

By Senator Montford

3-01031A-16

20161172\_\_

1                   A bill to be entitled  
2           An act relating to alternative high school graduation  
3           requirements; amending s. 1003.4282, F.S.; conforming  
4           a cross-reference; authorizing certain students to be  
5           eligible for an alternative pathway to a standard high  
6           school diploma; providing student eligibility  
7           requirements for the alternative pathway; specifying  
8           documentation the student must provide; requiring a  
9           school district to establish an Alternative Pathway to  
10          Graduation Review Committee for certain students;  
11          providing the membership and duties of the committee;  
12          providing that a principal has the final decision on a  
13          student's completion of specified graduation  
14          requirements; prohibiting a student or the student's  
15          parent or guardian from appealing the principal's  
16          decision; requiring certain waivers to be approved by  
17          the parent or guardian; requiring each district school  
18          board to adopt rules and to incorporate certain  
19          provisions in the student progression plan; amending  
20          s. 1008.22, F.S.; requiring each district school board  
21          to ensure certain instruction, to waive certain  
22          assessment results, and to administer a hard copy of  
23          the grade 10 ELA assessment or the statewide,  
24          standardized Algebra I EOC assessment for certain  
25          students; amending ss. 1008.212, 1008.34, and  
26          1008.3415, F.S.; conforming cross-references;  
27          providing an effective date.

28  
29   Be It Enacted by the Legislature of the State of Florida:

30  
31           Section 1. Paragraph (e) of subsection (10) of section  
32   1003.4282, Florida Statutes, is amended, present subsection (11)

3-01031A-16

20161172\_\_

33 of that section is redesignated as subsection (12), and a new  
34 subsection (11) is added to that section, to read:

35 1003.4282 Requirements for a standard high school diploma.—

36 (10) STUDENTS WITH DISABILITIES.—Beginning with students  
37 entering grade 9 in the 2014-2015 school year, this subsection  
38 applies to a student with a disability.

39 (e) Any waiver of the statewide, standardized assessment  
40 requirements by the individual education plan team, pursuant to  
41 s. 1008.22(3)(d) ~~s. 1008.22(3)(e)~~, must be approved by the  
42 parent and is subject to verification for appropriateness by an  
43 independent reviewer selected by the parent as provided for in  
44 s. 1003.572.

45  
46 The State Board of Education shall adopt rules under ss.  
47 120.536(1) and 120.54 to implement this paragraph, including  
48 rules that establish the minimum requirements for students  
49 described in this paragraph to earn a standard high school  
50 diploma. The State Board of Education shall adopt emergency  
51 rules pursuant to ss. 120.536(1) and 120.54.

52 (11) ALTERNATIVE PATHWAY TO A STANDARD HIGH SCHOOL  
53 DIPLOMA.—

54 (a) Beginning with students entering grade 9 in the 2015-  
55 2016 school year, a student who meets the qualifications of this  
56 subsection may be eligible for an alternative pathway to a  
57 standard high school diploma.

58 (b) To be eligible for an alternative pathway to a standard  
59 high school diploma, a student must not have passed the grade 10  
60 ELA assessment or the statewide, standardized Algebra I EOC  
61 assessment.

3-01031A-16

20161172\_\_

62 (c) A student may satisfy the requirements for a standard  
63 high school diploma through the alternative pathway option by  
64 documenting all of the following:

65 1. Completion of the minimum high school graduation course  
66 credit requirements by rule of the State Board of Education.

67 2. Attainment of the applicable industry certifications,  
68 occupational completion points, and postsecondary credits as  
69 provided in the alternative pathway graduation plan under  
70 paragraph (d).

71 3. A mastery of the academic standards or competencies that  
72 had not previously been met, as indicated by the student not  
73 passing the applicable grade 10 ELA assessment or the statewide,  
74 standardized Algebra I EOC assessment, in a portfolio containing  
75 quantifiable evidence of such mastery. The portfolio may  
76 include, but is not limited to, evidence that a required  
77 assessment was taken on a hard copy, any additional coursework,  
78 segmented assessments, industry certifications, occupational  
79 completion points, and postsecondary credits.

80 (d) A school district must establish an Alternative Pathway  
81 to Graduation Review Committee for each student who chooses to  
82 obtain a standard high school diploma through the alternative  
83 pathway established under this subsection.

84 1. The review committee shall be composed of the principal  
85 or his or her designee, the eligible student's guidance  
86 counselor, the teacher of the course for which the student  
87 received a failing grade, and at least one teacher of a course  
88 in which the student received a grade of "C" or above. The  
89 principal may appoint an alternative member if a required  
90 participant cannot serve on the review committee. The student

3-01031A-16

20161172\_\_

91 and the student's parent or guardian may attend a review  
92 committee meeting.

93 2. The review committee shall develop an alternative  
94 pathway graduation plan that incorporates the requirements for a  
95 standard high school diploma pursuant to this subsection. The  
96 alternative pathway graduation plan must be signed by the  
97 student, the student's parent or guardian, and the principal and  
98 must identify the following:

99 a. The expected academic standards or competencies,  
100 industry certifications, occupational completion points, or  
101 postsecondary credits that the student will master or complete,  
102 as applicable.

103 b. The criteria for determining and certifying mastery of  
104 the academic standards or competencies. If the review committee  
105 states that administering the grade 10 ELA assessment or the  
106 statewide, standardized Algebra I EOC assessment, or both,  
107 online will significantly impair the student's ability to  
108 perform, the district school board shall administer the  
109 assessment by hard copy.

110 c. A description of the monitoring that the school will  
111 provide.

112 (e) A student shall be awarded a standard high school  
113 diploma upon completion of the requirements of the alternative  
114 pathway graduation plan and documentation of the completion of  
115 the requirements provided in paragraph (c). Documentation must  
116 be verified by the Alternative Pathway to Graduation Review  
117 Committee and approved by the principal. The decision by the  
118 principal is final and may not be appealed by the student or the  
119 student's parent or guardian.

3-01031A-16

20161172\_\_

120       (f) Any waiver of the grade 10 ELA assessment or the  
121 statewide, standardized Algebra I EOC assessment results by the  
122 district school board upon a determination by the Alternative  
123 Pathway to Graduation Review Committee authorized pursuant to s.  
124 1008.22 (3) (c) must be approved by a student's parent or  
125 guardian. The parent or guardian may select an independent  
126 reviewer approved by the review committee to verify the  
127 appropriateness of the waiver.

128       (g) Each district school board shall adopt rules to  
129 administer this subsection and shall incorporate this subsection  
130 in the student progression plan required pursuant to s. 1008.25.

131       Section 2. Present paragraphs (c) through (g) of subsection  
132 (3) of section 1008.22, Florida Statutes, are redesignated as  
133 paragraphs (d) through (h), respectively, a new paragraph (c) is  
134 added to that subsection, present paragraph (b) of that  
135 subsection is amended, and paragraph (a) of subsection (7) is  
136 amended, to read:

137       1008.22 Student assessment program for public schools.—

138       (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The  
139 Commissioner of Education shall design and implement a  
140 statewide, standardized assessment program aligned to the core  
141 curricular content established in the Next Generation Sunshine  
142 State Standards. The commissioner also must develop or select  
143 and implement a common battery of assessment tools that will be  
144 used in all juvenile justice education programs in the state.  
145 These tools must accurately measure the core curricular content  
146 established in the Next Generation Sunshine State Standards.  
147 Participation in the assessment program is mandatory for all  
148 school districts and all students attending public schools,

3-01031A-16

20161172\_\_

149 including adult students seeking a standard high school diploma  
150 under s. 1003.4282 and students in Department of Juvenile  
151 Justice education programs, except as otherwise provided by law.  
152 If a student does not participate in the assessment program, the  
153 school district must notify the student's parent and provide the  
154 parent with information regarding the implications of such  
155 nonparticipation. The statewide, standardized assessment program  
156 shall be designed and implemented as follows:

157 (b) *End-of-course (EOC) assessments.*—EOC assessments must  
158 be statewide, standardized, and developed or approved by the  
159 Department of Education as follows:

160 1. EOC assessments for Algebra I, Geometry, Algebra II,  
161 Biology I, United States History, and Civics shall be  
162 administered to students enrolled in such courses as specified  
163 in the course code directory.

164 2. Students enrolled in a course, as specified in the  
165 course code directory, with an associated statewide,  
166 standardized EOC assessment must take the EOC assessment for  
167 such course and may not take the corresponding subject or grade-  
168 level statewide, standardized assessment pursuant to  
169 paragraph(a). Sections 1003.4156 and 1003.4282 govern the use of  
170 statewide, standardized EOC assessment results for students.

171 3. The commissioner may select one or more nationally  
172 developed comprehensive examinations, which may include  
173 examinations for a College Board Advanced Placement course,  
174 International Baccalaureate course, or Advanced International  
175 Certificate of Education course, or industry-approved  
176 examinations to earn national industry certifications identified  
177 in the CAPE Industry Certification Funding List, for use as EOC

3-01031A-16

20161172\_\_

178 assessments under this paragraph if the commissioner determines  
179 that the content knowledge and skills assessed by the  
180 examinations meet or exceed the grade-level expectations for the  
181 core curricular content established for the course in the Next  
182 Generation Sunshine State Standards. Use of any such examination  
183 as an EOC assessment must be approved by the state board in  
184 rule.

185 4. Contingent upon funding provided in the General  
186 Appropriations Act, including the appropriation of funds  
187 received through federal grants, the commissioner may establish  
188 an implementation schedule for the development and  
189 administration of additional statewide, standardized EOC  
190 assessments that must be approved by the state board in rule. If  
191 approved by the state board, student performance on such  
192 assessments constitutes 30 percent of a student's final course  
193 grade.

194 5. All statewide, standardized EOC assessments must be  
195 administered online except as otherwise provided in paragraph  
196 (d) ~~(e)~~.

197 (c) Alternative pathway to graduation.—Each district school  
198 board shall:

199 1. Ensure that each school in the district provides  
200 instruction to students in the core content knowledge and skills  
201 necessary for successful high school graduation.

202 2. Waive a student's assessment results if the student  
203 meets the eligibility requirements for an alternative pathway to  
204 a standard high school diploma under s. 1003.4282(11) and if the  
205 Alternative Pathway to Graduation Review Committee determines  
206 that the grade 10 ELA assessment or the statewide, standardized

3-01031A-16

20161172\_\_

207 Algebra I EOC assessment, or both, do not accurately measure the  
208 student's abilities. The waiver shall be designated on the  
209 student's transcript and shall be limited to a statement that  
210 performance on an assessment was waived for the student to  
211 receive a standard high school diploma.

212 3. Administer the grade 10 ELA assessment or the statewide,  
213 standardized Algebra I EOC assessment, or both, by hard copy for  
214 a student if the Alternative Pathway to Graduation Review  
215 Committee states that administering the assessments online will  
216 significantly impair the student's ability to perform.

217 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

218 (a) The Commissioner of Education shall establish schedules  
219 for the administration of statewide, standardized assessments  
220 and the reporting of student assessment results. The  
221 commissioner shall consider the observance of religious and  
222 school holidays when developing the schedules. The assessment  
223 and reporting schedules must provide the earliest possible  
224 reporting of student assessment results to the school districts,  
225 consistent with the requirements of paragraph (3) (h) ~~(3) (g)~~.  
226 Assessment results for the statewide, standardized ELA and  
227 mathematics assessments and all statewide, standardized EOC  
228 assessments must be made available no later than the week of  
229 June 8, except for results of assessments administered in the  
230 2014-2015 school year. School districts shall administer  
231 statewide, standardized assessments in accordance with the  
232 schedule established by the commissioner.

233 Section 3. Paragraph (a) of subsection (1) and subsection  
234 (2) of section 1008.212, Florida Statutes, are amended to read:  
235 1008.212 Students with disabilities; extraordinary



3-01031A-16

20161172\_\_

236 exemption.—

237 (1) As used in this section, the term:

238 (a) "Circumstance" means a situation in which  
239 accommodations allowable for use on the statewide standardized  
240 assessment, a statewide standardized end-of-course assessment,  
241 or an alternate assessment pursuant to s. 1008.22(3)(d) ~~s.~~  
242 ~~1008.22(3)(e)~~ are not offered to a student during the current  
243 year's assessment administration due to technological  
244 limitations in the testing administration program which lead to  
245 results that reflect the student's impaired sensory, manual, or  
246 speaking skills rather than the student's achievement of the  
247 benchmarks assessed by the statewide standardized assessment, a  
248 statewide standardized end-of-course assessment, or an alternate  
249 assessment.

250 (2) A student with a disability for whom the individual  
251 education plan (IEP) team determines is prevented by a  
252 circumstance or condition from physically demonstrating the  
253 mastery of skills that have been acquired and are measured by  
254 the statewide standardized assessment, a statewide standardized  
255 end-of-course assessment, or an alternate assessment pursuant to  
256 s. 1008.22(3)(d) ~~s. 1008.22(3)(e)~~ shall be granted an  
257 extraordinary exemption from the administration of the  
258 assessment. A learning, emotional, behavioral, or significant  
259 cognitive disability, or the receipt of services through the  
260 homebound or hospitalized program in accordance with rule 6A-  
261 6.03020, Florida Administrative Code, is not, in and of itself,  
262 an adequate criterion for the granting of an extraordinary  
263 exemption.

264 Section 4. Paragraph (a) of subsection (1) of section

3-01031A-16

20161172\_\_

265 1008.34, Florida Statutes, is amended to read:

266 1008.34 School grading system; school report cards;  
267 district grade.—

268 (1) DEFINITIONS.—For purposes of the statewide,  
269 standardized assessment program and school grading system, the  
270 following terms are defined:

271 (a) "Achievement level," "student achievement," or  
272 "achievement" describes the level of content mastery a student  
273 has acquired in a particular subject as measured by a statewide,  
274 standardized assessment administered pursuant to s.

275 1008.22(3)(a) and (b). There are five achievement levels. Level  
276 1 is the lowest achievement level, level 5 is the highest  
277 achievement level, and level 3 indicates satisfactory  
278 performance. A student passes an assessment if the student  
279 achieves a level 3, level 4, or level 5. For purposes of the  
280 Florida Alternate Assessment administered pursuant to s.  
281 1008.22(3)(d) ~~s. 1008.22(3)(e)~~, the state board shall provide,  
282 in rule, the number of achievement levels and identify the  
283 achievement levels that are considered passing.

284 Section 5. Subsection (2) of section 1008.3415, Florida  
285 Statutes, is amended to read:

286 1008.3415 School grade or school improvement rating for  
287 exceptional student education centers.—

288 (2) Notwithstanding s. 1008.34, the achievement levels and  
289 Learning Gains of a student with a disability who attends an  
290 exceptional student education center and has not been enrolled  
291 in or attended a public school other than an exceptional student  
292 education center for grades K-12 within the school district  
293 shall not be included in the calculation of the home school's

3-01031A-16

20161172\_\_

294 grade if the student is identified as an emergent student on the  
295 alternate assessment described in s. 1008.22(3)(d) ~~s.~~  
296 ~~1008.22(3)(c)~~.

297 Section 6. This act shall take effect July 1, 2016.