

By Senator Wise

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1                                   A bill to be entitled  
2           An act relating to career education; amending s.  
3           1003.4156, F.S.; revising the general requirements for  
4           middle grades promotion to require that a course in  
5           career and education planning explore Florida's Career  
6           Clusters; creating s. 1003.4287, F.S.; providing  
7           requirements for a career technical high school  
8           diploma; requiring a student and the student's parent  
9           or guardian to agree in writing to the requirements of  
10          the career diploma track; specifying the credits that  
11          must be successfully completed in order to receive a  
12          career diploma; requiring an intensive reading course  
13          or remediation in mathematics for a student who does  
14          not meet certain academic standards; requiring at  
15          least one course required for high school graduation  
16          to be completed through online learning; providing  
17          strategies to enable an exceptional student to meet  
18          graduation requirements for a career diploma;  
19          requiring district school board standards for  
20          graduation and policies to assist students in meeting  
21          the requirements; requiring rules for test  
22          accommodations and modifications of procedures for  
23          students with disabilities; providing for the award of  
24          a certificate of completion to a student who is unable  
25          to meet certain standards; providing conditions for  
26          the waiver of assessment requirements for a career  
27          diploma for a student with a disability; providing  
28          that a career technical high school diploma is a  
29          standard high school diploma for purposes of federal

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30 and state accountability requirements; authorizing the  
31 State Board of Education to adopt rules; amending ss.  
32 1002.321, 1002.33, 1002.45, 1003.03, 1003.413,  
33 1003.428, 1003.438, 1003.493, 1003.4935, and 1008.22,  
34 F.S.; conforming provisions to changes made by the  
35 act; providing an effective date.  
36

37 WHEREAS, the Legislature finds that the state's public  
38 education system needs to respond to the workforce needs of  
39 employers by aligning career and technical education with  
40 industry standards and workforce demands, and

41 WHEREAS, career and technical education helps students  
42 experience the practical and meaningful application of any  
43 number of skills and offers individuals lifelong opportunities  
44 to learn new skills, and

45 WHEREAS, the Legislature intends to offer students the  
46 option of receiving a career technical high school diploma to  
47 meet the state's workforce demands and allow students the  
48 opportunity to continue their education or career paths, NOW,  
49 THEREFORE,

50  
51 Be It Enacted by the Legislature of the State of Florida:

52  
53 Section 1. Paragraph (a) of subsection (1) of section  
54 1003.4156, Florida Statutes, is amended to read:

55 1003.4156 General requirements for middle grades  
56 promotion.—

57 (1) Promotion from a school composed of middle grades 6, 7,  
58 and 8 requires that:

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59 (a) The student must successfully complete academic courses  
60 as follows:

61 1. Three middle school or higher courses in English. These  
62 courses shall emphasize literature, composition, and technical  
63 text.

64 2. Three middle school or higher courses in mathematics.  
65 Each middle school must offer at least one high school level  
66 mathematics course for which students may earn high school  
67 credit. Successful completion of a high school level Algebra I  
68 or geometry course is not contingent upon the student's  
69 performance on the end-of-course assessment required under s.  
70 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012  
71 school year, to earn high school credit for an Algebra I course,  
72 a middle school student must pass the Algebra I end-of-course  
73 assessment, and beginning with the 2012-2013 school year, to  
74 earn high school credit for a geometry course, a middle school  
75 student must pass the geometry end-of-course assessment.

76 3. Three middle school or higher courses in social studies,  
77 one semester of which must include the study of state and  
78 federal government and civics education. Beginning with students  
79 entering grade 6 in the 2012-2013 school year, one of these  
80 courses must be at least a one-semester civics education course  
81 that a student successfully completes in accordance with s.  
82 1008.22(3)(c) and that includes the roles and responsibilities  
83 of federal, state, and local governments; the structures and  
84 functions of the legislative, executive, and judicial branches  
85 of government; and the meaning and significance of historic  
86 documents, such as the Articles of Confederation, the  
87 Declaration of Independence, and the Constitution of the United

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88 States.

89 4. Three middle school or higher courses in science.  
90 Successful completion of a high school level Biology I course is  
91 not contingent upon the student's performance on the end-of-  
92 course assessment required under s. 1008.22(3)(c)2.a.(II).  
93 However, beginning with the 2012-2013 school year, to earn high  
94 school credit for a Biology I course, a middle school student  
95 must pass the Biology I end-of-course assessment.

96 5. One course in career and education planning to be  
97 completed in 7th or 8th grade. The course may be taught by any  
98 member of the instructional staff; must include career  
99 exploration aligned to Florida's Career Clusters; must include  
100 career exploration using Florida CHOICES or a comparable cost-  
101 effective program; must include educational planning using the  
102 online student advising system known as Florida Academic  
103 Counseling and Tracking for Students at the Internet website  
104 FACTS.org; and shall result in the completion of a personalized  
105 academic and career plan. The required personalized academic and  
106 career plan must inform students of high school graduation  
107 requirements, high school assessment and college entrance test  
108 requirements, Florida Bright Futures Scholarship Program  
109 requirements, state university and Florida College System  
110 institution admission requirements, and programs through which a  
111 high school student can earn college credit, including Advanced  
112 Placement, International Baccalaureate, Advanced International  
113 Certificate of Education, dual enrollment, career academy  
114 opportunities, and courses that lead to national industry  
115 certification.

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117 A student with a disability, as defined in s. 1007.02(2), for  
118 whom the individual education plan team determines that an end-  
119 of-course assessment cannot accurately measure the student's  
120 abilities, taking into consideration all allowable  
121 accommodations, shall have the end-of-course assessment results  
122 waived for purposes of determining the student's course grade  
123 and completing the requirements for middle grades promotion.  
124 Each school must hold a parent meeting either in the evening or  
125 on a weekend to inform parents about the course curriculum and  
126 activities. Each student shall complete an electronic personal  
127 education plan that must be signed by the student; the student's  
128 instructor, guidance counselor, or academic advisor; and the  
129 student's parent. The Department of Education shall develop  
130 course frameworks and professional development materials for the  
131 career exploration and education planning course. The course may  
132 be implemented as a stand-alone course or integrated into  
133 another course or courses. The Commissioner of Education shall  
134 collect longitudinal high school course enrollment data by  
135 student ethnicity in order to analyze course-taking patterns.

136 Section 2. Section 1003.4287, Florida Statutes, is created  
137 to read:

138 1003.4287 Requirements for the career technical high school  
139 diploma.—

140 (1) Beginning with students entering grade 9 in the 2012-  
141 2013 school year, a career technical high school diploma shall  
142 be awarded to a student who successfully completes a minimum of  
143 24 credits as required under this section. In order to pursue  
144 the career diploma, the student and the student's parent or  
145 guardian must sign a form confirming that they are aware of the

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146 requirements for the career track and agree to the minimum  
147 standards for successful completion. The school personnel  
148 designated to advise the student or the school principal must  
149 also sign the form to confirm that the school and the school  
150 district are aware of the student's intent to pursue the career  
151 diploma. The form shall be a standard form prescribed by the  
152 Department of Education and used in each school district.  
153 Students must be advised of eligibility requirements for state  
154 scholarship programs and postsecondary admissions.

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

158 (a) Core curriculum credits:

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

161 2. Four credits in mathematics, one of which must be  
162 Algebra I, a series of courses equivalent to Algebra I, or a  
163 higher-level mathematics course. In addition to the Algebra I  
164 credit requirement, one of the four credits in mathematics must  
165 be geometry or a series of courses equivalent to geometry as  
166 approved by the State Board of Education. The end-of-course  
167 assessment requirements under s. 1008.22(3)(c)2.a.(I) must be  
168 met in order for a student to earn the required credits in  
169 Algebra I and geometry. In addition to the Algebra I and  
170 geometry credit requirements, one of the four credits in  
171 mathematics must be an applied Algebra II or a series of courses  
172 equivalent to applied Algebra II as approved by the State Board  
173 of Education. The applied Algebra II course shall be aligned  
174 with the career or technical course of study in which the

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175 student is enrolled. To the extent possible, the applied Algebra  
176 II course must be incorporated into the career or technical  
177 courses in which the student is enrolled.

178 3. Three credits in science, two of which must have a  
179 laboratory component. One of the three credits in science must  
180 be Biology I or a series of courses equivalent to Biology I as  
181 approved by the State Board of Education. The end-of-course  
182 assessment requirements under s. 1008.22(3)(c)2.a.(II) must be  
183 met in order for a student to earn the required credit in  
184 Biology I. Beginning with students entering grade 9 in the 2013-  
185 2014 school year, one of the three credits must be Biology I or  
186 a series of courses equivalent to Biology I as approved by the  
187 State Board of Education, one credit must be applied chemistry  
188 or applied physics or a series of courses equivalent to applied  
189 chemistry or applied physics as approved by the State Board of  
190 Education, and one credit must be an equally rigorous course in  
191 an applied science, as determined by the State Board of  
192 Education. The applied courses shall be aligned with the career  
193 or technical course of study in which the student is enrolled.  
194 To the extent possible, the applied courses must be incorporated  
195 into the career or technical courses in which the student is  
196 enrolled.

197 4. Three credits in social studies as follows: one credit  
198 in United States history; one credit in world history; one-half  
199 credit in economics; and one-half credit in United States  
200 government.

201 5. One-half credit in fine or performing arts, speech and  
202 debate, or a practical arts course that incorporates artistic  
203 content and techniques of creativity, interpretation, and

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204 imagination. Eligible practical arts courses shall be identified  
205 through the Course Code Directory.

206 6. One credit in physical education to include integration  
207 of health. Participation in an interscholastic sport at the  
208 junior varsity or varsity level for two full seasons shall  
209 satisfy the one-credit requirement in physical education if the  
210 student passes a competency test on personal fitness with a  
211 score of "C" or better. The competency test on personal fitness  
212 must be developed by the Department of Education. A district  
213 school board may not require that the one credit in physical  
214 education be taken during the 9th grade year. Completion of one  
215 semester with a grade of "C" or better in a marching band class,  
216 in a physical activity class that requires participation in  
217 marching band activities as an extracurricular activity, or in a  
218 dance class shall satisfy one-half credit in physical education  
219 or one-half credit in performing arts. This credit may not be  
220 used to satisfy the personal fitness requirement or the  
221 requirement for adaptive physical education under an individual  
222 education plan (IEP) or 504 plan. Completion of 2 years in a  
223 Reserve Officer Training Corps (R.O.T.C.) class, a significant  
224 component of which is drills, shall satisfy the one-credit  
225 requirement in physical education and the one-credit requirement  
226 in performing arts. This credit may not be used to satisfy the  
227 personal fitness requirement or the requirement for adaptive  
228 physical education under an individual education plan (IEP) or  
229 504 plan.

230 (b) Up to a maximum of seven credits in a career or  
231 technical training program leading to the attainment of an  
232 industry certification included on the Industry Certified



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233 Funding List pursuant to rules adopted by the State Board of  
234 Education. The program must be in compliance with ss. 1003.491,  
235 1003.492, and 1003.493 which relate to industry-certified career  
236 education programs. A student must receive at least a "C"  
237 average in each course to earn the required credit.

238 (c) One-half credit in a career preparation or planning  
239 course. A student must receive at least a "C" average to earn  
240 the required credit.

241 (d) One credit in an elective.

242 1. For each year in which a student scores at Level 1 on  
243 FCAT Reading, the student must be enrolled in and complete an  
244 intensive reading course the following year. Placement of Level  
245 2 readers in either an intensive reading course or a content  
246 area course in which reading strategies are delivered shall be  
247 determined by diagnosis of reading needs. The department shall  
248 provide guidance on appropriate strategies for diagnosing and  
249 meeting the varying instructional needs of students reading  
250 below grade level. Reading courses shall be designed and offered  
251 pursuant to the comprehensive reading plan required by s.  
252 1011.62(9). A high school student who scores at Level 1 or Level  
253 2 on FCAT Reading but who did not score below Level 3 in the  
254 previous 3 years may be granted a 1-year exemption from the  
255 reading remediation requirement; however, the student must have  
256 an approved academic improvement plan already in place, signed  
257 by the appropriate school staff and the student's parent, for  
258 the year for which the exemption is granted.

259 2. For each year in which a student scores at Level 1 or  
260 Level 2 on FCAT Mathematics, the student must receive  
261 remediation the following year. These courses may be taught

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262 through applied, integrated, or combined courses and are subject  
263 to approval by the department for inclusion in the Course Code  
264 Directory.

265 (e) Beginning with students entering grade 9 in the 2012-  
266 2013 school year, at least one course within the 24 credits  
267 required in this subsection must be completed through online  
268 learning. However, an online course taken during grades 6  
269 through 8 fulfills this requirement. This requirement shall be  
270 met through an online course offered by the Florida Virtual  
271 School, an online course offered by the high school, or an  
272 online dual enrollment course offered pursuant to a district  
273 interinstitutional articulation agreement pursuant to s.  
274 1007.235. A student who is enrolled in a full-time or part-time  
275 virtual instruction program under s. 1002.45 meets this  
276 requirement.

277 (3) (a) A district school board may require specific courses  
278 and programs of study within the minimum credit requirements for  
279 high school graduation and shall modify basic courses, as  
280 necessary, to assure exceptional students the opportunity to  
281 meet the graduation requirements for a career diploma, using one  
282 of the following strategies:

283 1. Assignment of the exceptional student to an exceptional  
284 education class for instruction in a basic course that has the  
285 same student performance standards as those required of  
286 nonexceptional students in the district school board student  
287 progression plan; or

288 2. Assignment of the exceptional student to a basic  
289 education class for instruction that is modified to accommodate  
290 the student's exceptionality.

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

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

297 (a) Successful completion of the academic credit or  
298 curriculum requirements of subsections (1) and (2). For courses  
299 that require statewide, standardized end-of-course assessments  
300 under s. 1008.22(3)(c)2.d., a minimum of 30 percent of a  
301 student's course grade shall be comprised of performance on the  
302 statewide, standardized end-of-course assessment.

303 (b) Earning passing scores on the FCAT, as defined in s.  
304 1008.22(3)(c), or scores on a standardized test which are  
305 concordant with passing scores on the FCAT, as defined in s.  
306 1008.22(10).

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

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

312  
313 Each district school board shall adopt policies designed to  
314 assist students in meeting the requirements of this subsection.  
315 These policies may include, but are not limited to: forgiveness  
316 policies, summer school or before or after school attendance,  
317 special counseling, volunteers or peer tutors, school-sponsored  
318 help sessions, homework hotlines, and study skills classes.  
319 Forgiveness policies for required courses shall be limited to

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320 replacing a grade of "D" or "F," or the equivalent of a grade of  
321 "D" or "F," with a grade of "C" or higher, or the equivalent of  
322 a grade of "C" or higher, earned subsequently in the same or  
323 comparable course. Forgiveness policies for elective courses  
324 shall be limited to replacing a grade of "D" or "F," or the  
325 equivalent of a grade of "D" or "F," with a grade of "C" or  
326 higher, or the equivalent of a grade of "C" or higher, earned  
327 subsequently in another course. The only exception to these  
328 forgiveness policies shall be made for a student in the middle  
329 grades who takes any high school course for high school credit  
330 and earns a grade of "C," "D," or "F" or the equivalent of a  
331 grade of "C," "D," or "F." In such case, the district  
332 forgiveness policy must allow the replacement of the grade with  
333 a grade of "C" or higher, or the equivalent of a grade of "C" or  
334 higher, earned subsequently in the same or comparable course. In  
335 all cases of grade forgiveness, only the new grade shall be used  
336 in the calculation of the student's grade point average. Any  
337 course grade not replaced according to a district school board  
338 forgiveness policy shall be included in the calculation of the  
339 cumulative grade point average required for graduation.

340 (5) The State Board of Education, after a public hearing  
341 and consideration, shall adopt rules based upon the  
342 recommendations of the Commissioner of Education for the  
343 provision of test accommodations and modifications of procedures  
344 as necessary for students with disabilities which will  
345 demonstrate the student's abilities rather than reflect the  
346 student's impaired sensory, manual, speaking, or psychological  
347 process skills.

348 (6) The public hearing and consideration required in

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349 subsection (5) shall not be construed to amend or nullify the  
350 requirements of security relating to the contents of  
351 examinations or assessment instruments and related materials or  
352 data as prescribed in s. 1008.23.

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

356 (b) A student who completes the minimum number of credits  
357 and other requirements prescribed by subsections (1), (2), and  
358 (3), but who is unable to meet the standards of paragraph  
359 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded  
360 a certificate of completion in a form prescribed by the State  
361 Board of Education. However, any student who is otherwise  
362 entitled to a certificate of completion may elect to remain in  
363 the secondary school either as a full-time student or a part-  
364 time student for up to 1 additional year and receive special  
365 instruction designed to remedy his or her identified  
366 deficiencies.

367 (8) (a) Each district school board must provide instruction  
368 to prepare students with disabilities to demonstrate proficiency  
369 in the core content knowledge and skills necessary for  
370 successful grade-to-grade progression and high school  
371 graduation.

372 (b)1. A student with a disability, as defined in s.  
373 1007.02 (2), for whom the individual education plan (IEP)  
374 committee determines that the FCAT cannot accurately measure the  
375 student's abilities, taking into consideration all allowable  
376 accommodations, shall have the FCAT requirement of paragraph  
377 (4) (b) waived for the purpose of receiving a career diploma, if

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378 the student:

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

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

383 2. A student with a disability, as defined in s.  
384 1007.02(2), for whom the IEP committee determines that an end-  
385 of-course assessment cannot accurately measure the student's  
386 abilities, taking into consideration all allowable  
387 accommodations, shall have the end-of-course assessment results  
388 waived for the purpose of determining the student's course grade  
389 and credit as required in paragraph (4)(a).

390 (9) A career technical high school diploma shall be a  
391 standard high school diploma for purposes of federal and state  
392 accountability requirements.

393 (10) The State Board of Education may adopt rules pursuant  
394 to ss. 120.536(1) and 120.54 to implement the provisions of this  
395 section and may enforce the provisions of this section pursuant  
396 to s. 1008.32.

397 Section 3. Subsection (3) of section 1002.321, Florida  
398 Statutes, is amended to read:

399 1002.321 Digital learning.—

400 (3) DIGITAL PREPARATION.—Each student must graduate from  
401 high school having taken at least one online course, as provided  
402 in s. 1003.428 or s. 1003.4287.

403 Section 4. Paragraph (a) of subsection (7) of section  
404 1002.33, Florida Statutes, is amended to read:

405 1002.33 Charter schools.—

406 (7) CHARTER.—The major issues involving the operation of a

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407 charter school shall be considered in advance and written into  
408 the charter. The charter shall be signed by the governing board  
409 of the charter school and the sponsor, following a public  
410 hearing to ensure community input.

411 (a) The charter shall address and criteria for approval of  
412 the charter shall be based on:

413 1. The school's mission, the students to be served, and the  
414 ages and grades to be included.

415 2. The focus of the curriculum, the instructional methods  
416 to be used, any distinctive instructional techniques to be  
417 employed, and identification and acquisition of appropriate  
418 technologies needed to improve educational and administrative  
419 performance which include a means for promoting safe, ethical,  
420 and appropriate uses of technology which comply with legal and  
421 professional standards.

422 a. The charter shall ensure that reading is a primary focus  
423 of the curriculum and that resources are provided to identify  
424 and provide specialized instruction for students who are reading  
425 below grade level. The curriculum and instructional strategies  
426 for reading must be consistent with the Sunshine State Standards  
427 and grounded in scientifically based reading research.

428 b. In order to provide students with access to diverse  
429 instructional delivery models, to facilitate the integration of  
430 technology within traditional classroom instruction, and to  
431 provide students with the skills they need to compete in the  
432 21st century economy, the Legislature encourages instructional  
433 methods for blended learning courses consisting of both  
434 traditional classroom and online instructional techniques.  
435 Charter schools may implement blended learning courses which

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436 combine traditional classroom instruction and virtual  
437 instruction. Students in a blended learning course must be full-  
438 time students of the charter school and receive the online  
439 instruction in a classroom setting at the charter school.  
440 Instructional personnel certified pursuant to s. 1012.55 who  
441 provide virtual instruction for blended learning courses may be  
442 employees of the charter school or may be under contract to  
443 provide instructional services to charter school students. At a  
444 minimum, such instructional personnel must hold an active state  
445 or school district adjunct certification under s. 1012.57 for  
446 the subject area of the blended learning course. The funding and  
447 performance accountability requirements for blended learning  
448 courses are the same as those for traditional courses.

449 3. The current incoming baseline standard of student  
450 academic achievement, the outcomes to be achieved, and the  
451 method of measurement that will be used. The criteria listed in  
452 this subparagraph shall include a detailed description of:

453 a. How the baseline student academic achievement levels and  
454 prior rates of academic progress will be established.

455 b. How these baseline rates will be compared to rates of  
456 academic progress achieved by these same students while  
457 attending the charter school.

458 c. To the extent possible, how these rates of progress will  
459 be evaluated and compared with rates of progress of other  
460 closely comparable student populations.

461  
462 The district school board is required to provide academic  
463 student performance data to charter schools for each of their  
464 students coming from the district school system, as well as



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465 rates of academic progress of comparable student populations in  
466 the district school system.

467 4. The methods used to identify the educational strengths  
468 and needs of students and how well educational goals and  
469 performance standards are met by students attending the charter  
470 school. The methods shall provide a means for the charter school  
471 to ensure accountability to its constituents by analyzing  
472 student performance data and by evaluating the effectiveness and  
473 efficiency of its major educational programs. Students in  
474 charter schools shall, at a minimum, participate in the  
475 statewide assessment program created under s. 1008.22.

476 5. In secondary charter schools, a method for determining  
477 that a student has satisfied the requirements for graduation in  
478 s. 1003.428, s. 1003.4287, s. 1003.429, or s. 1003.43.

479 6. A method for resolving conflicts between the governing  
480 board of the charter school and the sponsor.

481 7. The admissions procedures and dismissal procedures,  
482 including the school's code of student conduct.

483 8. The ways by which the school will achieve a  
484 racial/ethnic balance reflective of the community it serves or  
485 within the racial/ethnic range of other public schools in the  
486 same school district.

487 9. The financial and administrative management of the  
488 school, including a reasonable demonstration of the professional  
489 experience or competence of those individuals or organizations  
490 applying to operate the charter school or those hired or  
491 retained to perform such professional services and the  
492 description of clearly delineated responsibilities and the  
493 policies and practices needed to effectively manage the charter

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494 school. A description of internal audit procedures and  
495 establishment of controls to ensure that financial resources are  
496 properly managed must be included. Both public sector and  
497 private sector professional experience shall be equally valid in  
498 such a consideration.

499 10. The asset and liability projections required in the  
500 application which are incorporated into the charter and shall be  
501 compared with information provided in the annual report of the  
502 charter school.

503 11. A description of procedures that identify various risks  
504 and provide for a comprehensive approach to reduce the impact of  
505 losses; plans to ensure the safety and security of students and  
506 staff; plans to identify, minimize, and protect others from  
507 violent or disruptive student behavior; and the manner in which  
508 the school will be insured, including whether or not the school  
509 will be required to have liability insurance, and, if so, the  
510 terms and conditions thereof and the amounts of coverage.

511 12. The term of the charter which shall provide for  
512 cancellation of the charter if insufficient progress has been  
513 made in attaining the student achievement objectives of the  
514 charter and if it is not likely that such objectives can be  
515 achieved before expiration of the charter. The initial term of a  
516 charter shall be for 4 or 5 years. In order to facilitate access  
517 to long-term financial resources for charter school  
518 construction, charter schools that are operated by a  
519 municipality or other public entity as provided by law are  
520 eligible for up to a 15-year charter, subject to approval by the  
521 district school board. A charter lab school is eligible for a  
522 charter for a term of up to 15 years. In addition, to facilitate

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523 access to long-term financial resources for charter school  
524 construction, charter schools that are operated by a private,  
525 not-for-profit, s. 501(c)(3) status corporation are eligible for  
526 up to a 15-year charter, subject to approval by the district  
527 school board. Such long-term charters remain subject to annual  
528 review and may be terminated during the term of the charter, but  
529 only according to the provisions set forth in subsection (8).

530 13. The facilities to be used and their location.

531 14. The qualifications to be required of the teachers and  
532 the potential strategies used to recruit, hire, train, and  
533 retain qualified staff to achieve best value.

534 15. The governance structure of the school, including the  
535 status of the charter school as a public or private employer as  
536 required in paragraph (12)(i).

537 16. A timetable for implementing the charter which  
538 addresses the implementation of each element thereof and the  
539 date by which the charter shall be awarded in order to meet this  
540 timetable.

541 17. In the case of an existing public school that is being  
542 converted to charter status, alternative arrangements for  
543 current students who choose not to attend the charter school and  
544 for current teachers who choose not to teach in the charter  
545 school after conversion in accordance with the existing  
546 collective bargaining agreement or district school board rule in  
547 the absence of a collective bargaining agreement. However,  
548 alternative arrangements shall not be required for current  
549 teachers who choose not to teach in a charter lab school, except  
550 as authorized by the employment policies of the state university  
551 which grants the charter to the lab school.

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552 18. Full disclosure of the identity of all relatives  
553 employed by the charter school who are related to the charter  
554 school owner, president, chairperson of the governing board of  
555 directors, superintendent, governing board member, principal,  
556 assistant principal, or any other person employed by the charter  
557 school who has equivalent decisionmaking authority. For the  
558 purpose of this subparagraph, the term "relative" means father,  
559 mother, son, daughter, brother, sister, uncle, aunt, first  
560 cousin, nephew, niece, husband, wife, father-in-law, mother-in-  
561 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,  
562 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
563 stepsister, half brother, or half sister.

564 19. Implementation of the activities authorized under s.  
565 1002.331 by the charter school when it satisfies the eligibility  
566 requirements for a high-performing charter school. A high-  
567 performing charter school shall notify its sponsor in writing by  
568 March 1 if it intends to increase enrollment or expand grade  
569 levels the following school year. The written notice shall  
570 specify the amount of the enrollment increase and the grade  
571 levels that will be added, as applicable.

572 Section 5. Paragraph (b) of subsection (4) of section  
573 1002.45, Florida Statutes, is amended to read:

574 1002.45 Virtual instruction programs.—

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

577 (b) Provide a method for determining that a student has  
578 satisfied the requirements for graduation in s. 1003.428, s.  
579 1003.4287, s. 1003.429, or s. 1003.43 if the contract is for the  
580 provision of a full-time virtual instruction program to students

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581 in grades 9 through 12.

582 Section 6. Subsection (6) of section 1003.03, Florida  
583 Statutes, is amended to read:

584 1003.03 Maximum class size.—

585 (6) COURSES FOR COMPLIANCE.—Consistent with the provisions  
586 in ss. 1003.01(14), ~~and 1003.428,~~ and 1003.4287, the Department  
587 of Education shall identify from the Course Code Directory the  
588 core-curricula courses for the purpose of satisfying the maximum  
589 class size requirement in this section. The department may adopt  
590 rules to implement this subsection, if necessary.

591 Section 7. Subsection (3) of section 1003.413, Florida  
592 Statutes, is amended to read:

593 1003.413 Florida Secondary School Redesign Act.—

594 (3) Based on these guiding principles, district school  
595 boards shall establish policies to implement the requirements of  
596 ss. 1003.4156, 1003.428, 1003.4287, and 1003.493. The policies  
597 must address:

598 (a) Procedures for placing and promoting students who enter  
599 a Florida public school at grade 6 through grade 12 from out of  
600 state or from a foreign country, including a review of the  
601 student's prior academic performance.

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

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

608 (d) Credit recovery courses and intensive reading and  
609 mathematics intervention courses based on student performance on

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610 FCAT Reading and Mathematics. These courses should be competency  
611 based and offered through innovative delivery systems, including  
612 computer-assisted instruction. School districts should use  
613 learning gains as well as other appropriate data and provide  
614 incentives to identify and reward high-performing teachers who  
615 teach credit recovery and intensive intervention courses.

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

619 (f) Summer academies for students to receive intensive  
620 reading and mathematics intervention courses or competency-based  
621 credit recovery courses. A student's participation in an  
622 instructional or remediation program prior to or immediately  
623 following entering grade 9 for the first time shall not affect  
624 that student's classification as a first-time 9th grader for  
625 reporting purposes.

626 (g) Strategies to support teachers' pursuit of the reading  
627 endorsement and emphasize reading instruction professional  
628 development for content area teachers.

629 (h) Creative and flexible scheduling designed to meet  
630 student needs.

631 (i) An annual review of each high school student's  
632 electronic personal education plan created pursuant to s.  
633 1003.4156 and procedures for high school students who have not  
634 prepared an electronic personal education plan pursuant to s.  
635 1003.4156 to prepare such plan.

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

638 (k) Additional course requirements for promotion and

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639 graduation which may be determined by each school district in  
640 the student progression plan and may include additional  
641 academic, fine and performing arts, physical education, or  
642 career and technical education courses in order to provide a  
643 complete education program pursuant to s. 1001.41(3).

644 Section 8. Subsection (1) of section 1003.428, Florida  
645 Statutes, is amended to read:

646 1003.428 General requirements for high school graduation;  
647 revised.—

648 (1) Except as otherwise authorized pursuant to s. 1003.4287  
649 or s. 1003.429, beginning with students entering grade 9 in the  
650 2007-2008 school year, graduation requires the successful  
651 completion of a minimum of 24 credits, an International  
652 Baccalaureate curriculum, or an Advanced International  
653 Certificate of Education curriculum. Students must be advised of  
654 eligibility requirements for state scholarship programs and  
655 postsecondary admissions.

656 Section 9. Section 1003.438, Florida Statutes, is amended  
657 to read:

658 1003.438 Special high school graduation requirements for  
659 certain exceptional students.—A student who has been identified,  
660 in accordance with rules established by the State Board of  
661 Education, as a student with disabilities who has an  
662 intellectual disability; an autism spectrum disorder; a language  
663 impairment; an orthopedic impairment; an other health  
664 impairment; a traumatic brain injury; an emotional or behavioral  
665 disability; a specific learning disability, including, but not  
666 limited to, dyslexia, dyscalculia, or developmental aphasia; or  
667 students who are deaf or hard of hearing or dual sensory

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668 impaired shall not be required to meet all requirements of s.  
669 1003.43, ~~or~~ s. 1003.428, or s. 1003.4287 and shall, upon meeting  
670 all applicable requirements prescribed by the district school  
671 board pursuant to s. 1008.25, be awarded a special diploma in a  
672 form prescribed by the commissioner; however, such special  
673 graduation requirements prescribed by the district school board  
674 must include minimum graduation requirements as prescribed by  
675 the commissioner. Any such student who meets all special  
676 requirements of the district school board, but is unable to meet  
677 the appropriate special state minimum requirements, shall be  
678 awarded a special certificate of completion in a form prescribed  
679 by the commissioner. However, this section does not limit or  
680 restrict the right of an exceptional student solely to a special  
681 diploma or special certificate of completion. Any such student  
682 shall, upon proper request, be afforded the opportunity to fully  
683 meet all requirements of s. 1003.43, ~~or~~ s. 1003.428, or s.  
684 1003.4287 through the standard procedures established therein  
685 and thereby to qualify for a standard diploma or a career  
686 diploma upon graduation.

687 Section 10. Paragraph (g) of subsection (4) of section  
688 1003.493, Florida Statutes, is amended to read:

689 1003.493 Career and professional academies.—

690 (4) Each career and professional academy must:

691 (g) Deliver academic content through instruction relevant  
692 to the career, including intensive reading and mathematics  
693 intervention required by s. 1003.428 or s. 1003.4287, with an  
694 emphasis on strengthening reading for information skills.

695 Section 11. Subsection (2) of section 1003.4935, Florida  
696 Statutes, is amended to read:



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697 1003.4935 Middle school career and professional academy  
698 courses.-

699 (2) Each middle school career and professional academy must  
700 be aligned with at least one high school career and professional  
701 academy offered in the district and maintain partnerships with  
702 local business and industry and economic development boards.  
703 Middle school career and professional academies must:

704 (a) Provide instruction in courses leading to careers in  
705 occupations designated as high growth, high demand, and high pay  
706 in the Industry Certification Funding List approved under rules  
707 adopted by the State Board of Education;

708 (b) Offer career and professional academy courses that  
709 integrate content from core subject areas;

710 (c) Offer courses that integrate career and professional  
711 academy content with intensive reading and mathematics pursuant  
712 to s. 1003.428 or s. 1003.4287;

713 (d) Coordinate with high schools to maximize opportunities  
714 for middle school career and professional academy students to  
715 earn high school credit;

716 (e) Provide access to virtual instruction courses provided  
717 by virtual education providers legislatively authorized to  
718 provide part-time instruction to middle school students. The  
719 virtual instruction courses must be aligned to state curriculum  
720 standards for middle school career and professional academy  
721 students, with priority given to students who have required  
722 course deficits;

723 (f) Provide instruction from highly skilled professionals  
724 who hold industry certificates in the career area in which they  
725 teach;

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726 (g) Offer externships; and

727 (h) Provide personalized student advisement that includes a  
728 parent-participation component.

729 Section 12. Paragraph (c) of subsection (3) and paragraphs  
730 (b) and (c) of subsection (9) of section 1008.22, Florida  
731 Statutes, are amended to read:

732 1008.22 Student assessment program for public schools.—

733 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
734 design and implement a statewide program of educational  
735 assessment that provides information for the improvement of the  
736 operation and management of the public schools, including  
737 schools operating for the purpose of providing educational  
738 services to youth in Department of Juvenile Justice programs.  
739 The commissioner may enter into contracts for the continued  
740 administration of the assessment, testing, and evaluation  
741 programs authorized and funded by the Legislature. Contracts may  
742 be initiated in 1 fiscal year and continue into the next and may  
743 be paid from the appropriations of either or both fiscal years.  
744 The commissioner is authorized to negotiate for the sale or  
745 lease of tests, scoring protocols, test scoring services, and  
746 related materials developed pursuant to law. Pursuant to the  
747 statewide assessment program, the commissioner shall:

748 (c) Develop and implement a student achievement testing  
749 program as follows:

750 1. The Florida Comprehensive Assessment Test (FCAT)  
751 measures a student's content knowledge and skills in reading,  
752 writing, science, and mathematics. The content knowledge and  
753 skills assessed by the FCAT must be aligned to the core  
754 curricular content established in the Next Generation Sunshine

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755 State Standards. Other content areas may be included as directed  
756 by the commissioner. Comprehensive assessments of reading and  
757 mathematics shall be administered annually in grades 3 through  
758 10 except, beginning with the 2010-2011 school year, the  
759 administration of grade 9 FCAT Mathematics shall be  
760 discontinued, and beginning with the 2011-2012 school year, the  
761 administration of grade 10 FCAT Mathematics shall be  
762 discontinued, except as required for students who have not  
763 attained minimum performance expectations for graduation as  
764 provided in paragraph (9) (c). FCAT Writing and FCAT Science  
765 shall be administered at least once at the elementary, middle,  
766 and high school levels except, beginning with the 2011-2012  
767 school year, the administration of FCAT Science at the high  
768 school level shall be discontinued.

769 2.a. End-of-course assessments for a subject shall be  
770 administered in addition to the comprehensive assessments  
771 required under subparagraph 1. End-of-course assessments must be  
772 rigorous, statewide, standardized, and developed or approved by  
773 the department. The content knowledge and skills assessed by  
774 end-of-course assessments must be aligned to the core curricular  
775 content established in the Next Generation Sunshine State  
776 Standards.

777 (I) Statewide, standardized end-of-course assessments in  
778 mathematics shall be administered according to this sub-sub-  
779 subparagraph. Beginning with the 2010-2011 school year, all  
780 students enrolled in Algebra I or an equivalent course must take  
781 the Algebra I end-of-course assessment. For students entering  
782 grade 9 during the 2010-2011 school year and who are enrolled in  
783 Algebra I or an equivalent, each student's performance on the

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784 end-of-course assessment in Algebra I shall constitute 30  
785 percent of the student's final course grade. Beginning with  
786 students entering grade 9 in the 2011-2012 school year, a  
787 student who is enrolled in Algebra I or an equivalent must earn  
788 a passing score on the end-of-course assessment in Algebra I or  
789 attain an equivalent score as described in subsection (11) in  
790 order to earn course credit. Beginning with the 2011-2012 school  
791 year, all students enrolled in geometry or an equivalent course  
792 must take the geometry end-of-course assessment. For students  
793 entering grade 9 during the 2011-2012 school year, each  
794 student's performance on the end-of-course assessment in  
795 geometry shall constitute 30 percent of the student's final  
796 course grade. Beginning with students entering grade 9 during  
797 the 2012-2013 school year, a student must earn a passing score  
798 on the end-of-course assessment in geometry or attain an  
799 equivalent score as described in subsection (11) in order to  
800 earn course credit.

801 (II) Statewide, standardized end-of-course assessments in  
802 science shall be administered according to this sub-sub-  
803 subparagraph. Beginning with the 2011-2012 school year, all  
804 students enrolled in Biology I or an equivalent course must take  
805 the Biology I end-of-course assessment. For the 2011-2012 school  
806 year, each student's performance on the end-of-course assessment  
807 in Biology I shall constitute 30 percent of the student's final  
808 course grade. Beginning with students entering grade 9 during  
809 the 2012-2013 school year, a student must earn a passing score  
810 on the end-of-course assessment in Biology I in order to earn  
811 course credit.

812 b. During the 2012-2013 school year, an end-of-course

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813 assessment in civics education shall be administered as a field  
814 test at the middle school level. During the 2013-2014 school  
815 year, each student's performance on the statewide, standardized  
816 end-of-course assessment in civics education shall constitute 30  
817 percent of the student's final course grade. Beginning with the  
818 2014-2015 school year, a student must earn a passing score on  
819 the end-of-course assessment in civics education in order to  
820 pass the course and be promoted from the middle grades. The  
821 school principal of a middle school shall determine, in  
822 accordance with State Board of Education rule, whether a student  
823 who transfers to the middle school and who has successfully  
824 completed a civics education course at the student's previous  
825 school must take an end-of-course assessment in civics  
826 education.

827 c. The commissioner may select one or more nationally  
828 developed comprehensive examinations, which may include, but  
829 need not be limited to, examinations for a College Board  
830 Advanced Placement course, International Baccalaureate course,  
831 or Advanced International Certificate of Education course, or  
832 industry-approved examinations to earn national industry  
833 certifications identified in the Industry Certification Funding  
834 List, pursuant to rules adopted by the State Board of Education,  
835 for use as end-of-course assessments under this paragraph, if  
836 the commissioner determines that the content knowledge and  
837 skills assessed by the examinations meet or exceed the grade  
838 level expectations for the core curricular content established  
839 for the course in the Next Generation Sunshine State Standards.  
840 The commissioner may collaborate with the American Diploma  
841 Project in the adoption or development of rigorous end-of-course

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842 assessments that are aligned to the Next Generation Sunshine  
843 State Standards.

844 d. Contingent upon funding provided in the General  
845 Appropriations Act, including the appropriation of funds  
846 received through federal grants, the Commissioner of Education  
847 shall establish an implementation schedule for the development  
848 and administration of additional statewide, standardized end-of-  
849 course assessments in English/Language Arts II, Algebra II,  
850 chemistry, physics, earth/space science, United States history,  
851 and world history. Priority shall be given to the development of  
852 end-of-course assessments in English/Language Arts II. The  
853 Commissioner of Education shall evaluate the feasibility and  
854 effect of transitioning from the grade 9 and grade 10 FCAT  
855 Reading and high school level FCAT Writing to an end-of-course  
856 assessment in English/Language Arts II. The commissioner shall  
857 report the results of the evaluation to the President of the  
858 Senate and the Speaker of the House of Representatives no later  
859 than July 1, 2011.

860 3. The testing program shall measure student content  
861 knowledge and skills adopted by the State Board of Education as  
862 specified in paragraph (a) and measure and report student  
863 performance levels of all students assessed in reading, writing,  
864 mathematics, and science. The commissioner shall provide for the  
865 tests to be developed or obtained, as appropriate, through  
866 contracts and project agreements with private vendors, public  
867 vendors, public agencies, postsecondary educational  
868 institutions, or school districts. The commissioner shall obtain  
869 input with respect to the design and implementation of the  
870 testing program from state educators, assistive technology

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871 experts, and the public.

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

877 5. FCAT Reading, Mathematics, and Science and all  
878 statewide, standardized end-of-course assessments shall measure  
879 the content knowledge and skills a student has attained on the  
880 assessment by the use of scaled scores and achievement levels.  
881 Achievement levels shall range from 1 through 5, with level 1  
882 being the lowest achievement level, level 5 being the highest  
883 achievement level, and level 3 indicating satisfactory  
884 performance on an assessment. For purposes of FCAT Writing,  
885 student achievement shall be scored using a scale of 1 through 6  
886 and the score earned shall be used in calculating school grades.  
887 A score shall be designated for each subject area tested, below  
888 which score a student's performance is deemed inadequate. The  
889 school districts shall provide appropriate remedial instruction  
890 to students who score below these levels.

891 6. The State Board of Education shall, by rule, designate a  
892 passing score for each part of the grade 10 assessment test and  
893 end-of-course assessments. Any rule that has the effect of  
894 raising the required passing scores may apply only to students  
895 taking the assessment for the first time after the rule is  
896 adopted by the State Board of Education. Except as otherwise  
897 provided in this subparagraph and as provided in s.  
898 1003.428(8)(b), s. 1003.4287(8)(b), or s. 1003.43(11)(b),  
899 students must earn a passing score on grade 10 FCAT Reading and

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900 grade 10 FCAT Mathematics or attain concordant scores as  
901 described in subsection (10) in order to qualify for a standard  
902 or career technical high school diploma.

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

909 8. Participation in the testing program is mandatory for  
910 all students attending public school, including students served  
911 in Department of Juvenile Justice programs, except as otherwise  
912 prescribed by the commissioner. A student who has not earned  
913 passing scores on the grade 10 FCAT as provided in subparagraph  
914 6. must participate in each retake of the assessment until the  
915 student earns passing scores or achieves scores on a  
916 standardized assessment which are concordant with passing scores  
917 pursuant to subsection (10). If a student does not participate  
918 in the statewide assessment, the district must notify the  
919 student's parent and provide the parent with information  
920 regarding the implications of such nonparticipation. A parent  
921 must provide signed consent for a student to receive classroom  
922 instructional accommodations that would not be available or  
923 permitted on the statewide assessments and must acknowledge in  
924 writing that he or she understands the implications of such  
925 instructional accommodations. The State Board of Education shall  
926 adopt rules, based upon recommendations of the commissioner, for  
927 the provision of test accommodations for students in exceptional  
928 education programs and for students who have limited English



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929 proficiency. Accommodations that negate the validity of a  
930 statewide assessment are not allowable in the administration of  
931 the FCAT or an end-of-course assessment. However, instructional  
932 accommodations are allowable in the classroom if included in a  
933 student's individual education plan. Students using  
934 instructional accommodations in the classroom that are not  
935 allowable as accommodations on the FCAT or an end-of-course  
936 assessment may have the FCAT or an end-of-course assessment  
937 requirement waived pursuant to the requirements of s.  
938 1003.428(8)(b), s. 1003.4287(8)(b), or s. 1003.43(11)(b).

939 9. A student seeking an adult high school diploma must meet  
940 the same testing requirements that a regular high school student  
941 must meet.

942 10. District school boards must provide instruction to  
943 prepare students in the core curricular content established in  
944 the Next Generation Sunshine State Standards adopted under s.  
945 1003.41, including the core content knowledge and skills  
946 necessary for successful grade-to-grade progression and high  
947 school graduation. If a student is provided with instructional  
948 accommodations in the classroom that are not allowable as  
949 accommodations in the statewide assessment program, as described  
950 in the test manuals, the district must inform the parent in  
951 writing and must provide the parent with information regarding  
952 the impact on the student's ability to meet expected performance  
953 levels in reading, writing, mathematics, and science. The  
954 commissioner shall conduct studies as necessary to verify that  
955 the required core curricular content is part of the district  
956 instructional programs.

957 11. District school boards must provide opportunities for

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

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

966 13. For students seeking a special diploma pursuant to s.  
967 1003.438, the Department of Education must develop or select and  
968 implement an alternate assessment tool that accurately measures  
969 the core curricular content established in the Next Generation  
970 Sunshine State Standards for students with disabilities under s.  
971 1003.438.

972 14. The Commissioner of Education shall establish schedules  
973 for the administration of statewide assessments and the  
974 reporting of student test results. When establishing the  
975 schedules for the administration of statewide assessments, the  
976 commissioner shall consider the observance of religious and  
977 school holidays. The commissioner shall, by August 1 of each  
978 year, notify each school district in writing and publish on the  
979 department's Internet website the testing and reporting  
980 schedules for, at a minimum, the school year following the  
981 upcoming school year. The testing and reporting schedules shall  
982 require that:

983 a. There is the latest possible administration of statewide  
984 assessments and the earliest possible reporting to the school  
985 districts of student test results which is feasible within  
986 available technology and specific appropriations; however, test

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987 results for the FCAT must be made available no later than the  
988 week of June 8. Student results for end-of-course assessments  
989 must be provided no later than 1 week after the school district  
990 completes testing for each course. The commissioner may extend  
991 the reporting schedule under exigent circumstances.

992 b. FCAT Writing may not be administered earlier than the  
993 week of March 1, and a comprehensive statewide assessment of any  
994 other subject may not be administered earlier than the week of  
995 April 15.

996 c. A statewide, standardized end-of-course assessment is  
997 administered at the end of the course. The commissioner shall  
998 select an administration period for assessments that meets the  
999 intent of end-of-course assessments and provides student results  
1000 prior to the end of the course. School districts shall  
1001 administer tests in accordance with the schedule determined by  
1002 the commissioner. For an end-of-course assessment administered  
1003 at the end of the first semester, the commissioner shall  
1004 determine the most appropriate testing dates based on a review  
1005 of each school district's academic calendar.

1006  
1007 The commissioner may, based on collaboration and input from  
1008 school districts, design and implement student testing programs,  
1009 for any grade level and subject area, necessary to effectively  
1010 monitor educational achievement in the state, including the  
1011 measurement of educational achievement of the Next Generation  
1012 Sunshine State Standards for students with disabilities.  
1013 Development and refinement of assessments shall include  
1014 universal design principles and accessibility standards that  
1015 will prevent any unintended obstacles for students with

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1016 disabilities while ensuring the validity and reliability of the  
1017 test. These principles should be applicable to all technology  
1018 platforms and assistive devices available for the assessments.  
1019 The field testing process and psychometric analyses for the  
1020 statewide assessment program must include an appropriate  
1021 percentage of students with disabilities and an evaluation or  
1022 determination of the effect of test items on such students.

1023 (9) APPLICABILITY OF TESTING STANDARDS.—

1024 (b) A student must attain the passing scores on the  
1025 statewide assessment required for a standard or career technical  
1026 high school diploma or for high school course credits under sub-  
1027 sub-subparagraphs (3)(c)2.a.(I) and (II) which are in effect at  
1028 the time the student enters grade 9. If a student transfers into  
1029 a high school, the school principal shall determine, in  
1030 accordance with State Board of Education rule, whether the  
1031 student must take an end-of-course assessment in a course for  
1032 which the student has credit that was earned from the previous  
1033 school.

1034 (c) If the commissioner revises a statewide assessment and  
1035 the revisions require the State Board of Education to modify the  
1036 passing scores required for a standard or career technical high  
1037 school diploma or for high school course credits under sub-sub-  
1038 subparagraphs (3)(c)2.a.(I) and (II), the commissioner may, with  
1039 approval of the state board, discontinue administration of the  
1040 former assessment upon the graduation, based on normal student  
1041 progression, of students participating in the final regular  
1042 administration of the former assessment. The state board shall  
1043 adopt by rule passing scores for the revised assessment which  
1044 are statistically equivalent to passing scores on the

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1045 discontinued assessment for a student required under paragraph  
1046 (b) to attain passing scores on the discontinued assessment.  
1047 Section 13. This act shall take effect July 1, 2013.