

1                   A bill to be entitled  
2           An act relating to education accountability; amending s.  
3           1003.413, F.S., relating to secondary school redesign, to  
4           delete obsolete provisions and to conform to changes made  
5           by the act; amending s. 1003.4156, F.S.; revising  
6           requirements for middle grades promotion; providing that  
7           successful completion of a high school level Algebra I,  
8           geometry, or Biology I course is not contingent upon a  
9           student's performance on the end-of-course assessment;  
10          requiring a student to pass the end-of-course assessment  
11          to earn high school credit for such courses; specifying  
12          information that must be provided to students as part of  
13          the personalized academic and career plan; amending s.  
14          1003.428, F.S.; revising requirements for high school  
15          graduation; requiring students entering grade 9 in  
16          specified school years to meet end-of-course assessment  
17          requirements and revised credit requirements in  
18          mathematics and science for high school graduation;  
19          requiring district school board standards for grades in  
20          certain courses; providing for waiver of end-of-course  
21          assessment results for the purpose of determining a course  
22          grade and credit for students with disabilities; amending  
23          s. 1003.429, F.S.; revising requirements for accelerated  
24          high school graduation options; updating cross-references;  
25          requiring students entering grade 9 in specified school  
26          years to meet end-of-course assessment requirements and  
27          revised credit requirements in mathematics and science for  
28          high school graduation; requiring district school board

29 standards for grades in certain courses; creating s.  
 30 1003.4295, F.S.; requiring high schools to advise students  
 31 of, and offer, acceleration courses; creating the Credit  
 32 Acceleration Program; amending s. 1003.493, F.S., relating  
 33 to career and professional academies, to conform to  
 34 changes made by the act; amending s. 1007.35, F.S.,  
 35 relating to the Florida Partnership for Minority and  
 36 Underrepresented Student Achievement, to conform to  
 37 changes made by the act; amending s. 1008.22, F.S.;  
 38 revising the statewide student achievement testing  
 39 program; requiring end-of-course assessments in  
 40 mathematics and science to replace FCAT Mathematics and  
 41 FCAT Science beginning with students entering grade 9 in  
 42 specified school years; providing requirements for the  
 43 administration of, and student performance on, statewide,  
 44 standardized end-of-course assessments in mathematics and  
 45 science; providing for establishment of an implementation  
 46 schedule to develop and administer end-of-course  
 47 assessments in certain courses; requiring evaluation and  
 48 reporting of the transition to specified end-of-course  
 49 assessments; requiring the use of scaled scores and  
 50 student achievement levels for describing student success  
 51 on assessments; requiring the State Board of Education to  
 52 designate passing scores for end-of-course assessments and  
 53 scores that indicate high achievement; providing  
 54 requirements for retaking specified assessments; providing  
 55 for waiver of end-of-course assessment requirements for  
 56 students in exceptional education programs and students

57 | who have limited English proficiency; revising provisions  
58 | relating to testing and reporting schedules; requiring  
59 | that the Commissioner of Education consider the observance  
60 | of religious and school holidays when establishing the  
61 | schedules for the administration of statewide assessments;  
62 | conforming provisions and cross-references; authorizing  
63 | the State Board of Education to adopt concordant scores  
64 | for the FCAT and equivalent scores for end-of-course  
65 | assessments; deleting retake requirements for use of  
66 | concordant scores; providing requirements for use of  
67 | equivalent scores; amending s. 1008.25, F.S., relating to  
68 | public school student progression, to conform to changes  
69 | made by the act; amending s. 1008.30, F.S., relating to  
70 | the common placement test, to conform to changes made by  
71 | the act; amending s. 1008.34, F.S.; revising provisions  
72 | that specify the basis for determining school grades to  
73 | include student performance on end-of-course assessments  
74 | and to conform provisions to current FCAT assessments;  
75 | amending s. 1008.341, F.S.; revising provisions that  
76 | specify the basis for determining an alternative school's  
77 | school improvement rating to include student performance  
78 | on end-of-course assessments; amending s. 1008.36, F.S.;  
79 | revising provisions relating to the use of school  
80 | recognition awards; requiring that the Office of Program  
81 | Policy Analysis and Government Accountability conduct a  
82 | study on the different types of high school diplomas  
83 | offered in other states; requiring that the study be

84 submitted to the Governor and the Legislature by a  
 85 specified date; providing an effective date.

86  
 87 Be It Enacted by the Legislature of the State of Florida:  
 88

89 Section 1. Paragraph (d) of subsection (3) and subsections  
 90 (4) and (5) of section 1003.413, Florida Statutes, are amended  
 91 to read:

92 1003.413 Florida Secondary School Redesign Act.—

93 (3) Based on these guiding principles, district school  
 94 boards shall establish policies to implement the requirements of  
 95 ss. 1003.4156, 1003.428, and 1003.493. The policies must  
 96 address:

97 (d) Credit recovery courses and intensive reading and  
 98 mathematics intervention courses based on student performance on  
 99 ~~the~~ FCAT Reading and Mathematics. These courses should be  
 100 competency based and offered through innovative delivery  
 101 systems, including computer-assisted instruction. School  
 102 districts should use learning gains as well as other appropriate  
 103 data and provide incentives to identify and reward high-  
 104 performing teachers who teach credit recovery and intensive  
 105 intervention courses.

106 (4) In order to support the successful implementation of  
 107 this section by district school boards, the Department of  
 108 Education shall:

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

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

117 (a)~~(e)~~ Share best practices for providing a complete  
 118 education program to students enrolled in course recovery,  
 119 credit recovery, intensive reading intervention, or intensive  
 120 mathematics intervention.

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

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

128 ~~(5) The Commissioner of Education shall create and~~  
 129 ~~implement the Secondary School Improvement Award Program to~~  
 130 ~~reward public secondary schools that demonstrate continuous~~  
 131 ~~student academic improvement and show the greatest gains in~~  
 132 ~~student academic achievement in reading and mathematics.~~

133 Section 2. Paragraph (a) of subsection (1) of section  
 134 1003.4156, Florida Statutes, is amended to read:

135 1003.4156 General requirements for middle grades  
 136 promotion.—

137 (1) Beginning with students entering grade 6 in the 2006-  
 138 2007 school year, promotion from a school composed of middle  
 139 grades 6, 7, and 8 requires that:

- 140 (a) The student must successfully complete academic  
 141 courses as follows:
- 142 1. Three middle school or higher courses in English. These  
 143 courses shall emphasize literature, composition, and technical  
 144 text.
  - 145 2. Three middle school or higher courses in mathematics.  
 146 Each middle school must offer at least one high school level  
 147 mathematics course for which students may earn high school  
 148 credit. Successful completion of a high school level Algebra I  
 149 or geometry course is not contingent upon the student's  
 150 performance on the end-of-course assessment required under s.  
 151 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012  
 152 school year, to earn high school credit for an Algebra I course,  
 153 a middle school student must pass the Algebra I end-of-course  
 154 assessment, and beginning with the 2012-2013 school year, to  
 155 earn high school credit for a geometry course, a middle school  
 156 student must pass the geometry end-of-course assessment.
  - 157 3. Three middle school or higher courses in social  
 158 studies, one semester of which must include the study of state  
 159 and federal government and civics education.
  - 160 4. Three middle school or higher courses in science.  
 161 Successful completion of a high school level Biology I course is  
 162 not contingent upon the student's performance on the end-of-  
 163 course assessment required under s. 1008.22(3)(c)2.a.(II).  
 164 However, beginning with the 2012-2013 school year, to earn high  
 165 school credit for a Biology I course, a middle school student  
 166 must pass the Biology I end-of-course assessment.
  - 167 5. One course in career and education planning to be

168 completed in 7th or 8th grade. The course may be taught by any  
 169 member of the instructional staff; must include career  
 170 exploration using Florida CHOICES ~~for the 21st Century~~ or a  
 171 comparable cost-effective program; must include educational  
 172 planning using the online student advising system known as  
 173 Florida Academic Counseling and Tracking for Students at the  
 174 Internet website FACTS.org; and shall result in the completion  
 175 of a personalized academic and career plan. The required  
 176 personalized academic and career plan must inform students of  
 177 high school graduation requirements, high school assessment and  
 178 college entrance test requirements, Florida Bright Futures  
 179 Scholarship Program requirements, state university and Florida  
 180 college admission requirements, and programs through which a  
 181 high school student can earn college credit, including Advanced  
 182 Placement, International Baccalaureate, Advanced International  
 183 Certificate of Education, dual enrollment, career academy  
 184 opportunities, and courses that lead to national industry  
 185 certification.

186  
 187 Each school must hold a parent meeting either in the evening or  
 188 on a weekend to inform parents about the course curriculum and  
 189 activities. Each student shall complete an electronic personal  
 190 education plan that must be signed by the student; the student's  
 191 instructor, guidance counselor, or academic advisor; and the  
 192 student's parent. ~~By January 1, 2007,~~ The Department of  
 193 Education shall develop course frameworks and professional  
 194 development materials for the career exploration and education  
 195 planning course. The course may be implemented as a stand-alone

196 course or integrated into another course or courses. The  
 197 Commissioner of Education shall collect longitudinal high school  
 198 course enrollment data by student ethnicity in order to analyze  
 199 course-taking patterns.

200 Section 3. Subsections (1) and (2), paragraph (a) of  
 201 subsection (4), and paragraph (b) of subsection (8) of section  
 202 1003.428, Florida Statutes, are amended to read:

203 1003.428 General requirements for high school graduation;  
 204 revised.—

205 (1) Except as otherwise authorized pursuant to s.  
 206 1003.429, beginning with students entering grade 9 ~~their first~~  
 207 ~~year of high school~~ in the 2007-2008 school year, graduation  
 208 requires the successful completion of a minimum of 24 credits,  
 209 an International Baccalaureate curriculum, or an Advanced  
 210 International Certificate of Education curriculum. Students must  
 211 be advised of eligibility requirements for state scholarship  
 212 programs and postsecondary admissions.

213 (2) The 24 credits may be earned through applied,  
 214 integrated, and combined courses approved by the Department of  
 215 Education. The 24 credits ~~and~~ shall be distributed as follows:

216 (a) Sixteen core curriculum credits:

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

219 2. Four credits in mathematics, one of which must be  
 220 Algebra I, a series of courses equivalent to Algebra I, or a  
 221 higher-level mathematics course. Beginning with students  
 222 entering grade 9 in the 2010-2011 school year, in addition to  
 223 the Algebra I credit requirement, one of the four credits in



224 mathematics must be geometry or a series of courses equivalent  
 225 to geometry as approved by the State Board of Education.  
 226 Beginning with students entering grade 9 in the 2010-2011 school  
 227 year, the end-of-course assessment requirements under s.  
 228 1008.22(3)(c)2.a.(I) must be met in order for a student to earn  
 229 the required credit in Algebra I. Beginning with students  
 230 entering grade 9 in the 2011-2012 school year, the end-of-course  
 231 assessment requirements under s. 1008.22(3)(c)2.a.(I) must be  
 232 met in order for a student to earn the required credit in  
 233 geometry. Beginning with students entering grade 9 in the 2012-  
 234 2013 school year, in addition to the Algebra I and geometry  
 235 credit requirements, one of the four credits in mathematics must  
 236 be Algebra II or a series of courses equivalent to Algebra II as  
 237 approved by the State Board of Education. ~~School districts are~~  
 238 ~~encouraged to set specific goals to increase enrollments in, and~~  
 239 ~~successful completion of, geometry and Algebra II.~~

240 3. Three credits in science, two of which must have a  
 241 laboratory component. Beginning with students entering grade 9  
 242 in the 2011-2012 school year, one of the three credits in  
 243 science must be Biology I or a series of courses equivalent to  
 244 Biology I as approved by the State Board of Education. Beginning  
 245 with students entering grade 9 in the 2011-2012 school year, the  
 246 end-of-course assessment requirements under s.  
 247 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
 248 the required credit in Biology I. Beginning with students  
 249 entering grade 9 in the 2013-2014 school year, one of the three  
 250 credits must be Biology I or a series of courses equivalent to  
 251 Biology I as approved by the State Board of Education, one

252 credit must be chemistry or physics or a series of courses  
 253 equivalent to chemistry or physics as approved by the State  
 254 Board of Education, and one credit must be an equally rigorous  
 255 course, as determined by the State Board of Education.

256 4. Three credits in social studies as follows: one credit  
 257 in United States ~~American~~ history; one credit in world history;  
 258 one-half credit in economics; and one-half credit in United  
 259 States ~~American~~ government.

260 5. One credit in fine or performing arts, speech and  
 261 debate, or a practical arts course that incorporates artistic  
 262 content and techniques of creativity, interpretation, and  
 263 imagination. Eligible practical arts courses shall be identified  
 264 through the Course Code Directory.

265 6. One credit in physical education to include integration  
 266 of health. Participation in an interscholastic sport at the  
 267 junior varsity or varsity level for two full seasons shall  
 268 satisfy the one-credit requirement in physical education if the  
 269 student passes a competency test on personal fitness with a  
 270 score of "C" or better. The competency test on personal fitness  
 271 must be developed by the Department of Education. A district  
 272 school board may not require that the one credit in physical  
 273 education be taken during the 9th grade year. Completion of one  
 274 semester with a grade of "C" or better in a marching band class,  
 275 in a physical activity class that requires participation in  
 276 marching band activities as an extracurricular activity, or in a  
 277 dance class shall satisfy one-half credit in physical education  
 278 or one-half credit in performing arts. This credit may not be  
 279 used to satisfy the personal fitness requirement or the

280 requirement for adaptive physical education under an individual  
 281 education plan (IEP) or 504 plan. Completion of 2 years in a  
 282 Reserve Officer Training Corps (R.O.T.C.) class, a significant  
 283 component of which is drills, shall satisfy the one-credit  
 284 requirement in physical education and the one-credit requirement  
 285 in performing arts. This credit may not be used to satisfy the  
 286 personal fitness requirement or the requirement for adaptive  
 287 physical education under an individual education plan (IEP) or  
 288 504 plan.

289 (b) Eight credits in ~~majors, minors, or~~ electives.

290 ~~1. Four credits in a major area of interest, such as~~  
 291 ~~sequential courses in a career and technical program, fine and~~  
 292 ~~performing arts, or academic content area, selected by the~~  
 293 ~~student as part of the education plan required by s. 1003.4156.~~  
 294 ~~Students may revise major areas of interest each year as part of~~  
 295 ~~annual course registration processes and should update their~~  
 296 ~~education plan to reflect such revisions. Annually by October 1,~~  
 297 ~~the district school board shall approve major areas of interest~~  
 298 ~~and submit the list of majors to the Commissioner of Education~~  
 299 ~~for approval. Each major area of interest shall be deemed~~  
 300 ~~approved unless specifically rejected by the commissioner within~~  
 301 ~~60 days. Upon approval, each district's major areas of interest~~  
 302 ~~shall be available for use by all school districts and shall be~~  
 303 ~~posted on the department's website.~~

304 ~~2. Four credits in elective courses selected by the~~  
 305 ~~student as part of the education plan required by s. 1003.4156.~~  
 306 ~~These credits may be combined to allow for a second major area~~  
 307 ~~of interest pursuant to subparagraph 1., a minor area of~~

308 ~~interest, elective courses, or intensive reading or mathematics~~  
 309 ~~intervention courses as described in this subparagraph.~~

310 ~~a. Minor areas of interest are composed of three credits~~  
 311 ~~selected by the student as part of the education plan required~~  
 312 ~~by s. 1003.4156 and approved by the district school board.~~

313 ~~b. Elective courses are selected by the student in order~~  
 314 ~~to pursue a complete education program as described in s.~~  
 315 ~~1001.41(3) and to meet eligibility requirements for~~  
 316 ~~scholarships.~~

317 1.e. For each year in which a student scores at Level 1 on  
 318 FCAT Reading, the student must be enrolled in and complete an  
 319 intensive reading course the following year. Placement of Level  
 320 2 readers in either an intensive reading course or a content  
 321 area course in which reading strategies are delivered shall be  
 322 determined by diagnosis of reading needs. The department shall  
 323 provide guidance on appropriate strategies for diagnosing and  
 324 meeting the varying instructional needs of students reading  
 325 below grade level. Reading courses shall be designed and offered  
 326 pursuant to the comprehensive reading plan required by s.  
 327 1011.62(9).

328 2.d. For each year in which a student scores at Level 1 or  
 329 Level 2 on FCAT Mathematics, the student must receive  
 330 remediation the following year. These courses may be taught  
 331 through applied, integrated, or combined courses and are subject  
 332 to approval by the department for inclusion in the Course Code  
 333 Directory.

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

336 (a) Successful completion of the academic credit or  
337 curriculum requirements of subsections (1) and (2). For courses  
338 that require statewide, standardized end-of-course assessments  
339 under s. 1008.22(3)(c)2.c., a minimum of 30 percent of a  
340 student's course grade shall be comprised of performance on the  
341 statewide, standardized end-of-course assessment.

342  
343 Each district school board shall adopt policies designed to  
344 assist students in meeting the requirements of this subsection.  
345 These policies may include, but are not limited to: forgiveness  
346 policies, summer school or before or after school attendance,  
347 special counseling, volunteers or peer tutors, school-sponsored  
348 help sessions, homework hotlines, and study skills classes.  
349 Forgiveness policies for required courses shall be limited to  
350 replacing a grade of "D" or "F," or the equivalent of a grade of  
351 "D" or "F," with a grade of "C" or higher, or the equivalent of  
352 a grade of "C" or higher, earned subsequently in the same or  
353 comparable course. Forgiveness policies for elective courses  
354 shall be limited to replacing a grade of "D" or "F," or the  
355 equivalent of a grade of "D" or "F," with a grade of "C" or  
356 higher, or the equivalent of a grade of "C" or higher, earned  
357 subsequently in another course. The only exception to these  
358 forgiveness policies shall be made for a student in the middle  
359 grades who takes any high school course for high school credit  
360 and earns a grade of "C," "D," or "F" or the equivalent of a  
361 grade of "C," "D," or "F." In such case, the district  
362 forgiveness policy must allow the replacement of the grade with  
363 a grade of "C" or higher, or the equivalent of a grade of "C" or

364 higher, earned subsequently in the same or comparable course. In  
 365 all cases of grade forgiveness, only the new grade shall be used  
 366 in the calculation of the student's grade point average. Any  
 367 course grade not replaced according to a district school board  
 368 forgiveness policy shall be included in the calculation of the  
 369 cumulative grade point average required for graduation.

370 (8)

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

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

380 ~~b.2.~~ Does not meet the requirements of paragraph (4)(b)  
 381 after one opportunity in 10th grade and one opportunity in 11th  
 382 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 Section 4. Subsections (1) and (5), paragraph (c) of  
 391 subsection (7), and subsection (8) of section 1003.429, Florida

392 Statutes, are amended to read:

393 1003.429 Accelerated high school graduation options.—

394 (1) Students who enter grade 9 in the 2006-2007 school  
 395 year and thereafter may select, upon receipt of each consent  
 396 required by this section, one of the following three high school  
 397 graduation options:

398 (a) Completion of the general requirements for high school  
 399 graduation pursuant to s. 1003.428 or s. 1003.43, as applicable;

400 (b) Completion of a 3-year standard college preparatory  
 401 program requiring successful completion of a minimum of 18  
 402 academic credits in grades 9 through 12. At least 6 of the 18  
 403 credits required for completion of this program must be received  
 404 in classes that are offered pursuant to the International  
 405 Baccalaureate Program, the Advanced Placement Program, dual  
 406 enrollment, Advanced International Certificate of Education, or  
 407 specifically listed or identified by the Department of Education  
 408 as rigorous pursuant to s. 1009.531(3). The 18 credits required  
 409 for completion of this program shall be primary requirements and  
 410 shall be distributed as follows:

411 1. Four credits in English, with major concentration in  
 412 composition and literature;

413 2. Three credits and, beginning with students entering  
 414 grade 9 in the 2010-2011 school year, four credits in  
 415 mathematics at the Algebra I level or higher from the list of  
 416 courses that qualify for state university admission. Beginning  
 417 with students entering grade 9 in the 2010-2011 school year, in  
 418 addition to the Algebra I credit requirement, one of the four  
 419 credits in mathematics must be geometry or a series of courses

420 equivalent to geometry as approved by the State Board of  
 421 Education. Beginning with students entering grade 9 in the 2010-  
 422 2011 school year, the end-of-course assessment requirements  
 423 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
 424 to earn the required credit in Algebra I. Beginning with  
 425 students entering grade 9 in the 2011-2012 school year, the end-  
 426 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)  
 427 must be met in order for a student to earn the required credit  
 428 in geometry. Beginning with students entering grade 9 in the  
 429 2012-2013 school year, in addition to the Algebra I and geometry  
 430 credit requirements, one of the four credits in mathematics must  
 431 be Algebra II or a series of courses equivalent to Algebra II as  
 432 approved by the State Board of Education;

433       3. Three credits in ~~natural~~ science, two of which must  
 434 have a laboratory component. Beginning with students entering  
 435 grade 9 in the 2011-2012 school year, one of the three credits  
 436 in science must be Biology I or a series of courses equivalent  
 437 to Biology I as approved by the State Board of Education.  
 438 Beginning with students entering grade 9 in the 2011-2012 school  
 439 year, the end-of-course assessment requirements under s.  
 440 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
 441 the required credit in Biology I. Beginning with students  
 442 entering grade 9 in the 2013-2014 school year, one of the three  
 443 credits must be Biology I or a series of courses equivalent to  
 444 Biology I as approved by the State Board of Education, one  
 445 credit must be chemistry or physics or a series of courses  
 446 equivalent to chemistry or physics as approved by the State  
 447 Board of Education, and one credit must be an equally rigorous



448 course, as approved by the State Board of Education;

449 4. Three credits in social sciences, which must include  
 450 one credit in United States ~~American~~ history, one credit in  
 451 world history, one-half credit in United States ~~American~~  
 452 government, and one-half credit in economics;

453 5. Two credits in the same second language unless the  
 454 student is a native speaker of or can otherwise demonstrate  
 455 competency in a language other than English. If the student  
 456 demonstrates competency in another language, the student may  
 457 replace the language requirement with two credits in other  
 458 academic courses; and

459 6. Three credits in electives and, beginning with students  
 460 entering grade 9 in the 2010-2011 school year, two credits in  
 461 electives; or

462 (c) Completion of a 3-year career preparatory program  
 463 requiring successful completion of a minimum of 18 academic  
 464 credits in grades 9 through 12. The 18 credits shall be primary  
 465 requirements and shall be distributed as follows:

466 1. Four credits in English, with major concentration in  
 467 composition and literature;

468 2. Three credits and, beginning with students entering  
 469 grade 9 in the 2010-2011 school year, four credits in  
 470 mathematics, one of which must be Algebra I. Beginning with  
 471 students entering grade 9 in the 2010-2011 school year, in  
 472 addition to the Algebra I credit requirement, one of the four  
 473 credits in mathematics must be geometry or a series of courses  
 474 equivalent to geometry as approved by the State Board of  
 475 Education. Beginning with students entering grade 9 in the 2010-

476 2011 school year, the end-of-course assessment requirements  
 477 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
 478 to earn the required credit in Algebra I. Beginning with  
 479 students entering grade 9 in the 2011-2012 school year, the end-  
 480 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)  
 481 must be met in order for a student to earn the required credit  
 482 in geometry. Beginning with students entering grade 9 in the  
 483 2012-2013 school year, in addition to the Algebra I and geometry  
 484 credit requirements, one of the four credits in mathematics must  
 485 be Algebra II or a series of courses equivalent to Algebra II as  
 486 approved by the State Board of Education;

487       3. Three credits in ~~natural~~ science, two of which must  
 488 have a laboratory component. Beginning with students entering  
 489 grade 9 in the 2011-2012 school year, one of the three credits  
 490 in science must be Biology I or a series of courses equivalent  
 491 to Biology I as approved by the State Board of Education.  
 492 Beginning with students entering grade 9 in the 2011-2012 school  
 493 year, the end-of-course assessment requirements under s.  
 494 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
 495 the required credit in Biology I. Beginning with students  
 496 entering grade 9 in the 2013-2014 school year, one of the three  
 497 credits must be Biology I or a series of courses equivalent to  
 498 Biology I as approved by the State Board of Education, one  
 499 credit must be chemistry or physics or a series of courses  
 500 equivalent to chemistry or physics as approved by the State  
 501 Board of Education, and one credit must be an equally rigorous  
 502 course, as approved by the State Board of Education;

503       4. Three credits in social sciences, which must include

504 one credit in United States ~~American~~ history, one credit in  
 505 world history, one-half credit in United States ~~American~~  
 506 government, and one-half credit in economics;

507 5. Three credits in a single vocational or career  
 508 education program, three credits in career and technical  
 509 certificate dual enrollment courses, or five credits in  
 510 vocational or career education courses; and

511 6. Two credits and, beginning with students entering grade  
 512 9 in the 2010-2011 school year, one credit in electives unless  
 513 five credits are earned pursuant to subparagraph 5.

514  
 515 Any student who selected an accelerated graduation program  
 516 before July 1, 2004, may continue that program, and all  
 517 statutory program requirements that were applicable when the  
 518 student made the program choice shall remain applicable to the  
 519 student as long as the student continues that program.

520 (5) District school boards may not establish requirements  
 521 for accelerated 3-year high school graduation options in excess  
 522 of the requirements in paragraphs (1)(b) and (c). For courses  
 523 that require statewide, standardized end-of-course assessments  
 524 under s. 1008.22(3)(c)2.c., a minimum of 30 percent of a  
 525 student's course grade shall be comprised of performance on the  
 526 statewide, standardized end-of-course assessment.

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

531 (c) The right of the student to change to the 4-year

532 program set forth in s. 1003.428 or s. 1003.43, as applicable.

533 (8) A student who selected one of the accelerated 3-year  
 534 graduation options shall automatically move to the 4-year  
 535 program set forth in s. 1003.428 or s. 1003.43, if applicable,  
 536 if the student:

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

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

541 (c) Does not achieve a score of 3 or higher on the grade  
 542 10 FCAT Writing assessment; or

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

545 Section 5. Section 1003.4295, Florida Statutes, is created  
 546 to read:

547 1003.4295 Acceleration courses.-

548 (1) Each high school shall advise each student of programs  
 549 through which a high school student can earn college credit,  
 550 including Advanced Placement, International Baccalaureate,  
 551 Advanced International Certificate of Education, dual enrollment  
 552 courses, career academy courses, and courses that lead to  
 553 national industry certification, as well as the availability of  
 554 course offerings through virtual instruction.

555 (2) Beginning with the 2011-2012 school year, each high  
 556 school shall offer an International Baccalaureate Program, an  
 557 Advanced International Certificate of Education Program, or a  
 558 combination of at least four courses in dual enrollment or  
 559 Advanced Placement, including one course each in English,

560 mathematics, science, and social studies. To meet this  
 561 requirement, school districts may provide courses through  
 562 virtual instruction, if the virtual course significantly  
 563 integrates postsecondary level content for which a student may  
 564 earn college credit, as determined by the Department of  
 565 Education, and for which a standardized end-of-course  
 566 assessment, as approved by the department, is administered.

567 (3) The Credit Acceleration Program (CAP) is created for  
 568 the purpose of allowing a secondary student to earn high school  
 569 credit in a course that requires a statewide, standardized end-  
 570 of-course assessment if the student attains a specified score on  
 571 the assessment. Notwithstanding s. 1003.436, a school district  
 572 shall award course credit to a student who is not enrolled in  
 573 the course, or who has not completed the course, if the student  
 574 attains a score indicating satisfactory performance, as defined  
 575 in s. 1008.22(3)(c)5., on the corresponding statewide,  
 576 standardized end-of-course assessment. The school district shall  
 577 permit a student who is not enrolled in the course, or who has  
 578 not completed the course, to take the standardized end-of-course  
 579 assessment during the regular administration of the assessment.

580 Section 6. Paragraph (k) of subsection (4) of section  
 581 1003.493, Florida Statutes, is amended to read:

582 1003.493 Career and professional academies.—

583 (4) Each career and professional academy must:

584 (k) Include an evaluation plan developed jointly with the  
 585 Department of Education and the local workforce board. The  
 586 evaluation plan must include an assessment tool based on  
 587 national industry standards, such as the Career Academy National

588 Standards of Practice, and outcome measures, including, but not  
 589 limited to, achievement of national industry certifications  
 590 identified in the Industry Certification Funding List, pursuant  
 591 to rules adopted by the State Board of Education, graduation  
 592 rates, enrollment in postsecondary education, business and  
 593 industry satisfaction, employment and earnings, awards of  
 594 postsecondary credit and scholarships, and student FCAT  
 595 achievement levels and learning gains on statewide assessments  
 596 administered under s. 1008.22(3)(c). The Department of Education  
 597 shall use Workforce Florida, Inc., and Enterprise Florida, Inc.,  
 598 in identifying industry experts to participate in developing and  
 599 implementing such assessments.

600 Section 7. Paragraph (c) of subsection (6) of section  
 601 1007.35, Florida Statutes, is amended to read:

602 1007.35 Florida Partnership for Minority and  
 603 Underrepresented Student Achievement.—

604 (6) The partnership shall:

605 (c) Provide teacher training and materials that are  
 606 aligned with the Next Generation Sunshine State Standards and  
 607 are consistent with best theory and practice regarding multiple  
 608 learning styles and research on learning, instructional  
 609 strategies, instructional design, and classroom assessment.  
 610 Curriculum materials must be based on current, accepted, and  
 611 essential academic knowledge. ~~Materials for prerequisite courses~~  
 612 ~~should, at a minimum, address the skills assessed on the Florida~~  
 613 ~~Comprehensive Assessment Test (FCAT).~~

614 Section 8. Paragraph (c) of subsection (3) and subsections  
 615 (6), (9), (10), (11), and (12) of section 1008.22, Florida

616 Statutes, are amended to read:

617 1008.22 Student assessment program for public schools.—

618 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
 619 design and implement a statewide program of educational  
 620 assessment that provides information for the improvement of the  
 621 operation and management of the public schools, including  
 622 schools operating for the purpose of providing educational  
 623 services to youth in Department of Juvenile Justice programs.  
 624 The commissioner may enter into contracts for the continued  
 625 administration of the assessment, testing, and evaluation  
 626 programs authorized and funded by the Legislature. Contracts may  
 627 be initiated in 1 fiscal year and continue into the next and may  
 628 be paid from the appropriations of either or both fiscal years.  
 629 The commissioner is authorized to negotiate for the sale or  
 630 lease of tests, scoring protocols, test scoring services, and  
 631 related materials developed pursuant to law. Pursuant to the  
 632 statewide assessment program, the commissioner shall:

633 (c) Develop and implement a student achievement testing  
 634 program as follows: ~~known as~~

635 1. The Florida Comprehensive Assessment Test (FCAT)  
 636 measures as part of the statewide assessment program to measure  
 637 a student's content knowledge and skills in reading, writing,  
 638 science, and mathematics. The content knowledge and skills  
 639 assessed by the FCAT must be aligned to the core curricular  
 640 content established in the Next Generation Sunshine State  
 641 Standards. Other content areas may be included as directed by  
 642 the commissioner. Comprehensive assessments of reading and  
 643 mathematics shall be administered annually in grades 3 through

644 10 except, beginning with the 2010-2011 school year, the  
 645 administration of grade 9 FCAT Mathematics shall be  
 646 discontinued, and beginning with the 2011-2012 school year, the  
 647 administration of grade 10 FCAT Mathematics shall be  
 648 discontinued, except as required for students who have not  
 649 attained minimum performance expectations for graduation as  
 650 provided in paragraph (9)(c). FCAT Comprehensive assessments of  
 651 Writing and FCAT Science shall be administered at least once at  
 652 the elementary, middle, and high school levels except, beginning  
 653 with the 2011-2012 school year, the administration of FCAT  
 654 Science at the high school level shall be discontinued.

655 2.a. End-of-course assessments for a subject shall ~~may~~ be  
 656 administered in addition to the comprehensive assessments  
 657 required ~~for that subject~~ under subparagraph 1. ~~this paragraph.~~  
 658 ~~An~~ End-of-course assessments ~~assessment~~ must be rigorous,  
 659 statewide, standardized, and developed or approved by the  
 660 department. The content knowledge and skills assessed by  
 661 ~~comprehensive and~~ end-of-course assessments must be aligned to  
 662 the core curricular content established in the Next Generation  
 663 Sunshine State Standards.

664 (I) Statewide, standardized end-of-course assessments in  
 665 mathematics shall be administered according to this sub-sub-  
 666 subparagraph. Beginning with the 2010-2011 school year, all  
 667 students enrolled in Algebra I or an equivalent course must take  
 668 the Algebra I end-of-course assessment. Students who earned high  
 669 school credit in Algebra I while in grades 6 through 8 during  
 670 the 2007-2008 through 2009-2010 school years and who have not  
 671 taken Grade 10 FCAT Mathematics must take the Algebra I end-of-



672 course assessment during the 2010-2011 school year. For students  
 673 entering grade 9 during the 2010-2011 school year and who are  
 674 enrolled in Algebra I or an equivalent, each student's  
 675 performance on the end-of-course assessment in Algebra I shall  
 676 constitute 30 percent of the student's final course grade.  
 677 Beginning with students entering grade 9 in the 2011-2012 school  
 678 year, a student who is enrolled in Algebra I or an equivalent  
 679 must earn a passing score on the end-of-course assessment in  
 680 Algebra I or attain an equivalent score as described in  
 681 subsection (11) in order to earn course credit. Beginning with  
 682 the 2011-2012 school year, all students enrolled in geometry or  
 683 an equivalent course must take the geometry end-of-course  
 684 assessment. For students entering grade 9 during the 2011-2012  
 685 school year, each student's performance on the end-of-course  
 686 assessment in geometry shall constitute 30 percent of the  
 687 student's final course grade. Beginning with students entering  
 688 grade 9 during the 2012-2013 school year, a student must earn a  
 689 passing score on the end-of-course assessment in geometry or  
 690 attain an equivalent score as described in subsection (11) in  
 691 order to earn course credit.

692 (II) Statewide, standardized end-of-course assessments in  
 693 science shall be administered according to this sub-sub-  
 694 subparagraph. Beginning with the 2011-2012 school year, all  
 695 students enrolled in Biology I or an equivalent course must take  
 696 the Biology I end-of-course assessment. For the 2011-2012 school  
 697 year, each student's performance on the end-of-course assessment  
 698 in Biology I shall constitute 30 percent of the student's final  
 699 course grade. Beginning with students entering grade 9 during

700 the 2012-2013 school year, a student must earn a passing score  
 701 on the end-of-course assessment in Biology I in order to earn  
 702 course credit.

703 b. The commissioner may select one or more nationally  
 704 developed comprehensive examinations, which may include, but  
 705 need not be limited to, examinations for a College Board  
 706 Advanced Placement course, International Baccalaureate course,  
 707 or Advanced International Certificate of Education course, or  
 708 industry-approved examinations to earn national industry  
 709 certifications identified in the Industry Certification Funding  
 710 List, pursuant to rules adopted by the State Board of Education  
 711 ~~as defined in s. 1003.492,~~ for use as end-of-course assessments  
 712 under this paragraph, if the commissioner determines that the  
 713 content knowledge and skills assessed by the examinations meet  
 714 or exceed the grade level expectations for the core curricular  
 715 content established for the course in the Next Generation  
 716 Sunshine State Standards. The commissioner may collaborate with  
 717 the American Diploma Project in the adoption or development of  
 718 rigorous end-of-course assessments that are aligned to the Next  
 719 Generation Sunshine State Standards. ~~The testing program must be~~  
 720 ~~designed as follows:~~

721 c. Contingent upon funding provided in the General  
 722 Appropriations Act, including the appropriation of funds  
 723 received through federal grants, the Commissioner of Education  
 724 shall establish an implementation schedule for the development  
 725 and administration of additional statewide, standardized end-of-  
 726 course assessments in English/Language Arts II, Algebra II,  
 727 chemistry, physics, earth/space science, United States history,

728 and world history. Priority shall be given to the development of  
729 end-of-course assessments in English/Language Arts II. The  
730 Commissioner of Education shall evaluate the feasibility and  
731 effect of transitioning from the grade 9 and grade 10 FCAT  
732 Reading and high school level FCAT Writing to an end-of-course  
733 assessment in English/Language Arts II. The commissioner shall  
734 report the results of the evaluation to the President of the  
735 Senate and the Speaker of the House of Representatives no later  
736 than July 1, 2011.

737 3.1. The testing program tests shall measure student  
738 content knowledge and skills and competencies adopted by the  
739 State Board of Education as specified in paragraph (a) and. ~~The~~  
740 ~~tests must~~ measure and report student performance proficiency  
741 levels of all students assessed in reading, writing,  
742 mathematics, and science. The commissioner shall provide for the  
743 tests to be developed or obtained, as appropriate, through  
744 contracts and project agreements with private vendors, public  
745 vendors, public agencies, postsecondary educational  
746 institutions, or school districts. The commissioner shall obtain  
747 input with respect to the design and implementation of the  
748 testing program from state educators, assistive technology  
749 experts, and the public.

750 4.2. The testing program shall be composed of criterion-  
751 referenced tests that shall, to the extent determined by the  
752 commissioner, include test items that require the student to  
753 produce information or perform tasks in such a way that the core  
754 content knowledge and skills he or she uses can be measured.

755 ~~3. Beginning with the 2008-2009 school year, the~~

756 ~~commissioner shall discontinue administration of the selected~~  
757 ~~response test items on the comprehensive assessments of writing.~~  
758 ~~Beginning with the 2012-2013 school year, the comprehensive~~  
759 ~~assessments of writing shall be composed of a combination of~~  
760 ~~selected-response test items, short-response performance tasks,~~  
761 ~~and extended-response performance tasks, which shall measure a~~  
762 ~~student's content knowledge of writing, including, but not~~  
763 ~~limited to, paragraph and sentence structure, sentence~~  
764 ~~construction, grammar and usage, punctuation, capitalization,~~  
765 ~~spelling, parts of speech, verb tense, irregular verbs, subject-~~  
766 ~~verb agreement, and noun-pronoun agreement.~~

767 5. FCAT Reading, Mathematics, and Science and all  
768 statewide, standardized end-of-course assessments shall measure  
769 the content knowledge and skills a student has attained on the  
770 assessment by the use of scaled scores and achievement levels.  
771 Achievement levels shall range from 1 through 5, with level 1  
772 being the lowest achievement level, level 5 being the highest  
773 achievement level, and level 3 indicating satisfactory  
774 performance on an assessment. For purposes of FCAT Writing,  
775 student achievement shall be scored using a scale of 1 through 6  
776 and the score earned shall be used in calculating school grades.

777 ~~4. A score shall be designated for each subject area~~  
778 ~~tested, below which score a student's performance is deemed~~  
779 ~~inadequate. The school districts shall provide appropriate~~  
780 ~~remedial instruction to students who score below these levels.~~

781 ~~6.5. Except as provided in s. 1003.428(8)(b) or s.~~  
782 ~~1003.43(11)(b), students must earn a passing score on the grade~~  
783 ~~10 assessment test described in this paragraph or attain~~

784 ~~concordant scores as described in subsection (10) in reading,~~  
 785 ~~writing, and mathematics to qualify for a standard high school~~  
 786 ~~diploma.~~ The State Board of Education shall, by rule, designate  
 787 a passing score for each part of the grade 10 assessment test  
 788 and end-of-course assessments. ~~In establishing passing scores,~~  
 789 ~~the state board shall consider any possible negative impact of~~  
 790 ~~the test on minority students. The State Board of Education~~  
 791 ~~shall adopt rules which specify the passing scores for the grade~~  
 792 ~~10 FCAT.~~ Any rule that has ~~such rules,~~ which have the effect of  
 793 raising the required passing scores may, ~~shall~~ apply only to  
 794 students taking the assessment grade 10 FCAT for the first time  
 795 after the rule is ~~such rules are~~ adopted by the State Board of  
 796 Education. Except as otherwise provided in this subparagraph and  
 797 as provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students  
 798 must earn a passing score on grade 10 FCAT Reading and grade 10  
 799 FCAT Mathematics or attain concordant scores as described in  
 800 subsection (10) in order to qualify for a standard high school  
 801 diploma.

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

808 ~~8.6.~~ Participation in the testing program is mandatory for  
 809 all students attending public school, including students served  
 810 in Department of Juvenile Justice programs, except as otherwise  
 811 prescribed by the commissioner. A student who has not earned

812 passing scores on the grade 10 FCAT as provided in subparagraph  
 813 6. must participate in each retake of the assessment until the  
 814 student earns passing scores or achieves scores on a  
 815 standardized assessment which are concordant with passing scores  
 816 pursuant to subsection (10). If a student does not participate  
 817 in the statewide assessment, the district must notify the  
 818 student's parent and provide the parent with information  
 819 regarding the implications of such nonparticipation. A parent  
 820 must provide signed consent for a student to receive classroom  
 821 instructional accommodations that would not be available or  
 822 permitted on the statewide assessments and must acknowledge in  
 823 writing that he or she understands the implications of such  
 824 instructional accommodations. The State Board of Education shall  
 825 adopt rules, based upon recommendations of the commissioner, for  
 826 the provision of test accommodations for students in exceptional  
 827 education programs and for students who have limited English  
 828 proficiency. Accommodations that negate the validity of a  
 829 statewide assessment are not allowable in the administration of  
 830 the FCAT or an end-of-course assessment. However, instructional  
 831 accommodations are allowable in the classroom if included in a  
 832 student's individual education plan. Students using  
 833 instructional accommodations in the classroom that are not  
 834 allowable as accommodations on the FCAT or an end-of-course  
 835 assessment may have the FCAT or an end-of-course assessment  
 836 requirement waived pursuant to the requirements of s.  
 837 1003.428(8)(b) or s. 1003.43(11)(b).

838 ~~9.7.~~ A student seeking an adult high school diploma must  
 839 meet the same testing requirements that a regular high school

840 student must meet.

841 ~~10.8.~~ District school boards must provide instruction to  
842 prepare students ~~to demonstrate proficiency~~ in the core  
843 curricular content established in the Next Generation Sunshine  
844 State Standards adopted under s. 1003.41, including the core  
845 content knowledge and skills necessary for successful grade-to-  
846 grade progression and high school graduation. If a student is  
847 provided with instructional accommodations in the classroom that  
848 are not allowable as accommodations in the statewide assessment  
849 program, as described in the test manuals, the district must  
850 inform the parent in writing and must provide the parent with  
851 information regarding the impact on the student's ability to  
852 meet expected performance ~~proficiency~~ levels in reading,  
853 writing, ~~and~~ mathematics, and science. The commissioner shall  
854 conduct studies as necessary to verify that the required core  
855 curricular content is part of the district instructional  
856 programs.

857 ~~11.9.~~ District school boards must provide opportunities  
858 for students to demonstrate an acceptable performance level ~~of~~  
859 ~~performance~~ on an alternative standardized assessment approved  
860 by the State Board of Education following enrollment in summer  
861 academies.

862 ~~12.10.~~ The Department of Education must develop, or  
863 select, and implement a common battery of assessment tools that  
864 will be used in all juvenile justice programs in the state.  
865 These tools must accurately measure the core curricular content  
866 established in the Next Generation Sunshine State Standards.

867 ~~13.11.~~ For students seeking a special diploma pursuant to

868 s. 1003.438, the Department of Education must develop or select  
 869 and implement an alternate assessment tool that accurately  
 870 measures the core curricular content established in the Next  
 871 Generation Sunshine State Standards for students with  
 872 disabilities under s. 1003.438.

873 ~~14.12.~~ The Commissioner of Education shall establish  
 874 schedules for the administration of statewide assessments and  
 875 the reporting of student test results. When establishing the  
 876 schedules for the administration of statewide assessments, the  
 877 commissioner shall consider the observance of religious and  
 878 school holidays. The commissioner shall, by August 1 of each  
 879 year, notify each school district in writing and publish on the  
 880 department's Internet website the testing and reporting  
 881 schedules for, at a minimum, the school year following the  
 882 upcoming school year. The testing and reporting schedules shall  
 883 require that:

884 a. There is the latest possible administration of  
 885 statewide assessments and the earliest possible reporting to the  
 886 school districts of student test results which is feasible  
 887 within available technology and specific appropriations;  
 888 however, test results for the FCAT must be made available no  
 889 later than the week of June 8. Student results for end-of-course  
 890 assessments must be provided no later than 1 week after the  
 891 school district completes testing for each course ~~final day of~~  
 892 ~~the regular school year for students.~~

893 b. Beginning with the 2010-2011 school year, FCAT Writing  
 894 ~~a comprehensive statewide assessment of writing~~ is not  
 895 administered earlier than the week of March 1 and a



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896 comprehensive statewide assessment of any other subject is not  
897 administered earlier than the week of April 15.

898 c. A statewide, standardized end-of-course assessment is  
899 administered during a 3-week period at the end ~~within the last 2~~  
900 ~~weeks~~ of the course. The commissioner shall select a 3-week  
901 administration period for assessments that meets the intent of  
902 end-of-course assessments and provides student results prior to  
903 the end of the course. School districts shall select one testing  
904 week within the 3-week administration period for each end-of-  
905 course assessment. For an end-of-course assessment administered  
906 at the end of the first semester, the commissioner shall  
907 determine the most appropriate testing dates based on a school  
908 district's academic calendar.

909  
910 The commissioner may, based on collaboration and input from  
911 school districts, design and implement student testing programs,  
912 for any grade level and subject area, necessary to effectively  
913 monitor educational achievement in the state, including the  
914 measurement of educational achievement of the Next Generation  
915 Sunshine State Standards for students with disabilities.

916 Development and refinement of assessments shall include  
917 universal design principles and accessibility standards that  
918 will prevent any unintended obstacles for students with  
919 disabilities while ensuring the validity and reliability of the  
920 test. These principles should be applicable to all technology  
921 platforms and assistive devices available for the assessments.  
922 The field testing process and psychometric analyses for the  
923 statewide assessment program must include an appropriate

924 percentage of students with disabilities and an evaluation or  
 925 determination of the effect of test items on such students.

926 (6) SCHOOL TESTING PROGRAMS.—Each public school shall  
 927 participate in the statewide assessment program in accordance  
 928 with the testing and reporting schedules published by the  
 929 Commissioner of Education under subparagraph (3)(c) 14.12. unless  
 930 specifically exempted by state board rule based on serving a  
 931 specialized population for which standardized testing is not  
 932 appropriate. Student performance data shall be analyzed and  
 933 reported to parents, the community, and the state. Student  
 934 performance data shall be used in developing objectives of the  
 935 school improvement plan, evaluation of instructional personnel,  
 936 evaluation of administrative personnel, assignment of staff,  
 937 allocation of resources, acquisition of instructional materials  
 938 and technology, performance-based budgeting, and promotion and  
 939 assignment of students into educational programs. The analysis  
 940 of student performance data also must identify strengths and  
 941 needs in the educational program and trends over time. The  
 942 analysis must be used in conjunction with the budgetary planning  
 943 processes developed pursuant to s. 1008.385 and the development  
 944 of the programs of remediation.

945 (9) APPLICABILITY OF TESTING STANDARDS.—

946 (a) If the Commissioner of Education revises a statewide  
 947 assessment and the revisions require the State Board of  
 948 Education to modify the assessment's performance proficiency  
 949 levels or modify the passing scores ~~required for a standard high~~  
 950 ~~school diploma~~, until the state board adopts the modifications  
 951 by rule, the commissioner shall use calculations for scoring the

952 assessment which adjust student scores on the revised assessment  
 953 for statistical equivalence to student scores on the former  
 954 assessment.

955 (b) A student must attain the passing scores on the  
 956 statewide assessment required for a standard high school diploma  
 957 or for high school course credits under sub-sub-subparagraphs  
 958 (3)(c)2.a.(I) and (II) which are in effect at the time the  
 959 student enters grade 9. If a student transfers into a high  
 960 school, the school principal shall determine, in accordance with  
 961 State Board of Education rule, whether the student must take an  
 962 end-of-course assessment in a course for which the student has  
 963 credit that was earned from the previous school ~~if the student's~~  
 964 ~~enrollment is continuous.~~

965 (c) If the commissioner revises a statewide assessment and  
 966 the revisions require the State Board of Education to modify the  
 967 passing scores required for a standard high school diploma or  
 968 for high school course credits under sub-sub-subparagraphs  
 969 (3)(c)2.a.(I) and (II), the commissioner may, with approval of  
 970 the state board, discontinue administration of the former  
 971 assessment upon the graduation, based on normal student  
 972 progression, of students participating in the final regular  
 973 administration of the former assessment. The state board shall  
 974 adopt by rule passing scores for the revised assessment which  
 975 are statistically equivalent to passing scores on the  
 976 discontinued assessment for a student required under paragraph  
 977 (b) to attain passing scores on the discontinued assessment.

978 (10) CONCORDANT SCORES FOR THE FCAT.—

979 (a) The Commissioner ~~State Board~~ of Education shall

980 analyze the content and concordant data sets for nationally  
 981 recognized ~~widely used~~ high school achievement tests, including,  
 982 but not limited to, the PSAT, PLAN, SAT, ACT, and College  
 983 Placement Test, to assess if concordant scores for FCAT scores  
 984 can be determined for high school graduation, ~~college placement,~~  
 985 ~~and scholarship awards.~~ When ~~In cases where~~ content alignment  
 986 and concordant scores can be determined, the Commissioner of  
 987 Education shall adopt those scores as meeting the graduation  
 988 requirement in lieu of achieving the FCAT passing score and may  
 989 adopt those scores as being sufficient to achieve additional  
 990 purposes as determined by rule. Each time that test content or  
 991 scoring procedures change for the FCAT or for a high school  
 992 achievement test for which a concordant score is determined, new  
 993 concordant scores must be determined.

994 ~~(b) In order to use a concordant subject area score~~  
 995 ~~pursuant to this subsection to satisfy the assessment~~  
 996 ~~requirement for a standard high school diploma as provided in s.~~  
 997 ~~1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must~~  
 998 ~~take each subject area of the grade 10 FCAT a total of three~~  
 999 ~~times without earning a passing score. The requirements of this~~  
 1000 ~~paragraph shall not apply to a new student who enters the~~  
 1001 ~~Florida public school system in grade 12, who may either achieve~~  
 1002 ~~a passing score on the FCAT or use an approved subject area~~  
 1003 ~~concordant score to fulfill the graduation requirement.~~

1004 (b)(e) The State Board of Education may define by rule the  
 1005 allowable uses, other than to satisfy the high school graduation  
 1006 requirement, for concordant scores as described in this  
 1007 subsection. Such uses may include, but need not be limited to,

1008 achieving appropriate standardized test scores required for the  
 1009 awarding of Florida Bright Futures Scholarships and college  
 1010 placement.

1011 (11) EQUIVALENT SCORES FOR END-OF-COURSE ASSESSMENTS.—

1012 (a) The Commissioner of Education shall analyze the  
 1013 content and equivalent data sets for nationally recognized high  
 1014 school achievement tests and industry certification tests under  
 1015 the Industry Certification Funding List, pursuant to rules  
 1016 adopted by the State Board of Education, including, but not  
 1017 limited to, grade 10 FCAT Mathematics retakes until such retakes  
 1018 are discontinued pursuant to subsection (9), the PSAT, the PLAN,  
 1019 the SAT, the ACT, and the College Placement Test, to assess if  
 1020 equivalent scores for end-of-course assessment scores can be  
 1021 determined for passage of an end-of-course assessment. When  
 1022 content alignment and equivalent scores can be determined, the  
 1023 Commissioner of Education shall adopt those scores as meeting  
 1024 the requirement to pass the end-of-course assessment and as  
 1025 being sufficient to achieve additional purposes as determined by  
 1026 rule. Each time that assessment content or scoring procedures  
 1027 change for an end-of-course assessment or for a high school  
 1028 achievement test or an industry certification test under the  
 1029 Industry Certification Funding List, pursuant to rules adopted  
 1030 by the State Board of Education for which an equivalent score is  
 1031 determined, new equivalent scores must be determined.

1032 (b) Use of an equivalent score adopted by the State Board  
 1033 of Education under paragraph (a) for purposes of grade  
 1034 adjustment, grade forgiveness, or course credit recovery is  
 1035 contingent upon and subject to district school board rules.

1036            (12)~~(11)~~ REPORTS.—The Department of Education shall  
 1037 annually provide a report to the Governor, the President of the  
 1038 Senate, and the Speaker of the House of Representatives on the  
 1039 following:

1040            (a) Longitudinal performance of students in mathematics  
 1041 and reading.

1042            (b) Longitudinal performance of students by grade level in  
 1043 mathematics and reading.

1044            (c) Longitudinal performance regarding efforts to close  
 1045 the achievement gap.

1046            (d) Other student performance data based on national norm-  
 1047 referenced and criterion-referenced tests, when available, and  
 1048 numbers of students who after 8th grade enroll in adult  
 1049 education rather than other secondary education.

1050            (13)~~(12)~~ RULES.—The State Board of Education shall adopt  
 1051 rules pursuant to ss. 120.536(1) and 120.54 to implement the  
 1052 provisions of this section.

1053            Section 9. Paragraph (a) of subsection (4) of section  
 1054 1008.25, Florida Statutes, is amended to read:

1055            1008.25 Public school student progression; remedial  
 1056 instruction; reporting requirements.—

1057            (4) ASSESSMENT AND REMEDIATION.—

1058            (a) Each student must participate in the statewide  
 1059 assessment tests required by s. 1008.22. Each student who does  
 1060 not meet specific levels of performance as determined by the  
 1061 district school board in FCAT reading, writing, science, and  
 1062 mathematics for each grade level, or who scores below Level 3 in  
 1063 FCAT reading or FCAT mathematics ~~math~~, must be provided with

1064 additional diagnostic assessments to determine the nature of the  
 1065 student's difficulty, the areas of academic need, and strategies  
 1066 for appropriate intervention and instruction as described in  
 1067 paragraph (b).

1068 Section 10. Subsection (3) of section 1008.30, Florida  
 1069 Statutes, is amended to read:

1070 1008.30 Common placement testing for public postsecondary  
 1071 education.—

1072 (3) The State Board of Education shall adopt rules that  
 1073 require high schools to evaluate before the beginning of grade  
 1074 12 the college readiness of each student who indicates an  
 1075 interest in postsecondary education and scores at Level 2 or  
 1076 Level 3 on the reading portion of the grade 10 FCAT or Level 2,  
 1077 Level 3, or Level 4 on the mathematics assessments under s.  
 1078 1008.22(3)(c) ~~portion of the grade 10 FCAT~~. High schools shall  
 1079 perform this evaluation using results from the corresponding  
 1080 component of the common placement test prescribed in this  
 1081 section, or an equivalent test identified by the State Board of  
 1082 Education. The Department of Education shall purchase or develop  
 1083 the assessments necessary to perform the evaluations required by  
 1084 this subsection and shall work with the school districts to  
 1085 administer the assessments. The State Board of Education shall  
 1086 establish by rule the minimum test scores a student must achieve  
 1087 to demonstrate readiness. Students who demonstrate readiness by  
 1088 achieving the minimum test scores established by the state board  
 1089 and enroll in a community college within 2 years of achieving  
 1090 such scores shall not be required to enroll in remediation  
 1091 courses as a condition of acceptance to any community college.

1092 The high school shall use the results of the test to advise the  
 1093 students of any identified deficiencies and to the maximum  
 1094 extent practicable provide 12th grade students access to  
 1095 appropriate remedial instruction prior to high school  
 1096 graduation. The remedial instruction provided under this  
 1097 subsection shall be a collaborative effort between secondary and  
 1098 postsecondary educational institutions. To the extent courses  
 1099 are available, the Florida Virtual School may be used to provide  
 1100 the remedial instruction required by this subsection.

1101 Section 11. Paragraphs (b) and (c) of subsection (3) of  
 1102 section 1008.34, Florida Statutes, are amended to read:

1103 1008.34 School grading system; school report cards;  
 1104 district grade.—

1105 (3) DESIGNATION OF SCHOOL GRADES.—

1106 (b)1. A school's grade shall be based on a combination of:

1107 a. Student achievement scores, including achievement on  
 1108 all FCAT assessments administered under s. 1008.22(3)(c)1., end-  
 1109 of-course assessments administered under s. 1008.22(3)(c)2.a.,  
 1110 and achievement scores for students seeking a special diploma.

1111 b. Student learning gains in reading and mathematics as  
 1112 measured by ~~annual~~ FCAT and end-of-course assessments, as  
 1113 described in s. 1008.22(3)(c)1. and 2.a. in grades 3 through 10;  
 1114 Learning gains for students seeking a special diploma, as  
 1115 measured by an alternate assessment tool, shall be included not  
 1116 later than the 2009-2010 school year.

1117 c. Improvement of the lowest 25th percentile of students  
 1118 in the school in reading and, ~~mathematics, or writing~~ on the  
 1119 FCAT or end-of-course assessments described in s.



1120 1008.22(3)(c)2.a., unless these students are exhibiting  
 1121 satisfactory performance.

1122 2. Beginning with the 2009-2010 school year for schools  
 1123 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
 1124 11, and 12, 50 percent of the school grade shall be based on a  
 1125 combination of the factors listed in sub-subparagraphs 1.a.-c.  
 1126 and the remaining 50 percent on the following factors:

1127 a. The high school graduation rate of the school;

1128 b. As valid data becomes available, the performance and  
 1129 participation of the school's students in College Board Advanced  
 1130 Placement courses, International Baccalaureate courses, dual  
 1131 enrollment courses, and Advanced International Certificate of  
 1132 Education courses; and the students' achievement of national  
 1133 industry certification identified in the Industry Certification  
 1134 Funding List, pursuant to rules adopted by the State Board of  
 1135 Education, as determined by the Agency for Workforce Innovation  
 1136 under s. 1003.492(2) in a career and professional academy, as  
 1137 described in s. 1003.493;

1138 c. Postsecondary readiness of the school's students as  
 1139 measured by the SAT, ACT, or the common placement test;

1140 d. The high school graduation rate of at-risk students who  
 1141 scored at Level 2 or lower on the grade 8 FCAT Reading and  
 1142 Mathematics examinations;

1143 e. As valid data becomes available, the performance of the  
 1144 school's students on statewide standardized end-of-course  
 1145 assessments administered under s. 1008.22(3)(c)2.b. and c. ~~s.~~  
 1146 ~~1008.22~~; and

1147 f. The growth or decline in the components listed in sub-

1148 subparagraphs a.-e. from year to year.

1149 (c) Student assessment data used in determining school  
1150 grades shall include:

1151 1. The aggregate scores of all eligible students enrolled  
1152 in the school who have been assessed on the FCAT and statewide,  
1153 standardized end-of-course assessments in courses required for  
1154 high school graduation, including, beginning with the 2010-2011  
1155 school year, the end-of-course assessment in Algebra I, and  
1156 beginning with the 2011-2012 school year, the end-of-course  
1157 assessments in geometry and Biology.

1158 2. The aggregate scores of all eligible students enrolled  
1159 in the school who have been assessed on the FCAT and end-of-  
1160 course assessments as described in s. 1008.22(3)(c)2.a., and who  
1161 have scored at or in the lowest 25th percentile of students in  
1162 the school in reading and, mathematics, ~~or writing,~~ unless these  
1163 students are exhibiting satisfactory performance.

1164 3. ~~Effective with the 2005-2006 school year,~~ The  
1165 achievement scores and learning gains of eligible students  
1166 attending alternative schools that provide dropout prevention  
1167 and academic intervention services pursuant to s. 1003.53. The  
1168 term "eligible students" in this subparagraph does not include  
1169 students attending an alternative school who are subject to  
1170 district school board policies for expulsion for repeated or  
1171 serious offenses, who are in dropout retrieval programs serving  
1172 students who have officially been designated as dropouts, or who  
1173 are in programs operated or contracted by the Department of  
1174 Juvenile Justice. The student performance data for eligible  
1175 students identified in this subparagraph shall be included in

1176 the calculation of the home school's grade. As used in this  
 1177 section and s. 1008.341, the term "home school" means the school  
 1178 to which the student would be assigned if the student were not  
 1179 assigned to an alternative school. If an alternative school  
 1180 chooses to be graded under this section, student performance  
 1181 data for eligible students identified in this subparagraph shall  
 1182 not be included in the home school's grade but shall be included  
 1183 only in the calculation of the alternative school's grade. A  
 1184 school district that fails to assign the FCAT and end-of-course  
 1185 assessment as described in s. 1008.22(3)(c)2.a. scores of each  
 1186 of its students to his or her home school or to the alternative  
 1187 school that receives a grade shall forfeit Florida School  
 1188 Recognition Program funds for 1 fiscal year. School districts  
 1189 must require collaboration between the home school and the  
 1190 alternative school in order to promote student success. This  
 1191 collaboration must include an annual discussion between the  
 1192 principal of the alternative school and the principal of each  
 1193 student's home school concerning the most appropriate school  
 1194 assignment of the student.

1195 4. ~~Beginning with the 2009-2010 school year~~ For schools  
 1196 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
 1197 11, and 12, the data listed in subparagraphs 1.-3. and the  
 1198 following data as the Department of Education determines such  
 1199 data are valid and available:

1200 a. The high school graduation rate of the school as  
 1201 calculated by the Department of Education;

1202 b. The participation rate of all eligible students  
 1203 enrolled in the school and enrolled in College Board Advanced

1204 Placement courses; International Baccalaureate courses; dual  
 1205 enrollment courses; Advanced International Certificate of  
 1206 Education courses; and courses or sequence of courses leading to  
 1207 national industry certification identified in the Industry  
 1208 Certification Funding List, pursuant to rules adopted by the  
 1209 State Board of Education, ~~as determined by the Agency for~~  
 1210 ~~Workforce Innovation under s. 1003.492(2) in a career and~~  
 1211 ~~professional academy, as described in s. 1003.493;~~

1212 c. The aggregate scores of all eligible students enrolled  
 1213 in the school in College Board Advanced Placement courses,  
 1214 International Baccalaureate courses, and Advanced International  
 1215 Certificate of Education courses;

1216 d. Earning of college credit by all eligible students  
 1217 enrolled in the school in dual enrollment programs under s.  
 1218 1007.271;

1219 e. Earning of a national an industry certification  
 1220 identified in the Industry Certification Funding List, pursuant  
 1221 to rules adopted by the State Board of Education, ~~as determined~~  
 1222 ~~by the Agency for Workforce Innovation under s. 1003.492(2) in a~~  
 1223 ~~career and professional academy, as described in s. 1003.493;~~

1224 f. The aggregate scores of all eligible students enrolled  
 1225 in the school in reading, mathematics, and other subjects as  
 1226 measured by the SAT, the ACT, and the common placement test for  
 1227 postsecondary readiness;

1228 g. The high school graduation rate of all eligible at-risk  
 1229 students enrolled in the school who scored at Level 2 or lower  
 1230 on the grade 8 FCAT Reading and Mathematics examinations;

1231 h. The performance of the school's students on statewide

1232 standardized end-of-course assessments administered under s.  
 1233 1008.22 (3) (c) 2.b. and c. ~~s. 1008.22~~; and

1234 i. The growth or decline in the data components listed in  
 1235 sub-subparagraphs a.-h. from year to year.

1236  
 1237 The State Board of Education shall adopt appropriate criteria  
 1238 for each school grade. The criteria must also give added weight  
 1239 to student achievement in reading. Schools designated with a  
 1240 grade of "C," making satisfactory progress, shall be required to  
 1241 demonstrate that adequate progress has been made by students in  
 1242 the school who are in the lowest 25th percentile in reading and  
 1243 ~~mathematics, or writing~~ on the FCAT and end-of-course  
 1244 assessments as described in s. 1008.22 (3) (c) 2.a., unless these  
 1245 students are exhibiting satisfactory performance. Beginning with  
 1246 the 2009-2010 school year for schools comprised of high school  
 1247 grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria  
 1248 for school grades must also give added weight to the graduation  
 1249 rate of all eligible at-risk students, as defined in this  
 1250 paragraph. Beginning in the 2009-2010 school year, in order for  
 1251 a high school to be designated as having a grade of "A," making  
 1252 excellent progress, the school must demonstrate that at-risk  
 1253 students, as defined in this paragraph, in the school are making  
 1254 adequate progress.

1255 Section 12. Subsection (3) of section 1008.341, Florida  
 1256 Statutes, is amended to read:

1257 1008.341 School improvement rating for alternative  
 1258 schools.—

1259 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data

1260 used in determining an alternative school's school improvement  
 1261 rating shall include:

1262 (a) The aggregate scores on statewide assessments  
 1263 administered under s. 1008.22 for ~~of~~ all eligible students who  
 1264 were assigned to and enrolled in the school during the October  
 1265 or February FTE count, ~~who have been assessed on the FCAT,~~ and  
 1266 who have FCAT or comparable scores for the preceding school  
 1267 year.

1268 (b) The aggregate scores on statewide assessments  
 1269 administered under s. 1008.22 for ~~of~~ all eligible students who  
 1270 were assigned to and enrolled in the school during the October  
 1271 or February FTE count, ~~who have been assessed on the FCAT~~ and  
 1272 who have scored in the lowest 25th percentile of students in the  
 1273 state on FCAT Reading.

1274  
 1275 The assessment scores of students who are subject to district  
 1276 school board policies for expulsion for repeated or serious  
 1277 offenses, who are in dropout retrieval programs serving students  
 1278 who have officially been designated as dropouts, or who are in  
 1279 programs operated or contracted by the Department of Juvenile  
 1280 Justice may not be included in an alternative school's school  
 1281 improvement rating.

1282 Section 13. Subsection (4) of section 1008.36, Florida  
 1283 Statutes, is amended to read:

1284 1008.36 Florida School Recognition Program.—

1285 (4) All selected schools shall receive financial awards  
 1286 depending on the availability of funds appropriated and the  
 1287 number and size of schools selected to receive an award. Funds

1288 must be distributed to the school's fiscal agent and placed in  
 1289 the school's account and must be used for purposes listed in  
 1290 subsection (5) as determined jointly by the school's staff and  
 1291 school advisory council. If school staff and the school advisory  
 1292 council cannot reach agreement by February ~~November~~ 1, the  
 1293 awards must be equally distributed to all classroom teachers  
 1294 currently teaching in the school. If a school selected to  
 1295 receive a school recognition award is no longer in existence at  
 1296 the time the award is paid, the district school superintendent  
 1297 shall distribute the funds to teachers who taught at the school  
 1298 in the previous year in the form of a bonus.

1299  
 1300 Notwithstanding statutory provisions to the contrary, incentive  
 1301 awards are not subject to collective bargaining.

1302 Section 14. The Office of Program Policy Analysis and  
 1303 Government Accountability (OPPAGA) shall conduct a study on the  
 1304 different types of high school diplomas offered in other states.  
 1305 The study must provide information regarding differentiated high  
 1306 school diploma options and endorsements that other states offer,  
 1307 including the criteria for awarding the diplomas or  
 1308 endorsements, the differences in courses required for college  
 1309 and career pathways, the advantages and disadvantages of  
 1310 offering a range of diploma options, and any barriers other  
 1311 states have encountered when implementing differentiated diploma  
 1312 options. OPPAGA shall submit the results of the study to the  
 1313 Governor, the President of the Senate, and the Speaker of the  
 1314 House of Representatives no later than January 31, 2011.

1315 Section 15. This act shall take effect July 1, 2010.