

By the Committees on Budget; and Education Pre-K - 12

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1 A bill to be entitled
2 An act relating to education law repeals; repealing s.
3 445.049, F.S., relating to the creation of the Digital
4 Divide Council in the Department of Education;
5 repealing s. 817.567, F.S., relating to making false
6 claims of academic degree or title; repealing s.
7 1001.291, F.S., which provides for implementation of a
8 pilot project relating to discounted computers and
9 Internet access for low-income students; repealing s.
10 1004.50, F.S., relating to the Institute on Urban
11 Policy and Commerce; repealing s. 1004.51, F.S.,
12 relating to the Community and Faith-based
13 Organizations Initiative and the Library Technology
14 Access Partnership; repealing s. 1004.52, F.S.,
15 relating to the community computer access grant
16 program; repealing s. 1004.95, F.S., relating to adult
17 literacy centers; repealing s. 1004.97, F.S., relating
18 to the Florida Literacy Corps; repealing s.
19 1004.04(11) and (12), F.S., relating to the Preteacher
20 and Teacher Education Pilot Programs and the Teacher
21 Education Pilot Programs for High-Achieving Students;
22 repealing s. 1009.54, F.S., relating to the Critical
23 Teacher Shortage Program; repealing s. 1009.57, F.S.,
24 relating to the Florida Teacher Scholarship and
25 Forgivable Loan Program; repealing s. 1009.58, F.S.,
26 relating to the critical teacher shortage tuition
27 reimbursement program; repealing s. 1009.59, F.S.,
28 relating to the Critical Teacher Shortage Student Loan
29 Forgiveness Program; repealing s. 1012.225, F.S.,

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30 relating to the Merit Award Program for Instructional
31 Personnel and School-Based Administrators; repealing
32 s. 1012.2251, F.S., relating to the administration of
33 end-of-course examinations for the Merit Award
34 Program; repealing s. 447.403(2)(c), F.S., relating to
35 the resolution of an impasse involving a dispute of a
36 Merit Award Program plan, to conform; amending ss.
37 1002.33, 1003.52, 1009.40, 1009.94, 1011.62, and
38 1012.07, F.S.; conforming provisions to changes made
39 by the act; repealing s. 1012.33(3)(a), (b), and (c),
40 F.S., relating to professional service contracts for
41 instructional staff; amending s. 1008.22, F.S.;
42 deleting a provision requiring that certain middle
43 school students who earned high school credit in
44 Algebra I take the Algebra I end-of-course assessment
45 during the 2010-2011 school year; providing effective
46 dates.

47
48 Be It Enacted by the Legislature of the State of Florida:

49
50 Section 1. Section 445.049, Florida Statutes, is repealed.
51 Section 2. Section 817.567, Florida Statutes, is repealed.
52 Section 3. Section 1001.291, Florida Statutes, is repealed.
53 Section 4. Section 1004.50, Florida Statutes, is repealed.
54 Section 5. Section 1004.51, Florida Statutes, is repealed.
55 Section 6. Section 1004.52, Florida Statutes, is repealed.
56 Section 7. Section 1004.95, Florida Statutes, is repealed.
57 Section 8. Section 1004.97, Florida Statutes, is repealed.
58 Section 9. Subsections (11) and (12) of section 1004.04,

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59 Florida Statutes, are repealed.

60 Section 10. Sections 1009.54, 1009.57, 1009.58, and
61 1009.59, Florida Statutes, are repealed.

62 Section 11. Sections 1012.225 and 1012.2251, Florida
63 Statutes, are repealed.

64 Section 12. Paragraph (c) of subsection (2) of section
65 447.403, Florida Statutes, is repealed.

66 Section 13. Paragraph (a) of subsection (20) of section
67 1002.33, Florida Statutes, is amended to read:

68 1002.33 Charter schools.—

69 (20) SERVICES.—

70 (a)1. A sponsor shall provide certain administrative and
71 educational services to charter schools. These services shall
72 include contract management services; full-time equivalent and
73 data reporting services; exceptional student education
74 administration services; services related to eligibility and
75 reporting duties required to ensure that school lunch services
76 under the federal lunch program, consistent with the needs of
77 the charter school, are provided by the school district at the
78 request of the charter school, that any funds due to the charter
79 school under the federal lunch program be paid to the charter
80 school as soon as the charter school begins serving food under
81 the federal lunch program, and that the charter school is paid
82 at the same time and in the same manner under the federal lunch
83 program as other public schools serviced by the sponsor or the
84 school district; test administration services, including payment
85 of the costs of state-required or district-required student
86 assessments; processing of teacher certificate data services;
87 and information services, including equal access to student

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88 information systems that are used by public schools in the
89 district in which the charter school is located. Student
90 performance data for each student in a charter school,
91 including, but not limited to, FCAT scores, standardized test
92 scores, previous public school student report cards, and student
93 performance measures, shall be provided by the sponsor to a
94 charter school in the same manner provided to other public
95 schools in the district.

96 2. A total administrative fee for the provision of such
97 services shall be calculated based upon up to 5 percent of the
98 available funds defined in paragraph (17)(b) for all students.
99 However, a sponsor may only withhold up to a 5-percent
100 administrative fee for enrollment for up to and including 250
101 students. For charter schools with a population of 251 or more
102 students, the difference between the total administrative fee
103 calculation and the amount of the administrative fee withheld
104 may only be used for capital outlay purposes specified in s.
105 1013.62(2).

106 3. In addition, a sponsor may withhold only up to a 5-
107 percent administrative fee for enrollment for up to and
108 including 500 students within a system of charter schools which
109 meets all of the following:

- 110 a. Includes both conversion charter schools and
111 nonconversion charter schools;
- 112 b. Has all schools located in the same county;
- 113 c. Has a total enrollment exceeding the total enrollment of
114 at least one school district in the state;
- 115 d. Has the same governing board; and
- 116 e. Does not contract with a for-profit service provider for

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117 management of school operations.

118 4. The difference between the total administrative fee
119 calculation and the amount of the administrative fee withheld
120 pursuant to subparagraph 3. may be used for instructional and
121 administrative purposes as well as for capital outlay purposes
122 specified in s. 1013.62(2).

123 5. ~~Each charter school shall receive 100 percent of the~~
124 ~~funds awarded to that school pursuant to s. 1012.225.~~ Sponsors
125 shall not charge charter schools any additional fees or
126 surcharges for administrative and educational services in
127 addition to the maximum 5-percent administrative fee withheld
128 pursuant to this paragraph.

129 Section 14. Subsection (10) of section 1003.52, Florida
130 Statutes, is amended to read:

131 1003.52 Educational services in Department of Juvenile
132 Justice programs.—

133 (10) The district school board shall recruit and train
134 teachers who are interested, qualified, or experienced in
135 educating students in juvenile justice programs. Students in
136 juvenile justice programs shall be provided a wide range of
137 educational programs and opportunities including textbooks,
138 technology, instructional support, and other resources available
139 to students in public schools. Teachers assigned to educational
140 programs in juvenile justice settings in which the district
141 school board operates the educational program shall be selected
142 by the district school board in consultation with the director
143 of the juvenile justice facility. Educational programs in
144 juvenile justice facilities shall have access to the substitute
145 teacher pool utilized by the district school board. ~~Full-time~~

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146 ~~teachers working in juvenile justice schools, whether employed~~
147 ~~by a district school board or a provider, shall be eligible for~~
148 ~~the critical teacher shortage tuition reimbursement program as~~
149 ~~defined by s. 1009.58 and other teacher recruitment and~~
150 ~~retention programs.~~

151 Section 15. Paragraph (a) of subsection (1) of section
152 1009.40, Florida Statutes, is amended to read:

153 1009.40 General requirements for student eligibility for
154 state financial aid awards and tuition assistance grants.—

155 (1) (a) The general requirements for eligibility of students
156 for state financial aid awards and tuition assistance grants
157 consist of the following:

158 1. Achievement of the academic requirements of and
159 acceptance at a state university or community college; a nursing
160 diploma school approved by the Florida Board of Nursing; a
161 Florida college, university, or community college that ~~which~~ is
162 accredited by an accrediting agency recognized by the State
163 Board of Education; any Florida institution the credits of which
164 are acceptable for transfer to state universities; any career
165 center; or any private career institution accredited by an
166 accrediting agency recognized by the State Board of Education.

167 2. Residency in this state for no less than 1 year
168 preceding the award of aid or a tuition assistance grant for a
169 program established pursuant to s. 1009.50, s. 1009.505, s.
170 1009.51, s. 1009.52, s. 1009.53, ~~s. 1009.54~~, s. 1009.56, ~~s.~~
171 ~~1009.57~~, s. 1009.60, s. 1009.62, s. 1009.68, s. 1009.72, s.
172 1009.73, s. 1009.77, s. 1009.89, or s. 1009.891. Residency in
173 this state must be for purposes other than to obtain an
174 education. Resident status for purposes of receiving state

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175 financial aid awards shall be determined in the same manner as
176 resident status for tuition purposes pursuant to s. 1009.21.

177 3. Submission of certification attesting to the accuracy,
178 completeness, and correctness of information provided to
179 demonstrate a student's eligibility to receive state financial
180 aid awards or tuition assistance grants. Falsification of such
181 information shall result in the denial of any pending
182 application and revocation of any award or grant currently held
183 to the extent that no further payments shall be made.

184 Additionally, students who knowingly make false statements in
185 order to receive state financial aid awards or tuition
186 assistance grants commit a misdemeanor of the second degree
187 subject to the provisions of s. 837.06 and shall be required to
188 return all state financial aid awards or tuition assistance
189 grants wrongfully obtained.

190 Section 16. Paragraph (c) of subsection (2) of section
191 1009.94, Florida Statutes, is amended to read:

192 1009.94 Student financial assistance database.—

193 (2) For purposes of this section, financial assistance
194 includes:

195 (c) Any financial assistance provided under s. 1009.50, s.
196 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, ~~s. 1009.54~~, s.
197 1009.55, s. 1009.56, ~~s. 1009.57~~, s. 1009.60, s. 1009.62, s.
198 1009.68, s. 1009.70, s. 1009.701, s. 1009.72, s. 1009.73, s.
199 1009.74, s. 1009.77, s. 1009.89, or s. 1009.891.

200 Section 17. Paragraph (d) of subsection (7) of section
201 1011.62, Florida Statutes, is amended to read:

202 1011.62 Funds for operation of schools.—If the annual
203 allocation from the Florida Education Finance Program to each

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204 district for operation of schools is not determined in the
205 annual appropriations act or the substantive bill implementing
206 the annual appropriations act, it shall be determined as
207 follows:

208 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

209 (d) Each district's allocation of sparsity supplement funds
210 shall be adjusted in the following manner:

211 1. A maximum discretionary levy per FTE value for each
212 district shall be calculated by dividing the value of each
213 district's maximum discretionary levy by its FTE student count.

214 2. A state average discretionary levy value per FTE shall
215 be calculated by dividing the total maximum discretionary levy
216 value for all districts by the state total FTE student count.

217 3. A total potential funds per FTE for each district shall
218 be calculated by dividing the total potential funds, not
219 including Florida School Recognition Program funds, ~~Merit Award~~
220 ~~Program funds~~, and the minimum guarantee funds, for each
221 district by its FTE student count.

222 4. A state average total potential funds per FTE shall be
223 calculated by dividing the total potential funds, not including
224 Florida School Recognition Program funds, ~~Merit Award Program~~
225 ~~funds~~, and the minimum guarantee funds, for all districts by the
226 state total FTE student count.

227 5. For districts that have a levy value per FTE as
228 calculated in subparagraph 1. higher than the state average
229 calculated in subparagraph 2., a sparsity wealth adjustment
230 shall be calculated as the product of the difference between the
231 state average levy value per FTE calculated in subparagraph 2.
232 and the district's levy value per FTE calculated in subparagraph

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233 1. and the district's FTE student count and -1. However, no
234 district shall have a sparsity wealth adjustment that, when
235 applied to the total potential funds calculated in subparagraph
236 3., would cause the district's total potential funds per FTE to
237 be less than the state average calculated in subparagraph 4.

238 6. Each district's sparsity supplement allocation shall be
239 calculated by adding the amount calculated as specified in
240 paragraphs (a) and (b) and the wealth adjustment amount
241 calculated in this paragraph.

242 Section 18. Section 1012.07, Florida Statutes, is amended
243 to read:

244 1012.07 Identification of critical teacher shortage areas.-

245 ~~(1) As used in ss. 1009.57, 1009.58, and 1009.59,~~ The term
246 "critical teacher shortage area" applies to mathematics,
247 science, career education, and high priority location areas. The
248 State Board of Education may identify career education programs
249 having critical teacher shortages. The State Board of Education
250 shall adopt rules pursuant to ss. 120.536(1) and 120.54
251 necessary to annually identify other critical teacher shortage
252 areas and high priority location areas. The state board shall
253 also consider teacher characteristics such as ethnic background,
254 race, and sex in determining critical teacher shortage areas.
255 School grade levels may also be designated critical teacher
256 shortage areas. Individual district school boards may identify
257 other critical teacher shortage areas. Such shortages must be
258 certified to and approved by the State Board of Education. High
259 priority location areas shall be in high-density, low-economic
260 urban schools and low-density, low-economic rural schools and
261 shall include schools that ~~which~~ meet criteria that ~~which~~

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262 include, but are not limited to, the percentage of free lunches,
263 the percentage of students under Chapter I of the Education
264 Consolidation and Improvement Act of 1981, and the faculty
265 attrition rate.

266 ~~(2) This section shall be implemented only to the extent as~~
267 ~~specifically funded and authorized by law.~~

268 Section 19. Effective July 1, 2011, paragraphs (a), (b),
269 and (c) of subsection (3) of section 1012.33, Florida Statutes,
270 are repealed.

271 Section 20. Paragraph (c) of subsection (3) of section
272 1008.22, Florida Statutes, is amended to read:

273 1008.22 Student assessment program for public schools.—

274 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
275 design and implement a statewide program of educational
276 assessment that provides information for the improvement of the
277 operation and management of the public schools, including
278 schools operating for the purpose of providing educational
279 services to youth in Department of Juvenile Justice programs.
280 The commissioner may enter into contracts for the continued
281 administration of the assessment, testing, and evaluation
282 programs authorized and funded by the Legislature. Contracts may
283 be initiated in 1 fiscal year and continue into the next and may
284 be paid from the appropriations of either or both fiscal years.
285 The commissioner is authorized to negotiate for the sale or
286 lease of tests, scoring protocols, test scoring services, and
287 related materials developed pursuant to law. Pursuant to the
288 statewide assessment program, the commissioner shall:

289 (c) Develop and implement a student achievement testing
290 program as follows:

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291 1. The Florida Comprehensive Assessment Test (FCAT)
292 measures a student's content knowledge and skills in reading,
293 writing, science, and mathematics. The content knowledge and
294 skills assessed by the FCAT must be aligned to the core
295 curricular content established in the Next Generation Sunshine
296 State Standards. Other content areas may be included as directed
297 by the commissioner. Comprehensive assessments of reading and
298 mathematics shall be administered annually in grades 3 through
299 10 except, beginning with the 2010-2011 school year, the
300 administration of grade 9 FCAT Mathematics shall be
301 discontinued, and beginning with the 2011-2012 school year, the
302 administration of grade 10 FCAT Mathematics shall be
303 discontinued, except as required for students who have not
304 attained minimum performance expectations for graduation as
305 provided in paragraph (9) (c). FCAT Writing and FCAT Science
306 shall be administered at least once at the elementary, middle,
307 and high school levels except, beginning with the 2011-2012
308 school year, the administration of FCAT Science at the high
309 school level shall be discontinued.

310 2.a. End-of-course assessments for a subject shall be
311 administered in addition to the comprehensive assessments
312 required under subparagraph 1. End-of-course assessments must be
313 rigorous, statewide, standardized, and developed or approved by
314 the department. The content knowledge and skills assessed by
315 end-of-course assessments must be aligned to the core curricular
316 content established in the Next Generation Sunshine State
317 Standards.

318 (I) Statewide, standardized end-of-course assessments in
319 mathematics shall be administered according to this sub-sub-

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320 subparagraph. Beginning with the 2010-2011 school year, all
321 students enrolled in Algebra I or an equivalent course must take
322 the Algebra I end-of-course assessment. ~~Students who earned high~~
323 ~~school credit in Algebra I while in grades 6 through 8 during~~
324 ~~the 2007-2008 through 2009-2010 school years and who have not~~
325 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~
326 ~~course assessment during the 2010-2011 school year.~~ For students
327 entering grade 9 during the 2010-2011 school year and who are
328 enrolled in Algebra I or an equivalent, each student's
329 performance on the end-of-course assessment in Algebra I shall
330 constitute 30 percent of the student's final course grade.
331 Beginning with students entering grade 9 in the 2011-2012 school
332 year, a student who is enrolled in Algebra I or an equivalent
333 must earn a passing score on the end-of-course assessment in
334 Algebra I or attain an equivalent score as described in
335 subsection (11) in order to earn course credit. Beginning with
336 the 2011-2012 school year, all students enrolled in geometry or
337 an equivalent course must take the geometry end-of-course
338 assessment. For students entering grade 9 during the 2011-2012
339 school year, each student's performance on the end-of-course
340 assessment in geometry shall constitute 30 percent of the
341 student's final course grade. Beginning with students entering
342 grade 9 during the 2012-2013 school year, a student must earn a
343 passing score on the end-of-course assessment in geometry or
344 attain an equivalent score as described in subsection (11) in
345 order to earn course credit.

346 (II) Statewide, standardized end-of-course assessments in
347 science shall be administered according to this sub-sub-
348 subparagraph. Beginning with the 2011-2012 school year, all

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349 students enrolled in Biology I or an equivalent course must take
350 the Biology I end-of-course assessment. For the 2011-2012 school
351 year, each student's performance on the end-of-course assessment
352 in Biology I shall constitute 30 percent of the student's final
353 course grade. Beginning with students entering grade 9 during
354 the 2012-2013 school year, a student must earn a passing score
355 on the end-of-course assessment in Biology I in order to earn
356 course credit.

357 b. During the 2012-2013 school year, an end-of-course
358 assessment in civics education shall be administered as a field
359 test at the middle school level. During the 2013-2014 school
360 year, each student's performance on the statewide, standardized
361 end-of-course assessment in civics education shall constitute 30
362 percent of the student's final course grade. Beginning with the
363 2014-2015 school year, a student must earn a passing score on
364 the end-of-course assessment in civics education in order to
365 pass the course and receive course credit.

366 c. The commissioner may select one or more nationally
367 developed comprehensive examinations, which may include, but
368 need not be limited to, examinations for a College Board
369 Advanced Placement course, International Baccalaureate course,
370 or Advanced International Certificate of Education course, or
371 industry-approved examinations to earn national industry
372 certifications identified in the Industry Certification Funding
373 List, pursuant to rules adopted by the State Board of Education,
374 for use as end-of-course assessments under this paragraph, if
375 the commissioner determines that the content knowledge and
376 skills assessed by the examinations meet or exceed the grade
377 level expectations for the core curricular content established

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378 for the course in the Next Generation Sunshine State Standards.
379 The commissioner may collaborate with the American Diploma
380 Project in the adoption or development of rigorous end-of-course
381 assessments that are aligned to the Next Generation Sunshine
382 State Standards.

383 d. Contingent upon funding provided in the General
384 Appropriations Act, including the appropriation of funds
385 received through federal grants, the Commissioner of Education
386 shall establish an implementation schedule for the development
387 and administration of additional statewide, standardized end-of-
388 course assessments in English/Language Arts II, Algebra II,
389 chemistry, physics, earth/space science, United States history,
390 and world history. Priority shall be given to the development of
391 end-of-course assessments in English/Language Arts II. The
392 Commissioner of Education shall evaluate the feasibility and
393 effect of transitioning from the grade 9 and grade 10 FCAT
394 Reading and high school level FCAT Writing to an end-of-course
395 assessment in English/Language Arts II. The commissioner shall
396 report the results of the evaluation to the President of the
397 Senate and the Speaker of the House of Representatives no later
398 than July 1, 2011.

399 3. The testing program shall measure student content
400 knowledge and skills adopted by the State Board of Education as
401 specified in paragraph (a) and measure and report student
402 performance levels of all students assessed in reading, writing,
403 mathematics, and science. The commissioner shall provide for the
404 tests to be developed or obtained, as appropriate, through
405 contracts and project agreements with private vendors, public
406 vendors, public agencies, postsecondary educational

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407 institutions, or school districts. The commissioner shall obtain
408 input with respect to the design and implementation of the
409 testing program from state educators, assistive technology
410 experts, and the public.

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

416 5. FCAT Reading, Mathematics, and Science and all
417 statewide, standardized end-of-course assessments shall measure
418 the content knowledge and skills a student has attained on the
419 assessment by the use of scaled scores and achievement levels.
420 Achievement levels shall range from 1 through 5, with level 1
421 being the lowest achievement level, level 5 being the highest
422 achievement level, and level 3 indicating satisfactory
423 performance on an assessment. For purposes of FCAT Writing,
424 student achievement shall be scored using a scale of 1 through 6
425 and the score earned shall be used in calculating school grades.
426 A score shall be designated for each subject area tested, below
427 which score a student's performance is deemed inadequate. The
428 school districts shall provide appropriate remedial instruction
429 to students who score below these levels.

430 6. The State Board of Education shall, by rule, designate a
431 passing score for each part of the grade 10 assessment test and
432 end-of-course assessments. Any rule that has the effect of
433 raising the required passing scores may apply only to students
434 taking the assessment for the first time after the rule is
435 adopted by the State Board of Education. Except as otherwise

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436 provided in this subparagraph and as provided in s.
437 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a
438 passing score on grade 10 FCAT Reading and grade 10 FCAT
439 Mathematics or attain concordant scores as described in
440 subsection (10) in order to qualify for a standard high school
441 diploma.

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

448 8. Participation in the testing program is mandatory for
449 all students attending public school, including students served
450 in Department of Juvenile Justice programs, except as otherwise
451 prescribed by the commissioner. A student who has not earned
452 passing scores on the grade 10 FCAT as provided in subparagraph
453 6. must participate in each retake of the assessment until the
454 student earns passing scores or achieves scores on a
455 standardized assessment which are concordant with passing scores
456 pursuant to subsection (10). If a student does not participate
457 in the statewide assessment, the district must notify the
458 student's parent and provide the parent with information
459 regarding the implications of such nonparticipation. A parent
460 must provide signed consent for a student to receive classroom
461 instructional accommodations that would not be available or
462 permitted on the statewide assessments and must acknowledge in
463 writing that he or she understands the implications of such
464 instructional accommodations. The State Board of Education shall

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465 adopt rules, based upon recommendations of the commissioner, for
466 the provision of test accommodations for students in exceptional
467 education programs and for students who have limited English
468 proficiency. Accommodations that negate the validity of a
469 statewide assessment are not allowable in the administration of
470 the FCAT or an end-of-course assessment. However, instructional
471 accommodations are allowable in the classroom if included in a
472 student's individual education plan. Students using
473 instructional accommodations in the classroom that are not
474 allowable as accommodations on the FCAT or an end-of-course
475 assessment may have the FCAT or an end-of-course assessment
476 requirement waived pursuant to the requirements of s.
477 1003.428(8)(b) or s. 1003.43(11)(b).

478 9. A student seeking an adult high school diploma must meet
479 the same testing requirements that a regular high school student
480 must meet.

481 10. District school boards must provide instruction to
482 prepare students in the core curricular content established in
483 the Next Generation Sunshine State Standards adopted under s.
484 1003.41, including the core content knowledge and skills
485 necessary for successful grade-to-grade progression and high
486 school graduation. If a student is provided with instructional
487 accommodations in the classroom that are not allowable as
488 accommodations in the statewide assessment program, as described
489 in the test manuals, the district must inform the parent in
490 writing and must provide the parent with information regarding
491 the impact on the student's ability to meet expected performance
492 levels in reading, writing, mathematics, and science. The
493 commissioner shall conduct studies as necessary to verify that

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494 the required core curricular content is part of the district
495 instructional programs.

496 11. District school boards must provide opportunities for
497 students to demonstrate an acceptable performance level on an
498 alternative standardized assessment approved by the State Board
499 of Education following enrollment in summer academies.

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

505 13. For students seeking a special diploma pursuant to s.
506 1003.438, the Department of Education must develop or select and
507 implement an alternate assessment tool that accurately measures
508 the core curricular content established in the Next Generation
509 Sunshine State Standards for students with disabilities under s.
510 1003.438.

511 14. The Commissioner of Education shall establish schedules
512 for the administration of statewide assessments and the
513 reporting of student test results. When establishing the
514 schedules for the administration of statewide assessments, the
515 commissioner shall consider the observance of religious and
516 school holidays. The commissioner shall, by August 1 of each
517 year, notify each school district in writing and publish on the
518 department's Internet website the testing and reporting
519 schedules for, at a minimum, the school year following the
520 upcoming school year. The testing and reporting schedules shall
521 require that:

522 a. There is the latest possible administration of statewide

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523 assessments and the earliest possible reporting to the school
524 districts of student test results which is feasible within
525 available technology and specific appropriations; however, test
526 results for the FCAT must be made available no later than the
527 week of June 8. Student results for end-of-course assessments
528 must be provided no later than 1 week after the school district
529 completes testing for each course.

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

534 c. A statewide, standardized end-of-course assessment is
535 administered during a 3-week period at the end of the course.
536 The commissioner shall select a 3-week administration period for
537 assessments that meets the intent of end-of-course assessments
538 and provides student results prior to the end of the course.
539 School districts shall select 1 testing week within the 3-week
540 administration period for each end-of-course assessment. For an
541 end-of-course assessment administered at the end of the first
542 semester, the commissioner shall determine the most appropriate
543 testing dates based on a school district's academic calendar.

544
545 The commissioner may, based on collaboration and input from
546 school districts, design and implement student testing programs,
547 for any grade level and subject area, necessary to effectively
548 monitor educational achievement in the state, including the
549 measurement of educational achievement of the Next Generation
550 Sunshine State Standards for students with disabilities.
551 Development and refinement of assessments shall include

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552 universal design principles and accessibility standards that
553 will prevent any unintended obstacles for students with
554 disabilities while ensuring the validity and reliability of the
555 test. These principles should be applicable to all technology
556 platforms and assistive devices available for the assessments.
557 The field testing process and psychometric analyses for the
558 statewide assessment program must include an appropriate
559 percentage of students with disabilities and an evaluation or
560 determination of the effect of test items on such students.

561 Section 21. Except as otherwise expressly provided in this
562 act, this act shall take effect upon becoming a law.