 955 school districts, design and implement student testing programs,
 956 for any grade level and subject area, necessary to effectively
 957 monitor educational achievement in the state, including the
 958 measurement of educational achievement of the Next Generation
 959 Sunshine State Standards for students with disabilities.

960 Development and refinement of assessments shall include
 961 universal design principles and accessibility standards that
 962 will prevent any unintended obstacles for students with
 963 disabilities while ensuring the validity and reliability of the
 964 test. These principles should be applicable to all technology
 965 platforms and assistive devices available for the assessments.
 966 The field testing process and psychometric analyses for the
 967 statewide assessment program must include an appropriate
 968 percentage of students with disabilities and an evaluation or
 969 determination of the effect of test items on such students.

970 (6) SCHOOL TESTING PROGRAMS.—Each public school shall
 971 participate in the statewide assessment program in accordance
 972 with the testing and reporting schedules published by the
 973 Commissioner of Education under subparagraph (3)(c) 14.12.~~12~~ unless
 974 specifically exempted by state board rule based on serving a
 975 specialized population for which standardized testing is not
 976 appropriate. Student performance data shall be analyzed and
 977 reported to parents, the community, and the state. Student
 978 performance data shall be used in developing objectives of the
 979 school improvement plan, evaluation of instructional personnel,

980 evaluation of administrative personnel, assignment of staff,
 981 allocation of resources, acquisition of instructional materials
 982 and technology, performance-based budgeting, and promotion and
 983 assignment of students into educational programs. The analysis
 984 of student performance data also must identify strengths and
 985 needs in the educational program and trends over time. The
 986 analysis must be used in conjunction with the budgetary planning
 987 processes developed pursuant to s. 1008.385 and the development
 988 of the programs of remediation.

989 (9) APPLICABILITY OF TESTING STANDARDS.—

990 (a) If the Commissioner of Education revises a statewide
 991 assessment and the revisions require the State Board of
 992 Education to modify the assessment's performance proficiency
 993 ~~levels or modify the passing scores required for a standard high~~
 994 ~~school diploma~~, until the state board adopts the modifications
 995 by rule, the commissioner shall use calculations for scoring the
 996 assessment which adjust student scores on the revised assessment
 997 for statistical equivalence to student scores on the former
 998 assessment.

999 (b) A student must attain the passing scores on the
 1000 statewide assessment required for a standard high school diploma
 1001 or for high school course credits under sub-sub-subparagraphs
 1002 (3)(c)2.a.(I) and (II) which are in effect at the time the
 1003 student enters grade 9 if the student's enrollment is
 1004 continuous.

1005 (c) If the commissioner revises a statewide assessment and
 1006 the revisions require the State Board of Education to modify the
 1007 passing scores required for a standard high school diploma or

1008 for high school course credits under sub-sub-subparagraphs
 1009 (3)(c)2.a (I) and (II), the commissioner may, with approval of
 1010 the state board, discontinue administration of the former
 1011 assessment upon the graduation, based on normal student
 1012 progression, of students participating in the final regular
 1013 administration of the former assessment. The state board shall
 1014 adopt by rule passing scores for the revised assessment which
 1015 are statistically equivalent to passing scores on the
 1016 discontinued assessment for a student required under paragraph
 1017 (b) to attain passing scores on the discontinued assessment.

1018 (10) CONCORDANT SCORES FOR THE FCAT.—

1019 (a) The Commissioner ~~State Board~~ of Education shall
 1020 analyze the content and concordant data sets for ~~widely used~~
 1021 high school achievement tests, including, but not limited to,
 1022 the PSAT, PLAN, SAT, ACT, and College Placement Test, to assess
 1023 if concordant scores for FCAT scores can be determined for high
 1024 school graduation, ~~college placement, and scholarship awards.~~
 1025 When ~~In cases where~~ content alignment and concordant scores can
 1026 be determined, the Commissioner of Education shall adopt those
 1027 scores as meeting the graduation requirement in lieu of
 1028 achieving the FCAT passing score and may adopt those scores as
 1029 being sufficient to achieve additional purposes as determined by
 1030 rule. Each time that test content or scoring procedures change
 1031 for the FCAT or for a high school achievement test for which a
 1032 concordant score is determined, new concordant scores must be
 1033 determined. Concordant scores earned before taking the grade 10
 1034 FCAT for the first time in grade 10 may not be used to satisfy
 1035 the requirement in this paragraph.

1036 ~~(b) In order to use a concordant subject area score~~
 1037 ~~pursuant to this subsection to satisfy the assessment~~
 1038 ~~requirement for a standard high school diploma as provided in s.~~
 1039 ~~1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must~~
 1040 ~~take each subject area of the grade 10 FCAT a total of three~~
 1041 ~~times without earning a passing score. The requirements of this~~
 1042 ~~paragraph shall not apply to a new student who enters the~~
 1043 ~~Florida public school system in grade 12, who may either achieve~~
 1044 ~~a passing score on the FCAT or use an approved subject area~~
 1045 ~~concordant score to fulfill the graduation requirement.~~

1046 (b)(e) The State Board of Education may define by rule the
 1047 allowable uses, other than to satisfy the high school graduation
 1048 requirement, for concordant scores as described in this
 1049 subsection. Such uses may include, but need not be limited to,
 1050 achieving appropriate standardized test scores required for the
 1051 awarding of Florida Bright Futures Scholarships and college
 1052 placement.

1053 (11) EQUIVALENT SCORES FOR END-OF-COURSE ASSESSMENTS.—

1054 (a) The Commissioner of Education shall analyze the
 1055 content and equivalent data sets for high school achievement
 1056 tests, including, but not limited to, grade 10 FCAT Mathematics
 1057 retakes until such retakes are discontinued pursuant to
 1058 subsection (9), the PSAT, the PLAN, the SAT, the ACT, and the
 1059 College Placement Test, to assess if equivalent scores for end-
 1060 of-course assessment scores can be determined for passage of an
 1061 end-of-course assessment. When content alignment and equivalent
 1062 scores can be determined, the Commissioner of Education shall
 1063 adopt those scores as meeting the requirement to pass the end-

1064 of-course assessment and as being sufficient to achieve
 1065 additional purposes as determined by rule. Each time that
 1066 assessment content or scoring procedures change for an end-of-
 1067 course assessment or for a high school achievement test for
 1068 which an equivalent score is determined, new equivalent scores
 1069 must be determined. Equivalent scores earned before taking an
 1070 end-of-course assessment for the first time may not be used to
 1071 satisfy the requirement in this subsection.

1072 (b) In order to use an equivalent score pursuant to this
 1073 subsection to satisfy the end-of-course assessment requirements
 1074 under sub-subparagraph (3)(c)2.a., a student must have received
 1075 a grade "F" in a course solely because the student failed to
 1076 pass the end-of-course assessment. Use of an equivalent score
 1077 adopted by the Commissioner of Education under paragraph (a) for
 1078 purposes of grade adjustment, grade forgiveness, or course
 1079 credit recovery is contingent upon and subject to district
 1080 school board rules.

1081 Section 11. Paragraph (a) of subsection (4) of section
 1082 1008.25, Florida Statutes, is amended to read:

1083 1008.25 Public school student progression; remedial
 1084 instruction; reporting requirements.—

1085 (4) ASSESSMENT AND REMEDIATION.—

1086 (a) Each student must participate in the statewide
 1087 assessment tests required by s. 1008.22. Each student who does
 1088 not meet specific levels of performance as determined by the
 1089 district school board in FCAT Reading, Writing, Science, and
 1090 Mathematics for each grade level, or who scores below Level 3 in
 1091 FCAT Reading or FCAT Mathematics ~~math~~, must be provided with

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1092 additional diagnostic assessments to determine the nature of the
1093 student's difficulty, the areas of academic need, and strategies
1094 for appropriate intervention and instruction as described in
1095 paragraph (b).

1096 Section 12. Subsection (3) of section 1008.30, Florida
1097 Statutes, is amended to read:

1098 1008.30 Common placement testing for public postsecondary
1099 education.—

1100 (3) The State Board of Education shall adopt rules that
1101 require high schools to evaluate before the beginning of grade
1102 12 the college readiness of each student who indicates an
1103 interest in postsecondary education and scores at Level 2 or
1104 Level 3 on the reading portion of the grade 10 FCAT or Level 2,
1105 Level 3, or Level 4 on the mathematics assessments under s.
1106 1008.22(3)(c) ~~portion of the grade 10 FCAT~~. High schools shall
1107 perform this evaluation using results from the corresponding
1108 component of the common placement test prescribed in this
1109 section, or an equivalent test identified by the State Board of
1110 Education. The Department of Education shall purchase or develop
1111 the assessments necessary to perform the evaluations required by
1112 this subsection and shall work with the school districts to
1113 administer the assessments. The State Board of Education shall
1114 establish by rule the minimum test scores a student must achieve
1115 to demonstrate readiness. Students who demonstrate readiness by
1116 achieving the minimum test scores established by the state board
1117 and enroll in a community college within 2 years of achieving
1118 such scores shall not be required to enroll in remediation
1119 courses as a condition of acceptance to any community college.

1120 The high school shall use the results of the test to advise the
 1121 students of any identified deficiencies and to the maximum
 1122 extent practicable provide 12th grade students access to
 1123 appropriate remedial instruction prior to high school
 1124 graduation. The remedial instruction provided under this
 1125 subsection shall be a collaborative effort between secondary and
 1126 postsecondary educational institutions. To the extent courses
 1127 are available, the Florida Virtual School may be used to provide
 1128 the remedial instruction required by this subsection.

1129 Section 13. Paragraphs (b) and (c) of subsection (3) of
 1130 section 1008.34, Florida Statutes, are amended to read:

1131 1008.34 School grading system; school report cards;
 1132 district grade.—

1133 (3) DESIGNATION OF SCHOOL GRADES.—

1134 (b)1. A school's grade shall be based on a combination of:

1135 a. Student achievement scores, including performance on
 1136 all FCAT assessments administered under s. 1008.22(3)(c)1. and
 1137 end-of-course assessments administered under s.

1138 1008.22(3)(c)2.a., and achievement scores for students seeking a
 1139 special diploma.

1140 b. Student learning gains in reading and mathematics as
 1141 measured by ~~annual~~ FCAT and end-of-course assessments ~~in grades~~
 1142 ~~3 through 10~~; learning gains for students seeking a special
 1143 diploma, as measured by an alternate assessment tool, shall be
 1144 included not later than the 2009-2010 school year.

1145 c. Improvement of the lowest 25th percentile of students
 1146 in the school in reading and, ~~mathematics, or writing~~ on the
 1147 FCAT and end-of-course assessments, unless these students are

1148 exhibiting satisfactory performance.

1149 2. Beginning with the 2009-2010 school year for schools
 1150 comprised of high school grades 9, 10, 11, and 12, or grades 10,
 1151 11, and 12, 50 percent of the school grade shall be based on a
 1152 combination of the factors listed in sub-subparagraphs 1.a.-c.
 1153 and the remaining 50 percent on the following factors:

1154 a. The high school graduation rate of the school;

1155 b. As valid data becomes available, the performance and
 1156 participation of the school's students in College Board Advanced
 1157 Placement courses, International Baccalaureate courses, dual
 1158 enrollment courses, and Advanced International Certificate of
 1159 Education courses; and the students' achievement of national
 1160 industry certifications identified in the Industry Certification
 1161 Funding List, pursuant to rules adopted by the State Board of
 1162 Education certification, as determined by the Agency for
 1163 Workforce Innovation under s. 1003.492(2) in a career and
 1164 professional academy, as described in s. 1003.493;

1165 c. Postsecondary readiness of the school's students as
 1166 measured by the SAT, ACT, or the common placement test;

1167 d. The high school graduation rate of at-risk students who
 1168 scored at Level 2 or lower on the grade 8 FCAT Reading and
 1169 Mathematics examinations;

1170 e. As valid data becomes available, the performance of the
 1171 school's students on statewide, standardized end-of-course
 1172 assessments administered under s. 1008.22(3)(c)2.b. and c.; and

1173 f. The growth or decline in the components listed in sub-
 1174 subparagraphs a.-e. from year to year.

1175 (c) Student assessment data used in determining school

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1176 grades shall include:

1177 1. The aggregate scores of all eligible students enrolled
1178 in the school who have been assessed on the FCAT assessments
1179 administered under s. 1008.22(3)(c)1. and end-of-course
1180 assessments administered under s. 1008.22(3)(c)2.a.

1181 2. The aggregate scores of all eligible students enrolled
1182 in the school who have been assessed on the FCAT and end-of-
1183 course assessments and who have scored at or in the lowest 25th
1184 percentile of students in the school in reading and
1185 mathematics, ~~or writing~~, unless these students are exhibiting
1186 satisfactory performance.

1187 3. Effective with the 2005-2006 school year, the
1188 achievement scores and learning gains of eligible students
1189 attending alternative schools that provide dropout prevention
1190 and academic intervention services pursuant to s. 1003.53. The
1191 term "eligible students" in this subparagraph does not include
1192 students attending an alternative school who are subject to
1193 district school board policies for expulsion for repeated or
1194 serious offenses, who are in dropout retrieval programs serving
1195 students who have officially been designated as dropouts, or who
1196 are in programs operated or contracted by the Department of
1197 Juvenile Justice. The student performance data for eligible
1198 students identified in this subparagraph shall be included in
1199 the calculation of the home school's grade. As used in this
1200 section and s. 1008.341, the term "home school" means the school
1201 to which the student would be assigned if the student were not
1202 assigned to an alternative school. If an alternative school
1203 chooses to be graded under this section, student performance

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1204 data for eligible students identified in this subparagraph shall
 1205 not be included in the home school's grade but shall be included
 1206 only in the calculation of the alternative school's grade. A
 1207 school district that fails to assign the FCAT and end-of-course
 1208 assessment scores of each of its students to his or her home
 1209 school or to the alternative school that receives a grade shall
 1210 forfeit Florida School Recognition Program funds for 1 fiscal
 1211 year. School districts must require collaboration between the
 1212 home school and the alternative school in order to promote
 1213 student success. This collaboration must include an annual
 1214 discussion between the principal of the alternative school and
 1215 the principal of each student's home school concerning the most
 1216 appropriate school assignment of the student.

1217 4. Beginning with the 2009-2010 school year for schools
 1218 comprised of high school grades 9, 10, 11, and 12, or grades 10,
 1219 11, and 12, the data listed in subparagraphs 1.-3. and the
 1220 following data as the Department of Education determines such
 1221 data are valid and available:

1222 a. The high school graduation rate of the school as
 1223 calculated by the Department of Education;

1224 b. The participation rate of all eligible students
 1225 enrolled in the school and enrolled in College Board Advanced
 1226 Placement courses; International Baccalaureate courses; dual
 1227 enrollment courses; Advanced International Certificate of
 1228 Education courses; and courses or sequence of courses leading to
 1229 national industry certifications identified in the Industry
 1230 Certification Funding List, pursuant to rules adopted by the
 1231 State Board of Education certification, as determined by the

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1232 ~~Agency for Workforce Innovation under s. 1003.492(2) in a career~~
 1233 ~~and professional academy, as described in s. 1003.493;~~

1234 c. The aggregate scores of all eligible students enrolled
 1235 in the school in College Board Advanced Placement courses,
 1236 International Baccalaureate courses, and Advanced International
 1237 Certificate of Education courses;

1238 d. Earning of college credit by all eligible students
 1239 enrolled in the school in dual enrollment programs under s.
 1240 1007.271;

1241 e. Earning of national ~~an~~ industry certifications
 1242 identified in the Industry Certification Funding List, pursuant
 1243 to rules adopted by the State Board of Education certification,
 1244 ~~as determined by the Agency for Workforce Innovation under s.~~
 1245 ~~1003.492(2) in a career and professional academy, as described~~
 1246 ~~in s. 1003.493;~~

1247 f. The aggregate scores of all eligible students enrolled
 1248 in the school in reading, mathematics, and other subjects as
 1249 measured by the SAT, the ACT, and the common placement test for
 1250 postsecondary readiness;

1251 g. The high school graduation rate of all eligible at-risk
 1252 students enrolled in the school who scored at Level 2 or lower
 1253 on the grade 8 FCAT Reading and Mathematics examinations;

1254 h. The performance of the school's students on statewide,
 1255 standardized end-of-course assessments administered under s.
 1256 1008.22 (3)(c)2.b. and c.; and

1257 i. The growth or decline in the data components listed in
 1258 sub-subparagraphs a.-h. from year to year.

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1260 The State Board of Education shall adopt appropriate criteria
 1261 for each school grade. The criteria must also give added weight
 1262 to student achievement in reading. Schools designated with a
 1263 grade of "C," making satisfactory progress, shall be required to
 1264 demonstrate that adequate progress has been made by students in
 1265 the school who are in the lowest 25th percentile in reading and
 1266 mathematics, ~~or writing~~ on the FCAT and end-of-course
 1267 assessments, unless these students are exhibiting satisfactory
 1268 performance. Beginning with the 2009-2010 school year for
 1269 schools comprised of high school grades 9, 10, 11, and 12, or
 1270 grades 10, 11, and 12, the criteria for school grades must also
 1271 give added weight to the graduation rate of all eligible at-risk
 1272 students, as defined in this paragraph. Beginning in the 2009-
 1273 2010 school year, in order for a high school to be designated as
 1274 having a grade of "A," making excellent progress, the school
 1275 must demonstrate that at-risk students, as defined in this
 1276 paragraph, in the school are making adequate progress.

1277 Section 14. Subsection (3) of section 1008.341, Florida
 1278 Statutes, is amended to read:

1279 1008.341 School improvement rating for alternative
 1280 schools.—

1281 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data
 1282 used in determining an alternative school's school improvement
 1283 rating shall include:

1284 (a) The aggregate scores on statewide assessments
 1285 administered under s. 1008.22 for ~~of~~ all eligible students who
 1286 were assigned to and enrolled in the school during the October
 1287 or February FTE count, ~~who have been assessed on the FCAT,~~ and

1288 | who have ~~FCAT or~~ comparable scores for the preceding school
 1289 | year.

1290 | (b) The aggregate scores on statewide assessments
 1291 | administered under s. 1008.22 for ~~of~~ all eligible students who
 1292 | were assigned to and enrolled in the school during the October
 1293 | or February FTE count, ~~who have been assessed on the FCAT and~~
 1294 | who have scored in the lowest 25th percentile of students in the
 1295 | state on FCAT Reading.

1296 |
 1297 | The assessment scores of students who are subject to district
 1298 | school board policies for expulsion for repeated or serious
 1299 | offenses, who are in dropout retrieval programs serving students
 1300 | who have officially been designated as dropouts, or who are in
 1301 | programs operated or contracted by the Department of Juvenile
 1302 | Justice may not be included in an alternative school's school
 1303 | improvement rating.

1304 | Section 15. Subsection (4) of section 1008.36, Florida
 1305 | Statutes, is amended to read:

1306 | 1008.36 Florida School Recognition Program.—

1307 | (4) All selected schools shall receive financial awards
 1308 | depending on the availability of funds appropriated and the
 1309 | number and size of schools selected to receive an award. Funds
 1310 | must be distributed to the school's fiscal agent and placed in
 1311 | the school's account and must be used for purposes listed in
 1312 | subsection (5) as determined jointly by the school's staff and
 1313 | school advisory council. If school staff and the school advisory
 1314 | council cannot reach agreement by February ~~November~~ 1, the
 1315 | awards must be equally distributed to all classroom teachers

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1316 currently teaching in the school. Beginning with the 2009-2010
1317 school year, if a school selected to receive a school
1318 recognition award is no longer in existence at the time the
1319 award is paid, the district school superintendent shall
1320 determine how the school recognition funds shall be used to
1321 support the district in accordance with subsection (5).

1322

1323 Notwithstanding statutory provisions to the contrary, incentive
1324 awards are not subject to collective bargaining.

1325 Section 16. This act shall take effect July 1, 2010.