

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 beginning with  
15          specified school years; specifying information that must  
16          be provided to students as part of the personalized  
17          academic and career plan; amending s. 1003.428, F.S.;  
18          revising requirements for high school graduation;  
19          requiring credit in an online course; requiring students  
20          entering grade 9 in specified school years to meet end-of-  
21          course assessment requirements and revised credit  
22          requirements in mathematics and science for high school  
23          graduation; requiring district school board standards for  
24          grades in certain courses; providing for waiver of end-of-  
25          course assessment results for the purpose of receiving a  
26          course grade and credit for students with disabilities;  
27          amending s. 1003.429, F.S.; revising requirements for  
28          accelerated high school graduation options; updating

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

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

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

94

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

96

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

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

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

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

114 1003.413 Florida Secondary School Redesign Act.—

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

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

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

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

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

139        (a)~~(e)~~ Share best practices for providing a complete  
 140 education program to students enrolled in course recovery,  
 141 credit recovery, intensive reading intervention, or intensive  
 142 mathematics intervention.

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

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

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

155        Section 3. Paragraph (a) of subsection (1) of section  
 156 1003.4156, Florida Statutes, is amended to read:

157        1003.4156 General requirements for middle grades  
 158 promotion.—

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

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

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

167           2. Three middle school or higher courses in mathematics.  
168 Each middle school must offer at least one high school level  
169 mathematics course for which students may earn high school  
170 credit. Successful completion of a high school level Algebra I  
171 or geometry course is not contingent upon the student's  
172 performance on the end-of-course assessment required under s.  
173 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012  
174 school year, to earn high school credit for an Algebra I course,  
175 a middle school student must pass the Algebra I end-of-course  
176 assessment and, beginning with the 2012-2013 school year, to  
177 earn high school credit for a geometry course, a middle school  
178 student must pass the geometry end-of-course assessment.

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

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

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

208  
209 Each school must hold a parent meeting either in the evening or  
210 on a weekend to inform parents about the course curriculum and  
211 activities. Each student shall complete an electronic personal  
212 education plan that must be signed by the student; the student's  
213 instructor, guidance counselor, or academic advisor; and the  
214 student's parent. ~~By January 1, 2007,~~ The Department of  
215 Education shall develop course frameworks and professional  
216 development materials for the career exploration and education  
217 planning course. The course may be implemented as a stand-alone  
218 course or integrated into another course or courses. The  
219 Commissioner of Education shall collect longitudinal high school  
220 course enrollment data by student ethnicity in order to analyze  
221 course-taking patterns.

222 Section 4. Subsections (1) and (2), paragraph (a) of



223 subsection (4), and paragraph (b) of subsection (8) of section  
 224 1003.428, Florida Statutes, are amended to read:

225 1003.428 General requirements for high school graduation;  
 226 revised.—

227 (1) Except as otherwise authorized pursuant to s.  
 228 1003.429, beginning with students entering grade 9 ~~their first~~  
 229 ~~year of high school~~ in the 2007-2008 school year, graduation  
 230 requires the successful completion of a minimum of 24 credits,  
 231 an International Baccalaureate curriculum, or an Advanced  
 232 International Certificate of Education curriculum. Students must  
 233 be advised of eligibility requirements for state scholarship  
 234 programs and postsecondary admissions.

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

247 (a) Sixteen core curriculum credits:  
 248 1. Four credits in English, with major concentration in  
 249 composition, reading for information, and literature.

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

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

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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  
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).

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

472 3. Three credits in ~~natural~~ science, two of which must

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

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

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

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

499 |         (c) Completion of a 3-year career preparatory program  
 500 | requiring successful completion of a minimum of 18 academic

501 credits in grades 9 through 12. Beginning with students entering  
502 grade 9 in the 2013-2014 school year, one of the 18 credits must  
503 contain online learning. This requirement shall be met through  
504 an online course offered by the Florida Virtual School, through  
505 a course offered by the high school that significantly  
506 integrates online content, or through an online dual enrollment  
507 course offered pursuant to a district interinstitutional  
508 articulation agreement under s. 1007.235. A student who is  
509 enrolled in a full-time virtual instruction program under s.  
510 1002.45 meets this requirement. The 18 credits shall be primary  
511 requirements and shall be distributed as follows:

512 1. Four credits in English, with major concentration in  
513 composition and literature;

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

529 2012-2013 school year, in addition to the Algebra I and geometry  
 530 credit requirements, one of the four credits in mathematics must  
 531 be Algebra II or a series of courses equivalent to Algebra II as  
 532 approved by the State Board of Education;

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

547 4. Three credits in social sciences, which must include  
 548 one credit in United States ~~American~~ history, one credit in  
 549 world history, one-half credit in United States ~~American~~  
 550 government, and one-half credit in economics;

551 5. Three credits in a single vocational or career  
 552 education program, three credits in career and technical  
 553 certificate dual enrollment courses, or five credits in  
 554 vocational or career education courses; and

555 6. Two credits and, beginning with students entering grade  
 556 9 in the 2010-2011 school year, one credit in electives unless

557 five credits are earned pursuant to subparagraph 5.

558

559 Any student who selected an accelerated graduation program  
560 before July 1, 2004, may continue that program, and all  
561 statutory program requirements that were applicable when the  
562 student made the program choice shall remain applicable to the  
563 student as long as the student continues that program.

564 (5) District school boards may not establish requirements  
565 for accelerated 3-year high school graduation options in excess  
566 of the requirements in paragraphs (1) (b) and (c). For courses  
567 that require statewide, standardized end-of-course assessments  
568 under s. 1008.22(3)(c)2.c., a minimum of 30 percent of a  
569 student's course grade shall be comprised of performance on the  
570 statewide, standardized end-of-course assessment.

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

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

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

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

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

585 (c) Does not achieve a score of 3 or higher on the grade  
 586 10 FCAT Writing assessment; or

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

589 Section 6. Section 1003.4295, Florida Statutes, is created  
 590 to read:

591 1003.4295 Acceleration opportunities for secondary  
 592 students.—

593 (1) Each high school shall advise each student of  
 594 opportunities through which a high school student can earn  
 595 college credit, including Advanced Placement, International  
 596 Baccalaureate, Advanced International Certificate of Education,  
 597 dual enrollment, career academy courses, and programs that lead  
 598 to national industry certification, as well as the availability  
 599 of course offerings through the Florida Virtual School.

600 (2) Beginning with the 2011-2012 school year, each high  
 601 school shall offer an International Baccalaureate Program, an  
 602 Advanced International Certificate of Education Program, or a  
 603 combination of at least four courses in dual enrollment or  
 604 Advanced Placement, including one course each in English,  
 605 mathematics, science, and social studies. To meet this  
 606 requirement, school districts may utilize the course offerings  
 607 provided by the Florida Virtual School established under s.  
 608 1002.37 or through virtual instruction programs authorized under  
 609 s. 1002.45.

610 (3) The Credit Acceleration Program (CAP) is established  
 611 to allow a secondary student to earn high school credit in a  
 612 course that requires a statewide, standardized end-of-course

613 assessment if the student attains a specified score on the  
614 assessment. Notwithstanding s. 1003.436, a school district shall  
615 award a course credit to a student who is not enrolled in the  
616 course or who has not completed the course if the student  
617 attains a score that indicates the student is high achieving,  
618 pursuant to s. 1008.22(3)(c)7., on the corresponding statewide,  
619 standardized end-of-course assessment. A student who is not  
620 enrolled in the course or who has not completed the course may  
621 take the statewide, standardized end-of-course assessment during  
622 the regular administration of the assessment and may only take  
623 the end-of-course assessment once pursuant to this subsection.

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

626 1003.437 Middle and high school grading system.—The  
627 grading system and interpretation of letter grades used for  
628 students in public schools in grades 6-12 shall be as follows:

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

636  
637 For the purposes of class ranking, district school boards may  
638 exercise a weighted grading system pursuant to s. 1007.271.

639 Section 8. Paragraph (k) of subsection (4) of section  
640 1003.493, Florida Statutes, is amended to read:

641 1003.493 Career and professional academies.—  
 642 (4) Each career and professional academy must:  
 643 (k) Include an evaluation plan developed jointly with the  
 644 Department of Education and the local workforce board. The  
 645 evaluation plan must include an assessment tool based on  
 646 national industry standards, such as the Career Academy National  
 647 Standards of Practice, and outcome measures, including, but not  
 648 limited to, achievement of national industry certifications  
 649 identified in the Industry Certification Funding List, pursuant  
 650 to rules adopted by the State Board of Education, graduation  
 651 rates, enrollment in postsecondary education, business and  
 652 industry satisfaction, employment and earnings, awards of  
 653 postsecondary credit and scholarships, and student ~~FCAT~~  
 654 achievement levels and learning gains on statewide assessments  
 655 administered under s. 1008.22(3)(c). The Department of Education  
 656 shall use Workforce Florida, Inc., and Enterprise Florida, Inc.,  
 657 in identifying industry experts to participate in developing and  
 658 implementing such assessments.

659 Section 9. Paragraph (c) of subsection (6) of section  
 660 1007.35, Florida Statutes, is amended to read:

661 1007.35 Florida Partnership for Minority and  
 662 Underrepresented Student Achievement.—

663 (6) The partnership shall:

664 (c) Provide teacher training and materials that are  
 665 aligned with the Next Generation Sunshine State Standards and  
 666 are consistent with best theory and practice regarding multiple  
 667 learning styles and research on learning, instructional  
 668 strategies, instructional design, and classroom assessment.



669 Curriculum materials must be based on current, accepted, and  
 670 essential academic knowledge. ~~Materials for prerequisite courses~~  
 671 ~~should, at a minimum, address the skills assessed on the Florida~~  
 672 ~~Comprehensive Assessment Test (FCAT).~~

673 Section 10. Paragraph (c) of subsection (3) and  
 674 subsections (6), (9), and (10) of section 1008.22, Florida  
 675 Statutes, are amended, present subsections (11) and (12) are  
 676 renumbered as subsections (12) and (13), respectively, and a new  
 677 subsection (11) is added to that section, to read:

678 1008.22 Student assessment program for public schools.—

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

694 (c) Develop and implement a student achievement testing  
 695 program as follows:

696 1. ~~known as~~ The Florida Comprehensive Assessment Test

697 (FCAT) measures ~~as part of the statewide assessment program to~~  
 698 ~~measure~~ a student's content knowledge and skills in reading,  
 699 writing, science, and mathematics. The content knowledge and  
 700 skills assessed by the FCAT must be aligned to the core  
 701 curricular content established in the Next Generation Sunshine  
 702 State Standards. Other content areas may be included as directed  
 703 by the commissioner. Comprehensive assessments of reading and  
 704 mathematics shall be administered annually in grades 3 through  
 705 10 except, beginning with the 2010-2011 school year, the  
 706 administration of grade 9 FCAT Mathematics shall be discontinued  
 707 and, beginning with the 2011-2012 school year, the  
 708 administration of grade 10 FCAT Mathematics shall be  
 709 discontinued, except as required for those students who have not  
 710 attained minimum performance expectations for graduation as  
 711 provided in paragraph (9) (c). ~~FCAT Comprehensive assessments of~~  
 712 Writing and FCAT Science shall be administered at least once at  
 713 the elementary, middle, and high school levels except, beginning  
 714 with the 2011-2012 school year, the administration of FCAT  
 715 Science at the high school level shall be discontinued.

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

725        (I) Statewide, standardized end-of-course assessments in  
726 mathematics shall be administered according to this sub-sub-  
727 subparagraph. Beginning with the 2010-2011 school year, all  
728 students enrolled in Algebra I or an equivalent course must take  
729 the Algebra I end-of-course assessment. Students who earned  
730 credit in Algebra I while in grades 6 through 8 during the 2007-  
731 2008 through 2009-2010 school years and who have not taken grade  
732 10 FCAT Mathematics must take the Algebra I end-of-course  
733 assessment during the 2010-2011 school year. For students  
734 entering grade 9 during the 2010-2011 school year who are  
735 enrolled in Algebra I or an equivalent course, each student's  
736 performance on the end-of-course assessment in Algebra I shall  
737 constitute 30 percent of the student's final course grade.  
738 Beginning with students entering grade 9 in the 2011-2012 school  
739 year, a student who is enrolled in Algebra I or an equivalent  
740 course must earn a passing score on the end-of-course assessment  
741 in Algebra I in order to earn course credit. Beginning with the  
742 2011-2012 school year, all students enrolled in geometry or an  
743 equivalent course must take the geometry end-of-course  
744 assessment. For students entering grade 9 during the 2011-2012  
745 school year, each student's performance on the end-of-course  
746 assessment in geometry shall constitute 30 percent of the  
747 student's final course grade. Beginning with students entering  
748 grade 9 during the 2012-2013 school year, a student must earn a  
749 passing score on the end-of-course assessment in geometry in  
750 order to pass the course and earn course credit.

751        (II) A statewide, standardized end-of-course assessment in  
752 Biology I shall be administered according to this sub-sub-

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753 subparagraph. Beginning with the 2011-2012 school year, all  
754 students enrolled in Biology I or an equivalent course must take  
755 the Biology I end-of-course assessment. For students entering  
756 grade 9 during the 2011-2012 school year, each student's  
757 performance on the end-of-course assessment in Biology I shall  
758 constitute 30 percent of the student's final course grade.  
759 Beginning with students entering grade 9 during the 2012-2013  
760 school year, a student must earn a passing score on the end-of-  
761 course assessment in Biology I in order to pass the course and  
762 earn course credit.

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

781 c. Contingent upon funding provided in the General  
782 Appropriations Act, including appropriation of federal funds,  
783 the Commissioner of Education shall establish an implementation  
784 schedule for the development and administration of statewide,  
785 standardized end-of-course assessments in English/Language Arts  
786 II, Algebra II, chemistry, physics, earth/space science, United  
787 States history, and world history. Priority shall be given to  
788 the development of an end-of-course assessment in  
789 English/Language Arts II. The Commissioner of Education shall  
790 evaluate the feasibility and effect of transitioning from the  
791 grade 9 and grade 10 FCAT Reading and high school level FCAT  
792 Writing to an end-of-course assessment in English/Language Arts  
793 II. The commissioner shall report the results of the evaluation  
794 to the President of the Senate and the Speaker of the House of  
795 Representatives no later July 1, 2011.

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

808 4.2. The testing program shall be composed of criterion-

809 | referenced tests that shall, to the extent determined by the  
810 | commissioner, include test items that require the student to  
811 | produce information or perform tasks in such a way that the core  
812 | content knowledge and skills he or she uses can be measured.

813 | ~~3. Beginning with the 2008-2009 school year, the~~  
814 | ~~commissioner shall discontinue administration of the selected-~~  
815 | ~~response test items on the comprehensive assessments of writing.~~  
816 | ~~Beginning with the 2012-2013 school year, the comprehensive~~  
817 | ~~assessments of writing shall be composed of a combination of~~  
818 | ~~selected response test items, short response performance tasks,~~  
819 | ~~and extended response performance tasks, which shall measure a~~  
820 | ~~student's content knowledge of writing, including, but not~~  
821 | ~~limited to, paragraph and sentence structure, sentence~~  
822 | ~~construction, grammar and usage, punctuation, capitalization,~~  
823 | ~~spelling, parts of speech, verb tense, irregular verbs, subject-~~  
824 | ~~verb agreement, and noun-pronoun agreement.~~

825 | 5.4. FCAT Reading, Mathematics, and Science and all  
826 | statewide, standardized end-of-course assessments shall measure,  
827 | by use of scaled scores and achievement levels, the content  
828 | knowledge and skills a student has attained. Achievement levels  
829 | shall range from 1 through 5, with level 1 being the lowest  
830 | achievement level, level 5 being the highest achievement level,  
831 | and level 3 indicating satisfactory performance on an  
832 | assessment. For FCAT Writing, student achievement shall be  
833 | scored using the rubric scale of 1 through 6 and the score  
834 | earned shall be used in calculating school grades. A score shall  
835 | be designated for each subject area tested, below which score a  
836 | student's performance is deemed inadequate. The school districts

837 shall provide appropriate remedial instruction to students who  
838 score below these levels.

839 ~~6.5. Except as provided in s. 1003.428(8)(b) or s.~~  
840 ~~1003.43(11)(b), students must earn a passing score on the grade~~  
841 ~~10 assessment test described in this paragraph or attain~~  
842 ~~concordant scores as described in subsection (10) in reading,~~  
843 ~~writing, and mathematics to qualify for a standard high school~~  
844 ~~diploma.~~ The State Board of Education shall, by rule, designate  
845 a passing score for each part of the grade 10 assessment test  
846 and end-of-course assessments. In establishing passing scores,  
847 the state board shall consider any possible negative impact of  
848 the test on minority students. ~~The State Board of Education~~  
849 ~~shall adopt rules which specify the passing scores for the grade~~  
850 ~~10 FCAT.~~ Any such rules ~~that,~~ which have the effect of raising  
851 the required passing scores, shall apply only to students taking  
852 the assessment grade 10 FCAT for the first time after such rules  
853 are adopted by the State Board of Education. Except as otherwise  
854 provided in this paragraph and as provided in s. 1003.428(8)(b)  
855 or s. 1003.43(11)(b), students must earn a passing score on  
856 grade 10 FCAT Reading and grade 10 FCAT Mathematics or attain  
857 concordant scores as described in subsection (10) to qualify for  
858 a standard high school diploma.

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

865        ~~8.6.~~ Participation in the testing program is mandatory for  
866 all students attending public school, including students served  
867 in Department of Juvenile Justice programs, except as otherwise  
868 prescribed by the commissioner. A student who has not earned  
869 passing scores on the grade 10 FCAT as provided in subparagraph  
870 6. must participate in each retake of the assessment until the  
871 student earns passing scores or achieves scores on a  
872 standardized assessment that are concordant with passing scores  
873 pursuant to subsection (10). If a student does not participate  
874 in the statewide assessment, the district must notify the  
875 student's parent and provide the parent with information  
876 regarding the implications of such nonparticipation. A parent  
877 must provide signed consent for a student to receive classroom  
878 instructional accommodations that would not be available or  
879 permitted on the statewide assessments and must acknowledge in  
880 writing that he or she understands the implications of such  
881 instructional accommodations. The State Board of Education shall  
882 adopt rules, based upon recommendations of the commissioner, for  
883 the provision of test accommodations for students in exceptional  
884 education programs and for students who have limited English  
885 proficiency. Accommodations that negate the validity of a  
886 statewide assessment are not allowable in the administration of  
887 the FCAT or an end-of-course assessment. However, instructional  
888 accommodations are allowable in the classroom if included in a  
889 student's individual education plan. Students using  
890 instructional accommodations in the classroom that are not  
891 allowable as accommodations on the FCAT or an end-of-course  
892 assessment may have the FCAT or end-of-course assessment



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893 requirement waived pursuant to the requirements of s.  
894 1003.428(8)(b) or s. 1003.43(11)(b).

895 9.7. A student seeking an adult high school diploma must  
896 meet the same testing requirements that a regular high school  
897 student must meet.

898 10.8. District school boards must provide instruction to  
899 prepare students ~~to demonstrate proficiency~~ in the core  
900 curricular content established in the Next Generation Sunshine  
901 State Standards adopted under s. 1003.41, including the core  
902 content knowledge and skills necessary for successful grade-to-  
903 grade progression and high school graduation. If a student is  
904 provided with instructional accommodations in the classroom that  
905 are not allowable as accommodations in the statewide assessment  
906 program, as described in the test manuals, the district must  
907 inform the parent in writing and must provide the parent with  
908 information regarding the impact on the student's ability to  
909 meet expected performance ~~proficiency~~ levels in reading,  
910 writing, ~~and~~ mathematics, and science. The commissioner shall  
911 conduct studies as necessary to verify that the required core  
912 curricular content is part of the district instructional  
913 programs.

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

918 12.10. The Department of Education must develop, or  
919 select, and implement a common battery of assessment tools that  
920 will be used in all juvenile justice programs in the state.

921 These tools must accurately measure the core curricular content  
 922 established in the Next Generation Sunshine State Standards.

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

929 ~~14.12.~~ The Commissioner of Education shall establish  
 930 schedules for the administration of statewide assessments and  
 931 the reporting of student test results. When establishing the  
 932 schedules for the administration of statewide assessments, the  
 933 commissioner shall consider the observance of religious and  
 934 school holidays. The commissioner shall, by August 1 of each  
 935 year, notify each school district in writing and publish on the  
 936 department's Internet website the testing and reporting  
 937 schedules for, at a minimum, the school year following the  
 938 upcoming school year. The testing and reporting schedules shall  
 939 require that:

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

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

954           c. A statewide, standardized end-of-course assessment is  
955 administered during a 3-week period at the end of a year-long  
956 course. The commissioner shall select a 3-week administration  
957 period for assessments that meets the intent of end-of-course  
958 assessments and provides student results prior to the end of the  
959 course. School districts shall select one testing week within  
960 the 3-week administration period for each end-of-course  
961 assessment. For an end-of-course assessment administered at the  
962 end of a semester-long course, the commissioner shall determine  
963 the most appropriate testing dates based on a school district's  
964 academic calendar within the last 2 weeks of the course.

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

972 Development and refinement of assessments shall include  
973 universal design principles and accessibility standards that  
974 will prevent any unintended obstacles for students with  
975 disabilities while ensuring the validity and reliability of the  
976 test. These principles should be applicable to all technology

977 platforms and assistive devices available for the assessments.  
978 The field testing process and psychometric analyses for the  
979 statewide assessment program must include an appropriate  
980 percentage of students with disabilities and an evaluation or  
981 determination of the effect of test items on such students.

982 (6) SCHOOL TESTING PROGRAMS.—Each public school shall  
983 participate in the statewide assessment program in accordance  
984 with the testing and reporting schedules published by the  
985 Commissioner of Education under subparagraph (3)(c) 14.12, unless  
986 specifically exempted by state board rule based on serving a  
987 specialized population for which standardized testing is not  
988 appropriate. Student performance data shall be analyzed and  
989 reported to parents, the community, and the state. Student  
990 performance data shall be used in developing objectives of the  
991 school improvement plan, evaluation of instructional personnel,  
992 evaluation of administrative personnel, assignment of staff,  
993 allocation of resources, acquisition of instructional materials  
994 and technology, performance-based budgeting, and promotion and  
995 assignment of students into educational programs. The analysis  
996 of student performance data also must identify strengths and  
997 needs in the educational program and trends over time. The  
998 analysis must be used in conjunction with the budgetary planning  
999 processes developed pursuant to s. 1008.385 and the development  
1000 of the programs of remediation.

1001 (9) APPLICABILITY OF TESTING STANDARDS.—

1002 (a) If the Commissioner of Education revises a statewide  
1003 assessment and the revisions require the State Board of  
1004 Education to modify the assessment's performance ~~proficiency~~

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1005 levels or modify the passing scores ~~required for a standard high~~  
 1006 ~~school diploma~~, until the state board adopts the modifications  
 1007 by rule, the commissioner shall use calculations for scoring the  
 1008 assessment which adjust student scores on the revised assessment  
 1009 for statistical equivalence to student scores on the former  
 1010 assessment.

1011 (b) A student must attain the passing scores on the  
 1012 statewide assessment required for a standard high school diploma  
 1013 or for high school course credits under sub-sub-subparagraphs  
 1014 (3)(c)2.a.(I) and (II) which are in effect at the time the  
 1015 student enters grade 9 if the student's enrollment is  
 1016 continuous.

1017 (c) If the commissioner revises a statewide assessment and  
 1018 the revisions require the State Board of Education to modify the  
 1019 passing scores required for a standard high school diploma or  
 1020 for high school course credits under sub-sub-subparagraphs  
 1021 (3)(c)2.a (I) and (II), the commissioner may, with approval of  
 1022 the state board, discontinue administration of the former  
 1023 assessment upon the graduation, based on normal student  
 1024 progression, of students participating in the final regular  
 1025 administration of the former assessment. The state board shall  
 1026 adopt by rule passing scores for the revised assessment which  
 1027 are statistically equivalent to passing scores on the  
 1028 discontinued assessment for a student required under paragraph  
 1029 (b) to attain passing scores on the discontinued assessment.

1030 (10) CONCORDANT SCORES FOR THE FCAT.-

1031 (a) The Commissioner ~~State Board~~ of Education shall  
 1032 analyze the content and concordant data sets for ~~widely used~~

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1033 high school achievement tests, including, but not limited to,  
 1034 the PSAT, PLAN, SAT, ACT, and College Placement Test, to assess  
 1035 if concordant scores for FCAT scores can be determined for high  
 1036 school graduation, ~~college placement, and scholarship awards.~~  
 1037 When ~~In cases where~~ content alignment and concordant scores can  
 1038 be determined, the Commissioner of Education shall adopt those  
 1039 scores as meeting the graduation requirement in lieu of  
 1040 achieving the FCAT passing score and may adopt those scores as  
 1041 being sufficient to achieve additional purposes as determined by  
 1042 rule. Each time that test content or scoring procedures change  
 1043 for the FCAT or for a high school achievement test for which a  
 1044 concordant score is determined, new concordant scores must be  
 1045 determined. Concordant scores earned before taking the grade 10  
 1046 FCAT for the first time in grade 10 may not be used to satisfy  
 1047 the requirement in this paragraph.

1048 ~~(b) In order to use a concordant subject area score~~  
 1049 ~~pursuant to this subsection to satisfy the assessment~~  
 1050 ~~requirement for a standard high school diploma as provided in s.~~  
 1051 ~~1003.429(6) (a), s. 1003.43(5) (a), or s. 1003.428, a student must~~  
 1052 ~~take each subject area of the grade 10 FCAT a total of three~~  
 1053 ~~times without earning a passing score. The requirements of this~~  
 1054 ~~paragraph shall not apply to a new student who enters the~~  
 1055 ~~Florida public school system in grade 12, who may either achieve~~  
 1056 ~~a passing score on the FCAT or use an approved subject area~~  
 1057 ~~concordant score to fulfill the graduation requirement.~~

1058 (b)-(e) The State Board of Education may define by rule the  
 1059 allowable uses, other than to satisfy the high school graduation  
 1060 requirement, for concordant scores as described in this

1061 subsection. Such uses may include, but need not be limited to,  
1062 achieving appropriate standardized test scores required for the  
1063 awarding of Florida Bright Futures Scholarships and college  
1064 placement.

1065 (11) EQUIVALENT SCORES FOR END-OF-COURSE ASSESSMENTS.—

1066 (a) The Commissioner of Education shall analyze the  
1067 content and equivalent data sets for high school achievement  
1068 tests, including, but not limited to, grade 10 FCAT Mathematics  
1069 retakes until such retakes are discontinued pursuant to  
1070 subsection (9), the PSAT, the PLAN, the SAT, the ACT, and the  
1071 College Placement Test, to assess if equivalent scores for end-  
1072 of-course assessment scores can be determined for passage of an  
1073 end-of-course assessment. When content alignment and equivalent  
1074 scores can be determined, the Commissioner of Education shall  
1075 adopt those scores as meeting the requirement to pass the end-  
1076 of-course assessment and as being sufficient to achieve  
1077 additional purposes as determined by rule. Each time that  
1078 assessment content or scoring procedures change for an end-of-  
1079 course assessment or for a high school achievement test for  
1080 which an equivalent score is determined, new equivalent scores  
1081 must be determined. Equivalent scores earned before taking an  
1082 end-of-course assessment for the first time may not be used to  
1083 satisfy the requirement in this subsection.

1084 (b) In order to use an equivalent score pursuant to this  
1085 subsection to satisfy the end-of-course assessment requirements  
1086 under sub-subparagraph (3)(c)2.a., a student must have received  
1087 a grade "F" in a course solely because the student failed to  
1088 pass the end-of-course assessment. Use of an equivalent score

1089 adopted by the Commissioner of Education under paragraph (a) for  
 1090 purposes of grade adjustment, grade forgiveness, or course  
 1091 credit recovery is contingent upon and subject to district  
 1092 school board rules.

1093 Section 11. Paragraph (a) of subsection (4) of section  
 1094 1008.25, Florida Statutes, is amended to read:

1095 1008.25 Public school student progression; remedial  
 1096 instruction; reporting requirements.—

1097 (4) ASSESSMENT AND REMEDIATION.—

1098 (a) Each student must participate in the statewide  
 1099 assessment tests required by s. 1008.22. Each student who does  
 1100 not meet specific levels of performance as determined by the  
 1101 district school board in FCAT Reading, Writing, Science, and  
 1102 Mathematics for each grade level, or who scores below Level 3 in  
 1103 FCAT Reading or FCAT Mathematics ~~math~~, must be provided with  
 1104 additional diagnostic assessments to determine the nature of the  
 1105 student's difficulty, the areas of academic need, and strategies  
 1106 for appropriate intervention and instruction as described in  
 1107 paragraph (b).

1108 Section 12. Subsection (3) of section 1008.30, Florida  
 1109 Statutes, is amended to read:

1110 1008.30 Common placement testing for public postsecondary  
 1111 education.—

1112 (3) The State Board of Education shall adopt rules that  
 1113 require high schools to evaluate before the beginning of grade  
 1114 12 the college readiness of each student who indicates an  
 1115 interest in postsecondary education and scores at Level 2 or  
 1116 Level 3 on the reading portion of the grade 10 FCAT or Level 2,



1117 | Level 3, or Level 4 on the mathematics assessments under s.  
 1118 | 1008.22(3)(c) ~~portion of the grade 10 FCAT~~. High schools shall  
 1119 | perform this evaluation using results from the corresponding  
 1120 | component of the common placement test prescribed in this  
 1121 | section, or an equivalent test identified by the State Board of  
 1122 | Education. The Department of Education shall purchase or develop  
 1123 | the assessments necessary to perform the evaluations required by  
 1124 | this subsection and shall work with the school districts to  
 1125 | administer the assessments. The State Board of Education shall  
 1126 | establish by rule the minimum test scores a student must achieve  
 1127 | to demonstrate readiness. Students who demonstrate readiness by  
 1128 | achieving the minimum test scores established by the state board  
 1129 | and enroll in a community college within 2 years of achieving  
 1130 | such scores shall not be required to enroll in remediation  
 1131 | courses as a condition of acceptance to any community college.  
 1132 | The high school shall use the results of the test to advise the  
 1133 | students of any identified deficiencies and to the maximum  
 1134 | extent practicable provide 12th grade students access to  
 1135 | appropriate remedial instruction prior to high school  
 1136 | graduation. The remedial instruction provided under this  
 1137 | subsection shall be a collaborative effort between secondary and  
 1138 | postsecondary educational institutions. To the extent courses  
 1139 | are available, the Florida Virtual School may be used to provide  
 1140 | the remedial instruction required by this subsection.

1141 |       Section 13. Paragraphs (b) and (c) of subsection (3) of  
 1142 | section 1008.34, Florida Statutes, are amended to read:

1143 |       1008.34 School grading system; school report cards;  
 1144 | district grade.—

1145 (3) DESIGNATION OF SCHOOL GRADES.—  
 1146 (b)1. A school's grade shall be based on a combination of:  
 1147 a. Student achievement scores, including performance on  
 1148 all FCAT assessments administered under s. 1008.22(3)(c)1. and  
 1149 end-of-course assessments administered under s.  
 1150 1008.22(3)(c)2.a., and achievement scores for students seeking a  
 1151 special diploma.  
 1152 b. Student learning gains in reading and mathematics as  
 1153 measured by ~~annual~~ FCAT and end-of-course assessments ~~in grades~~  
 1154 ~~3 through 10~~; learning gains for students seeking a special  
 1155 diploma, as measured by an alternate assessment tool, shall be  
 1156 included not later than the 2009-2010 school year.  
 1157 c. Improvement of the lowest 25th percentile of students  
 1158 in the school in reading and, ~~mathematics, or writing~~ on the  
 1159 FCAT and end-of-course assessments, unless these students are  
 1160 exhibiting satisfactory performance.  
 1161 2. Beginning with the 2009-2010 school year for schools  
 1162 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
 1163 11, and 12, 50 percent of the school grade shall be based on a  
 1164 combination of the factors listed in sub-subparagraphs 1.a.-c.  
 1165 and the remaining 50 percent on the following factors:  
 1166 a. The high school graduation rate of the school;  
 1167 b. As valid data becomes available, the performance and  
 1168 participation of the school's students in College Board Advanced  
 1169 Placement courses, International Baccalaureate courses, dual  
 1170 enrollment courses, and Advanced International Certificate of  
 1171 Education courses; and the students' achievement of national  
 1172 industry certifications identified in the Industry Certification

1173 Funding List, pursuant to rules adopted by the State Board of  
1174 Education certification, as determined by the Agency for  
1175 Workforce Innovation under s. 1003.492(2) in a career and  
1176 professional academy, as described in s. 1003.493;

1177 c. Postsecondary readiness of the school's students as  
1178 measured by the SAT, ACT, or the common placement test;

1179 d. The high school graduation rate of at-risk students who  
1180 scored at Level 2 or lower on the grade 8 FCAT Reading and  
1181 Mathematics examinations;

1182 e. As valid data becomes available, the performance of the  
1183 school's students on statewide, standardized end-of-course  
1184 assessments administered under s. 1008.22(3)(c)2.b. and c.; and

1185 f. The growth or decline in the components listed in sub-  
1186 subparagraphs a.-e. from year to year.

1187 (c) Student assessment data used in determining school  
1188 grades shall include:

1189 1. The aggregate scores of all eligible students enrolled  
1190 in the school who have been assessed on the FCAT assessments  
1191 administered under s. 1008.22(3)(c)1. and end-of-course  
1192 assessments administered under s. 1008.22(3)(c)2.a.

1193 2. The aggregate scores of all eligible students enrolled  
1194 in the school who have been assessed on the FCAT and end-of-  
1195 course assessments and who have scored at or in the lowest 25th  
1196 percentile of students in the school in reading and  
1197 mathematics, ~~or writing,~~ unless these students are exhibiting  
1198 satisfactory performance.

1199 3. Effective with the 2005-2006 school year, the  
1200 achievement scores and learning gains of eligible students

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1201 attending alternative schools that provide dropout prevention  
1202 and academic intervention services pursuant to s. 1003.53. The  
1203 term "eligible students" in this subparagraph does not include  
1204 students attending an alternative school who are subject to  
1205 district school board policies for expulsion for repeated or  
1206 serious offenses, who are in dropout retrieval programs serving  
1207 students who have officially been designated as dropouts, or who  
1208 are in programs operated or contracted by the Department of  
1209 Juvenile Justice. The student performance data for eligible  
1210 students identified in this subparagraph shall be included in  
1211 the calculation of the home school's grade. As used in this  
1212 section and s. 1008.341, the term "home school" means the school  
1213 to which the student would be assigned if the student were not  
1214 assigned to an alternative school. If an alternative school  
1215 chooses to be graded under this section, student performance  
1216 data for eligible students identified in this subparagraph shall  
1217 not be included in the home school's grade but shall be included  
1218 only in the calculation of the alternative school's grade. A  
1219 school district that fails to assign the FCAT and end-of-course  
1220 assessment scores of each of its students to his or her home  
1221 school or to the alternative school that receives a grade shall  
1222 forfeit Florida School Recognition Program funds for 1 fiscal  
1223 year. School districts must require collaboration between the  
1224 home school and the alternative school in order to promote  
1225 student success. This collaboration must include an annual  
1226 discussion between the principal of the alternative school and  
1227 the principal of each student's home school concerning the most  
1228 appropriate school assignment of the student.

1229 4. Beginning with the 2009-2010 school year for schools  
 1230 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
 1231 11, and 12, the data listed in subparagraphs 1.-3. and the  
 1232 following data as the Department of Education determines such  
 1233 data are valid and available:

1234 a. The high school graduation rate of the school as  
 1235 calculated by the Department of Education;

1236 b. The participation rate of all eligible students  
 1237 enrolled in the school and enrolled in College Board Advanced  
 1238 Placement courses; International Baccalaureate courses; dual  
 1239 enrollment courses; Advanced International Certificate of  
 1240 Education courses; and courses or sequence of courses leading to  
 1241 national industry certifications identified in the Industry  
 1242 Certification Funding List, pursuant to rules adopted by the  
 1243 State Board of Education certification, as determined by the  
 1244 Agency for Workforce Innovation under s. 1003.492(2) in a career  
 1245 and professional academy, as described in s. 1003.493;

1246 c. The aggregate scores of all eligible students enrolled  
 1247 in the school in College Board Advanced Placement courses,  
 1248 International Baccalaureate courses, and Advanced International  
 1249 Certificate of Education courses;

1250 d. Earning of college credit by all eligible students  
 1251 enrolled in the school in dual enrollment programs under s.  
 1252 1007.271;

1253 e. Earning of national an industry certifications  
 1254 identified in the Industry Certification Funding List, pursuant  
 1255 to rules adopted by the State Board of Education certification,  
 1256 as determined by the Agency for Workforce Innovation under s.

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1257 ~~1003.492(2) in a career and professional academy, as described~~  
 1258 ~~in s. 1003.493;~~

1259 f. The aggregate scores of all eligible students enrolled  
 1260 in the school in reading, mathematics, and other subjects as  
 1261 measured by the SAT, the ACT, and the common placement test for  
 1262 postsecondary readiness;

1263 g. The high school graduation rate of all eligible at-risk  
 1264 students enrolled in the school who scored at Level 2 or lower  
 1265 on the grade 8 FCAT Reading and Mathematics examinations;

1266 h. The performance of the school's students on statewide,  
 1267 standardized end-of-course assessments administered under s.  
 1268 1008.22(3)(c)2.b. and c.; and

1269 i. The growth or decline in the data components listed in  
 1270 sub-subparagraphs a.-h. from year to year.

1271  
 1272 The State Board of Education shall adopt appropriate criteria  
 1273 for each school grade. The criteria must also give added weight  
 1274 to student achievement in reading. Schools designated with a  
 1275 grade of "C," making satisfactory progress, shall be required to  
 1276 demonstrate that adequate progress has been made by students in  
 1277 the school who are in the lowest 25th percentile in reading and  
 1278 mathematics, or writing on the FCAT and end-of-course  
 1279 assessments, unless these students are exhibiting satisfactory  
 1280 performance. Beginning with the 2009-2010 school year for  
 1281 schools comprised of high school grades 9, 10, 11, and 12, or  
 1282 grades 10, 11, and 12, the criteria for school grades must also  
 1283 give added weight to the graduation rate of all eligible at-risk  
 1284 students, as defined in this paragraph. Beginning in the 2009-

1285 2010 school year, in order for a high school to be designated as  
 1286 having a grade of "A," making excellent progress, the school  
 1287 must demonstrate that at-risk students, as defined in this  
 1288 paragraph, in the school are making adequate progress.

1289 Section 14. Subsection (3) of section 1008.341, Florida  
 1290 Statutes, is amended to read:

1291 1008.341 School improvement rating for alternative  
 1292 schools.—

1293 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data  
 1294 used in determining an alternative school's school improvement  
 1295 rating shall include:

1296 (a) The aggregate scores on statewide assessments  
 1297 administered under s. 1008.22 for ~~of~~ all eligible students who  
 1298 were assigned to and enrolled in the school during the October  
 1299 or February FTE count, ~~who have been assessed on the FCAT,~~ and  
 1300 who have ~~FCAT or~~ comparable scores for the preceding school  
 1301 year.

1302 (b) The aggregate scores on statewide assessments  
 1303 administered under s. 1008.22 for ~~of~~ all eligible students who  
 1304 were assigned to and enrolled in the school during the October  
 1305 or February FTE count, ~~who have been assessed on the FCAT~~ and  
 1306 who have scored in the lowest 25th percentile of students in the  
 1307 state on FCAT Reading.

1308  
 1309 The assessment scores of students who are subject to district  
 1310 school board policies for expulsion for repeated or serious  
 1311 offenses, who are in dropout retrieval programs serving students  
 1312 who have officially been designated as dropouts, or who are in

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1313 programs operated or contracted by the Department of Juvenile  
 1314 Justice may not be included in an alternative school's school  
 1315 improvement rating.

1316 Section 15. Subsection (4) of section 1008.36, Florida  
 1317 Statutes, is amended to read:

1318 1008.36 Florida School Recognition Program.—

1319 (4) All selected schools shall receive financial awards  
 1320 depending on the availability of funds appropriated and the  
 1321 number and size of schools selected to receive an award. Funds  
 1322 must be distributed to the school's fiscal agent and placed in  
 1323 the school's account and must be used for purposes listed in  
 1324 subsection (5) as determined jointly by the school's staff and  
 1325 school advisory council. If school staff and the school advisory  
 1326 council cannot reach agreement by February ~~November~~ 1, the  
 1327 awards must be equally distributed to all classroom teachers  
 1328 currently teaching in the school. Beginning with the 2009-2010  
 1329 school year, if a school selected to receive a school  
 1330 recognition award is no longer in existence at the time the  
 1331 award is paid, the district school superintendent shall  
 1332 determine how the school recognition funds shall be used to  
 1333 support the district in accordance with subsection (5).

1334  
 1335 Notwithstanding statutory provisions to the contrary, incentive  
 1336 awards are not subject to collective bargaining.

1337 Section 16. This act shall take effect July 1, 2010.