

By Senator Wise

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1 A bill to be entitled
2 An act relating to the high school career diploma;
3 creating s. 1003.4287, F.S.; providing requirements
4 for the high school career diploma; requiring a
5 student and the student's parent to agree in writing
6 to the requirements of the career diploma track;
7 specifying the 24 credits that must be successfully
8 completed to receive a career diploma; requiring an
9 intensive reading course or remediation in mathematics
10 for a student who does not meet certain academic
11 standards; providing strategies to enable an
12 exceptional student to meet graduation requirements
13 for a career diploma; requiring district school board
14 standards for graduation and policies to assist
15 students in meeting the requirements; requiring rules
16 for test accommodations and modifications of
17 procedures for students with disabilities; providing
18 for the award of a certificate of completion to a
19 student who is unable to meet certain standards;
20 providing conditions for the waiver of assessment
21 requirements for a career diploma for a student with a
22 disability; authorizing the State Board of Education
23 to adopt rules; amending ss. 1002.45, 1003.413,
24 1003.428, 1003.438, 1003.493, and 1008.22, F.S.;
25 conforming provisions to changes made by the act;
26 providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
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30 Section 1. Section 1003.4287, Florida Statutes, is created
31 to read:

32 1003.4287 Requirements for the high school career diploma.-

33 (1) Beginning with students entering grade 9 in the 2011-
34 2012 school year, the high school career diploma shall be
35 awarded to a student who successfully completes a minimum of 24
36 credits as required under this section. In order to pursue the
37 career diploma, the student and the student's parent must sign a
38 form confirming that they are aware of the requirements for the
39 career track and agree to the minimum standards for successful
40 completion. The school personnel designated to advise the
41 student or the school principal must also sign the form to
42 confirm that the school and the school district are aware of the
43 student's intent to pursue the career diploma. The form shall be
44 a standard form prescribed by the Department of Education and
45 used in each school district.

46 (2) (a) The 24 core curriculum credits may be earned through
47 applied, integrated, and combined courses approved by the
48 Department of Education and shall be distributed as follows:

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

51 2. Four credits in mathematics, one of which must be
52 Algebra I, a series of courses equivalent to Algebra I, or a
53 higher-level mathematics course. In addition to the Algebra I
54 credit requirement, one of the four credits in mathematics must
55 be geometry or a series of courses equivalent to geometry as
56 approved by the State Board of Education. The end-of-course
57 assessment requirements under s. 1008.22(3)(c)2.a.(I) must be
58 met in order for a student to earn the required credits in

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59 Algebra I and geometry.

60 3. Three credits in science, two of which must have a
61 laboratory component. One of the three credits in science must
62 be Biology I or a series of courses equivalent to Biology I as
63 approved by the State Board of Education. The end-of-course
64 assessment requirements under s. 1008.22(3)(c)2.a.(II) must be
65 met in order for a student to earn the required credit in
66 Biology I.

67 4. Three credits in social studies as follows: one credit
68 in United States history; one credit in world history; one-half
69 credit in economics; and one-half credit in United States
70 government.

71 5. One-half credit in fine or performing arts, speech and
72 debate, or a practical arts course that incorporates artistic
73 content and techniques of creativity, interpretation, and
74 imagination. Eligible practical arts courses shall be identified
75 through the Course Code Directory.

76 6. One credit in physical education to include integration
77 of health. Participation in an interscholastic sport at the
78 junior varsity or varsity level for two full seasons shall
79 satisfy the one-credit requirement in physical education if the
80 student passes a competency test on personal fitness with a
81 score of "C" or better. The competency test on personal fitness
82 must be developed by the Department of Education. A district
83 school board may not require that the one credit in physical
84 education be taken during the 9th grade year. Completion of one
85 semester with a grade of "C" or better in a marching band class,
86 in a physical activity class that requires participation in
87 marching band activities as an extracurricular activity, or in a

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88 dance class shall satisfy one-half credit in physical education
89 or one-half credit in performing arts. This credit may not be
90 used to satisfy the personal fitness requirement or the
91 requirement for adaptive physical education under an individual
92 education plan (IEP) or 504 plan. Completion of 2 years in a
93 Reserve Officer Training Corps (R.O.T.C.) class, a significant
94 component of which is drills, shall satisfy the one-credit
95 requirement in physical education and the one-credit requirement
96 in performing arts. This credit may not be used to satisfy the
97 personal fitness requirement or the requirement for adaptive
98 physical education under an individual education plan (IEP) or
99 504 plan.

100 7. Two credits of sequential foreign language instruction
101 as provided in s. 1007.262.

102 8. Six credits in career or technical training. A student
103 must receive at least a "C" average in each course to earn the
104 required credit.

105 9. One-half credit in a career preparation or planning
106 course. A student must receive at least a "C" average to earn
107 the required credit.

108 (b)1. For each year in which a student scores at Level 1 on
109 FCAT Reading, the student must be enrolled in and complete an
110 intensive reading course the following year. Placement of Level
111 2 readers in either an intensive reading course or a content
112 area course in which reading strategies are delivered shall be
113 determined by diagnosis of reading needs. The department shall
114 provide guidance on appropriate strategies for diagnosing and
115 meeting the varying instructional needs of students reading
116 below grade level. Reading courses shall be designed and offered

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117 pursuant to the comprehensive reading plan required by s.
118 1011.62(9).

119 2. For each year in which a student scores at Level 1 or
120 Level 2 on FCAT Mathematics, the student must receive
121 remediation the following year. These courses may be taught
122 through applied, integrated, or combined courses and are subject
123 to approval by the department for inclusion in the Course Code
124 Directory.

125 (3) (a) A district school board may require specific courses
126 and programs of study within the minimum credit requirements for
127 high school graduation and shall modify basic courses, as
128 necessary, to assure exceptional students the opportunity to
129 meet the graduation requirements for a career diploma, using one
130 of the following strategies:

131 1. Assignment of the exceptional student to an exceptional
132 education class for instruction in a basic course with the same
133 student performance standards as those required of
134 nonexceptional students in the district school board student
135 progression plan; or

136 2. Assignment of the exceptional student to a basic
137 education class for instruction that is modified to accommodate
138 the student's exceptionality.

139 (b) The district school board shall determine which of
140 these strategies to employ based upon an assessment of the
141 student's needs and shall reflect this decision in the student's
142 individual education plan.

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

145 (a) Successful completion of the academic credit or

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146 curriculum requirements of subsections (1) and (2). For courses
147 that require statewide, standardized end-of-course assessments
148 under s. 1008.22(3)(c)2.c., a minimum of 30 percent of a
149 student's course grade shall be comprised of performance on the
150 statewide, standardized end-of-course assessment.

151 (b) Earning passing scores on the FCAT, as defined in s.
152 1008.22(3)(c), or scores on a standardized test that are
153 concordant with passing scores on the FCAT as defined in s.
154 1008.22(10).

155 (c) Completion of all other applicable requirements
156 prescribed by the district school board pursuant to s. 1008.25.

157 (d) Achievement of a cumulative grade point average of 2.0
158 on a 4.0 scale, or its equivalent, in the courses required by
159 this section.

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161 Each district school board shall adopt policies designed to
162 assist students in meeting the requirements of this subsection.
163 These policies may include, but are not limited to: forgiveness
164 policies, summer school or before or after school attendance,
165 special counseling, volunteers or peer tutors, school-sponsored
166 help sessions, homework hotlines, and study skills classes.
167 Forgiveness policies for required courses shall be limited to
168 replacing a grade of "D" or "F," or the equivalent of a grade of
169 "D" or "F," with a grade of "C" or higher, or the equivalent of
170 a grade of "C" or higher, earned subsequently in the same or
171 comparable course. Forgiveness policies for elective courses
172 shall be limited to replacing a grade of "D" or "F," or the
173 equivalent of a grade of "D" or "F," with a grade of "C" or
174 higher, or the equivalent of a grade of "C" or higher, earned

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175 subsequently in another course. The only exception to these
176 forgiveness policies shall be made for a student in the middle
177 grades who takes any high school course for high school credit
178 and earns a grade of "C," "D," or "F" or the equivalent of a
179 grade of "C," "D," or "F." In such case, the district
180 forgiveness policy must allow the replacement of the grade with
181 a grade of "C" or higher, or the equivalent of a grade of "C" or
182 higher, earned subsequently in the same or comparable course. In
183 all cases of grade forgiveness, only the new grade shall be used
184 in the calculation of the student's grade point average. Any
185 course grade not replaced according to a district school board
186 forgiveness policy shall be included in the calculation of the
187 cumulative grade point average required for graduation.

188 (5) The State Board of Education, after a public hearing
189 and consideration, shall adopt rules based upon the
190 recommendations of the Commissioner of Education for the
191 provision of test accommodations and modifications of procedures
192 as necessary for students with disabilities which will
193 demonstrate the student's abilities rather than reflect the
194 student's impaired sensory, manual, speaking, or psychological
195 process skills.

196 (6) The public hearing and consideration required in
197 subsection (5) shall not be construed to amend or nullify the
198 requirements of security relating to the contents of
199 examinations or assessment instruments and related materials or
200 data as prescribed in s. 1008.23.

201 (7) (a) A student who meets all requirements prescribed in
202 subsections (1), (2), (3), and (4) shall be awarded a career
203 diploma in a form prescribed by the State Board of Education.

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204 (b) A student who completes the minimum number of credits
205 and other requirements prescribed by subsections (1), (2), and
206 (3), but who is unable to meet the standards of paragraph
207 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded
208 a certificate of completion in a form prescribed by the State
209 Board of Education. However, any student who is otherwise
210 entitled to a certificate of completion may elect to remain in
211 the secondary school either as a full-time student or a part-
212 time student for up to 1 additional year and receive special
213 instruction designed to remedy his or her identified
214 deficiencies.

215 (8) (a) Each district school board must provide instruction
216 to prepare students with disabilities to demonstrate proficiency
217 in the core content knowledge and skills necessary for
218 successful grade-to-grade progression and high school
219 graduation.

220 (b)1. A student with a disability, as defined in s.
221 1007.02 (2), for whom the individual education plan (IEP)
222 committee determines that the FCAT cannot accurately measure the
223 student's abilities taking into consideration all allowable
224 accommodations, shall have the FCAT requirement of paragraph
225 (4) (b) waived for the purpose of receiving a career diploma, if
226 the student:

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

229 b. Does not meet the requirements of paragraph (4) (b) after
230 one opportunity in 10th grade and one opportunity in 11th grade.

231 2. A student with a disability, as defined in s.
232 1007.02 (2), for whom the IEP committee determines that an end-

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233 of-course assessment cannot accurately measure the student's
234 abilities, taking into consideration all allowable
235 accommodations, shall have the end-of-course assessment results
236 waived for the purpose of determining the student's course grade
237 and credit as required in paragraph (4) (a).

238 (9) The State Board of Education may adopt rules pursuant
239 to ss. 120.536(1) and 120.54 to implement the provisions of this
240 section and may enforce the provisions of this section pursuant
241 to s. 1008.32.

242 Section 2. Paragraph (b) of subsection (4) of section
243 1002.45, Florida Statutes, is amended to read:

244 1002.45 School district virtual instruction programs.—

245 (4) CONTRACT REQUIREMENTS.—Each contract with an approved
246 provider must at minimum:

247 (b) Provide a method for determining that a student has
248 satisfied the requirements for graduation in s. 1003.428, s.
249 1003.4287, s. 1003.429, or s. 1003.43 if the contract is for the
250 provision of a full-time virtual instruction program to students
251 in grades 9 through 12.

252 Section 3. Subsection (3) of section 1003.413, Florida
253 Statutes, is amended to read:

254 1003.413 Florida Secondary School Redesign Act.—

255 (3) Based on these guiding principles, district school
256 boards shall establish policies to implement the requirements of
257 ss. 1003.4156, 1003.428, 1003.4287, and 1003.493. The policies
258 must address:

259 (a) Procedures for placing and promoting students who enter
260 a Florida public school at grade 6 through grade 12 from out of
261 state or from a foreign country, including a review of the

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262 student's prior academic performance.

263 (b) Alternative methods for students to demonstrate
264 competency in required courses and credits, with special support
265 for students who have been retained.

266 (c) Applied, integrated, and combined courses that provide
267 flexibility for students to enroll in courses that are creative
268 and meet individual learning styles and student needs.

269 (d) Credit recovery courses and intensive reading and
270 mathematics intervention courses based on student performance on
271 FCAT Reading and Mathematics. These courses should be competency
272 based and offered through innovative delivery systems, including
273 computer-assisted instruction. School districts should use
274 learning gains as well as other appropriate data and provide
275 incentives to identify and reward high-performing teachers who
276 teach credit recovery and intensive intervention courses.

277 (e) Grade forgiveness policies that replace a grade of "D"
278 or "F" with a grade of "C" or higher earned subsequently in the
279 same or a comparable course.

280 (f) Summer academies for students to receive intensive
281 reading and mathematics intervention courses or competency-based
282 credit recovery courses. A student's participation in an
283 instructional or remediation program prior to or immediately
284 following entering grade 9 for the first time shall not affect
285 that student's classification as a first-time 9th grader for
286 reporting purposes.

287 (g) Strategies to support teachers' pursuit of the reading
288 endorsement and emphasize reading instruction professional
289 development for content area teachers.

290 (h) Creative and flexible scheduling designed to meet

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291 student needs.

292 (i) An annual review of each high school student's
293 electronic personal education plan created pursuant to s.
294 1003.4156 and procedures for high school students who have not
295 prepared an electronic personal education plan pursuant to s.
296 1003.4156 to prepare such plan.

297 (j) Tools for parents to regularly monitor student progress
298 and communicate with teachers.

299 (k) Additional course requirements for promotion and
300 graduation which may be determined by each school district in
301 the student progression plan and may include additional
302 academic, fine and performing arts, physical education, or
303 career and technical education courses in order to provide a
304 complete education program pursuant to s. 1001.41(3).

305 Section 4. Subsection (1) of section 1003.428, Florida
306 Statutes, is amended to read:

307 1003.428 General requirements for high school graduation;
308 revised.—

309 (1) Except as otherwise authorized pursuant to s. 1003.4287
310 or s. 1003.429, beginning with students entering grade 9 in the
311 2007-2008 school year, graduation requires the successful
312 completion of a minimum of 24 credits, an International
313 Baccalaureate curriculum, or an Advanced International
314 Certificate of Education curriculum. Students must be advised of
315 eligibility requirements for state scholarship programs and
316 postsecondary admissions.

317 Section 5. Section 1003.438, Florida Statutes, is amended
318 to read:

319 1003.438 Special high school graduation requirements for

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320 certain exceptional students.—A student who has been identified,
321 in accordance with rules established by the State Board of
322 Education, as a student with disabilities who has an
323 intellectual disability; an autism spectrum disorder; a language
324 impairment; an orthopedic impairment; an other health
325 impairment; a traumatic brain injury; an emotional or behavioral
326 disability; a specific learning disability, including, but not
327 limited to, dyslexia, dyscalculia, or developmental aphasia; or
328 students who are deaf or hard of hearing or dual sensory
329 impaired shall not be required to meet all requirements of s.
330 1003.43, ~~or~~ s. 1003.428, or s. 1003.4287 and shall, upon meeting
331 all applicable requirements prescribed by the district school
332 board pursuant to s. 1008.25, be awarded a special diploma in a
333 form prescribed by the commissioner; however, such special
334 graduation requirements prescribed by the district school board
335 must include minimum graduation requirements as prescribed by
336 the commissioner. Any such student who meets all special
337 requirements of the district school board, but is unable to meet
338 the appropriate special state minimum requirements, shall be
339 awarded a special certificate of completion in a form prescribed
340 by the commissioner. However, this section does not limit or
341 restrict the right of an exceptional student solely to a special
342 diploma or special certificate of completion. Any such student
343 shall, upon proper request, be afforded the opportunity to fully
344 meet all requirements of s. 1003.43, ~~or~~ s. 1003.428, or s.
345 1003.4287 through the standard procedures established therein
346 and thereby to qualify for a standard diploma or a career
347 diploma upon graduation.

348 Section 6. Paragraph (e) of subsection (2) of section

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349 1003.493, Florida Statutes, is amended to read:

350 1003.493 Career and professional academies.—

351 (2) The goals of a career and professional academy are to:

352 (e) Support graduation requirements pursuant to s. 1003.428
353 or s. 1003.4287 by providing creative, applied major areas of
354 interest.

355 Section 7. Paragraph (c) of subsection (3) of section
356 1008.22, Florida Statutes, is amended to read:

357 1008.22 Student assessment program for public schools.—

358 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
359 design and implement a statewide program of educational
360 assessment that provides information for the improvement of the
361 operation and management of the public schools, including
362 schools operating for the purpose of providing educational
363 services to youth in Department of Juvenile Justice programs.
364 The commissioner may enter into contracts for the continued
365 administration of the assessment, testing, and evaluation
366 programs authorized and funded by the Legislature. Contracts may
367 be initiated in 1 fiscal year and continue into the next and may
368 be paid from the appropriations of either or both fiscal years.
369 The commissioner is authorized to negotiate for the sale or
370 lease of tests, scoring protocols, test scoring services, and
371 related materials developed pursuant to law. Pursuant to the
372 statewide assessment program, the commissioner shall:

373 (c) Develop and implement a student achievement testing
374 program as follows:

375 1. The Florida Comprehensive Assessment Test (FCAT)
376 measures a student's content knowledge and skills in reading,
377 writing, science, and mathematics. The content knowledge and

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378 skills assessed by the FCAT must be aligned to the core
379 curricular content established in the Next Generation Sunshine
380 State Standards. Other content areas may be included as directed
381 by the commissioner. Comprehensive assessments of reading and
382 mathematics shall be administered annually in grades 3 through
383 10 except, beginning with the 2010-2011 school year, the
384 administration of grade 9 FCAT Mathematics shall be
385 discontinued, and beginning with the 2011-2012 school year, the
386 administration of grade 10 FCAT Mathematics shall be
387 discontinued, except as required for students who have not
388 attained minimum performance expectations for graduation as
389 provided in paragraph (9)(c). FCAT Writing and FCAT Science
390 shall be administered at least once at the elementary, middle,
391 and high school levels except, beginning with the 2011-2012
392 school year, the administration of FCAT Science at the high
393 school level shall be discontinued.

394 2.a. End-of-course assessments for a subject shall be
395 administered in addition to the comprehensive assessments
396 required under subparagraph 1. End-of-course assessments must be
397 rigorous, statewide, standardized, and developed or approved by
398 the department. The content knowledge and skills assessed by
399 end-of-course assessments must be aligned to the core curricular
400 content established in the Next Generation Sunshine State
401 Standards.

402 (I) Statewide, standardized end-of-course assessments in
403 mathematics shall be administered according to this sub-sub-
404 subparagraph. Beginning with the 2010-2011 school year, all
405 students enrolled in Algebra I or an equivalent course must take
406 the Algebra I end-of-course assessment. Students who earned high

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407 school credit in Algebra I while in grades 6 through 8 during
408 the 2007-2008 through 2009-2010 school years and who have not
409 taken Grade 10 FCAT Mathematics must take the Algebra I end-of-
410 course assessment during the 2010-2011 school year. For students
411 entering grade 9 during the 2010-2011 school year and who are
412 enrolled in Algebra I or an equivalent, each student's
413 performance on the end-of-course assessment in Algebra I shall
414 constitute 30 percent of the student's final course grade.
415 Beginning with students entering grade 9 in the 2011-2012 school
416 year, a student who is enrolled in Algebra I or an equivalent
417 must earn a passing score on the end-of-course assessment in
418 Algebra I or attain an equivalent score as described in
419 subsection (11) in order to earn course credit. Beginning with
420 the 2011-2012 school year, all students enrolled in geometry or
421 an equivalent course must take the geometry end-of-course
422 assessment. For students entering grade 9 during the 2011-2012
423 school year, each student's performance on the end-of-course
424 assessment in geometry shall constitute 30 percent of the
425 student's final course grade. Beginning with students entering
426 grade 9 during the 2012-2013 school year, a student must earn a
427 passing score on the end-of-course assessment in geometry or
428 attain an equivalent score as described in subsection (11) in
429 order to earn course credit.

430 (II) Statewide, standardized end-of-course assessments in
431 science shall be administered according to this sub-sub-
432 subparagraph. Beginning with the 2011-2012 school year, all
433 students enrolled in Biology I or an equivalent course must take
434 the Biology I end-of-course assessment. For the 2011-2012 school
435 year, each student's performance on the end-of-course assessment

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436 in Biology I shall constitute 30 percent of the student's final
437 course grade. Beginning with students entering grade 9 during
438 the 2012-2013 school year, a student must earn a passing score
439 on the end-of-course assessment in Biology I in order to earn
440 course credit.

441 b. During the 2012-2013 school year, an end-of-course
442 assessment in civics education shall be administered as a field
443 test at the middle school level. During the 2013-2014 school
444 year, each student's performance on the statewide, standardized
445 end-of-course assessment in civics education shall constitute 30
446 percent of the student's final course grade. Beginning with the
447 2014-2015 school year, a student must earn a passing score on
448 the end-of-course assessment in civics education in order to
449 pass the course and receive course credit.

450 c. The commissioner may select one or more nationally
451 developed comprehensive examinations, which may include, but
452 need not be limited to, examinations for a College Board
453 Advanced Placement course, International Baccalaureate course,
454 or Advanced International Certificate of Education course, or
455 industry-approved examinations to earn national industry
456 certifications identified in the Industry Certification Funding
457 List, pursuant to rules adopted by the State Board of Education,
458 for use as end-of-course assessments under this paragraph, if
459 the commissioner determines that the content knowledge and
460 skills assessed by the examinations meet or exceed the grade
461 level expectations for the core curricular content established
462 for the course in the Next Generation Sunshine State Standards.
463 The commissioner may collaborate with the American Diploma
464 Project in the adoption or development of rigorous end-of-course

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465 assessments that are aligned to the Next Generation Sunshine
466 State Standards.

467 d. Contingent upon funding provided in the General
468 Appropriations Act, including the appropriation of funds
469 received through federal grants, the Commissioner of Education
470 shall establish an implementation schedule for the development
471 and administration of additional statewide, standardized end-of-
472 course assessments in English/Language Arts II, Algebra II,
473 chemistry, physics, earth/space science, United States history,
474 and world history. Priority shall be given to the development of
475 end-of-course assessments in English/Language Arts II. The
476 Commissioner of Education shall evaluate the feasibility and
477 effect of transitioning from the grade 9 and grade 10 FCAT
478 Reading and high school level FCAT Writing to an end-of-course
479 assessment in English/Language Arts II. The commissioner shall
480 report the results of the evaluation to the President of the
481 Senate and the Speaker of the House of Representatives no later
482 than July 1, 2011.

483 3. The testing program shall measure student content
484 knowledge and skills adopted by the State Board of Education as
485 specified in paragraph (a) and measure and report student
486 performance levels of all students assessed in reading, writing,
487 mathematics, and science. The commissioner shall provide for the
488 tests to be developed or obtained, as appropriate, through
489 contracts and project agreements with private vendors, public
490 vendors, public agencies, postsecondary educational
491 institutions, or school districts. The commissioner shall obtain
492 input with respect to the design and implementation of the
493 testing program from state educators, assistive technology

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494 experts, and the public.

495 4. The testing program shall be composed of criterion-
496 referenced tests that shall, to the extent determined by the
497 commissioner, include test items that require the student to
498 produce information or perform tasks in such a way that the core
499 content knowledge and skills he or she uses can be measured.

500 5. FCAT Reading, Mathematics, and Science and all
501 statewide, standardized end-of-course assessments shall measure
502 the content knowledge and skills a student has attained on the
503 assessment by the use of scaled scores and achievement levels.
504 Achievement levels shall range from 1 through 5, with level 1
505 being the lowest achievement level, level 5 being the highest
506 achievement level, and level 3 indicating satisfactory
507 performance on an assessment. For purposes of FCAT Writing,
508 student achievement shall be scored using a scale of 1 through 6
509 and the score earned shall be used in calculating school grades.
510 A score shall be designated for each subject area tested, below
511 which score a student's performance is deemed inadequate. The
512 school districts shall provide appropriate remedial instruction
513 to students who score below these levels.

514 6. The State Board of Education shall, by rule, designate a
515 passing score for each part of the grade 10 assessment test and
516 end-of-course assessments. Any rule that has the effect of
517 raising the required passing scores may apply only to students
518 taking the assessment for the first time after the rule is
519 adopted by the State Board of Education. Except as otherwise
520 provided in this subparagraph and as provided in s.
521 1003.428(8)(b), s. 1003.4287(8)(b), or s. 1003.43(11)(b),
522 students must earn a passing score on grade 10 FCAT Reading and

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523 grade 10 FCAT Mathematics or attain concordant scores as
524 described in subsection (10) in order to qualify for a standard
525 or career high school diploma.

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

532 8. Participation in the testing program is mandatory for
533 all students attending public school, including students served
534 in Department of Juvenile Justice programs, except as otherwise
535 prescribed by the commissioner. A student who has not earned
536 passing scores on the grade 10 FCAT as provided in subparagraph
537 6. must participate in each retake of the assessment until the
538 student earns passing scores or achieves scores on a
539 standardized assessment which are concordant with passing scores
540 pursuant to subsection (10). If a student does not participate
541 in the statewide assessment, the district must notify the
542 student's parent and provide the parent with information
543 regarding the implications of such nonparticipation. A parent
544 must provide signed consent for a student to receive classroom
545 instructional accommodations that would not be available or
546 permitted on the statewide assessments and must acknowledge in
547 writing that he or she understands the implications of such
548 instructional accommodations. The State Board of Education shall
549 adopt rules, based upon recommendations of the commissioner, for
550 the provision of test accommodations for students in exceptional
551 education programs and for students who have limited English

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552 proficiency. Accommodations that negate the validity of a
553 statewide assessment are not allowable in the administration of
554 the FCAT or an end-of-course assessment. However, instructional
555 accommodations are allowable in the classroom if included in a
556 student's individual education plan. Students using
557 instructional accommodations in the classroom that are not
558 allowable as accommodations on the FCAT or an end-of-course
559 assessment may have the FCAT or an end-of-course assessment
560 requirement waived pursuant to the requirements of s.
561 1003.428(8)(b), s. 1003.4287(8)(b), or s. 1003.43(11)(b).

562 9. A student seeking an adult high school diploma must meet
563 the same testing requirements that a regular high school student
564 must meet.

565 10. District school boards must provide instruction to
566 prepare students in the core curricular content established in
567 the Next Generation Sunshine State Standards adopted under s.
568 1003.41, including the core content knowledge and skills
569 necessary for successful grade-to-grade progression and high
570 school graduation. If a student is provided with instructional
571 accommodations in the classroom that are not allowable as
572 accommodations in the statewide assessment program, as described
573 in the test manuals, the district must inform the parent in
574 writing and must provide the parent with information regarding
575 the impact on the student's ability to meet expected performance
576 levels in reading, writing, mathematics, and science. The
577 commissioner shall conduct studies as necessary to verify that
578 the required core curricular content is part of the district
579 instructional programs.

580 11. District school boards must provide opportunities for

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581 students to demonstrate an acceptable performance level on an
582 alternative standardized assessment approved by the State Board
583 of Education following enrollment in summer academies.

584 12. The Department of Education must develop, or select,
585 and implement a common battery of assessment tools that will be
586 used in all juvenile justice programs in the state. These tools
587 must accurately measure the core curricular content established
588 in the Next Generation Sunshine State Standards.

589 13. For students seeking a special diploma pursuant to s.
590 1003.438, the Department of Education must develop or select and
591 implement an alternate assessment tool that accurately measures
592 the core curricular content established in the Next Generation
593 Sunshine State Standards for students with disabilities under s.
594 1003.438.

595 14. The Commissioner of Education shall establish schedules
596 for the administration of statewide assessments and the
597 reporting of student test results. When establishing the
598 schedules for the administration of statewide assessments, the
599 commissioner shall consider the observance of religious and
600 school holidays. The commissioner shall, by August 1 of each
601 year, notify each school district in writing and publish on the
602 department's Internet website the testing and reporting
603 schedules for, at a minimum, the school year following the
604 upcoming school year. The testing and reporting schedules shall
605 require that:

606 a. There is the latest possible administration of statewide
607 assessments and the earliest possible reporting to the school
608 districts of student test results which is feasible within
609 available technology and specific appropriations; however, test

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610 results for the FCAT must be made available no later than the
611 week of June 8. Student results for end-of-course assessments
612 must be provided no later than 1 week after the school district
613 completes testing for each course.

614 b. Beginning with the 2010-2011 school year, FCAT Writing
615 is not administered earlier than the week of March 1 and a
616 comprehensive statewide assessment of any other subject is not
617 administered earlier than the week of April 15.

618 c. A statewide, standardized end-of-course assessment is
619 administered during a 3-week period at the end of the course.
620 The commissioner shall select a 3-week administration period for
621 assessments that meets the intent of end-of-course assessments
622 and provides student results prior to the end of the course.
623 School districts shall select 1 testing week within the 3-week
624 administration period for each end-of-course assessment. For an
625 end-of-course assessment administered at the end of the first
626 semester, the commissioner shall determine the most appropriate
627 testing dates based on a school district's academic calendar.

628
629 The commissioner may, based on collaboration and input from
630 school districts, design and implement student testing programs,
631 for any grade level and subject area, necessary to effectively
632 monitor educational achievement in the state, including the
633 measurement of educational achievement of the Next Generation
634 Sunshine State Standards for students with disabilities.
635 Development and refinement of assessments shall include
636 universal design principles and accessibility standards that
637 will prevent any unintended obstacles for students with
638 disabilities while ensuring the validity and reliability of the

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639 test. These principles should be applicable to all technology
640 platforms and assistive devices available for the assessments.
641 The field testing process and psychometric analyses for the
642 statewide assessment program must include an appropriate
643 percentage of students with disabilities and an evaluation or
644 determination of the effect of test items on such students.

645 Section 8. This act shall take effect upon becoming a law.