

1 A bill to be entitled  
 2 An act relating to public school assessments; amending s.  
 3 1003.25, F.S.; requiring the State Board of Education to  
 4 establish uniform procedures for the acceptance of student  
 5 credits and grades according to certain criteria; amending  
 6 s. 1003.413, F.S., relating to secondary school redesign,  
 7 to delete obsolete provisions and to conform to changes  
 8 made by the act; amending s. 1003.4156, F.S.; revising  
 9 requirements for middle grades promotion; providing that  
 10 successful completion of a high school level Algebra I,  
 11 geometry, or Biology I course is not contingent upon a  
 12 student's performance on the end-of-course assessment;  
 13 requiring a student to pass the end-of-course assessment  
 14 to earn high school credit for such courses; specifying  
 15 information that must be provided to students as part of  
 16 the personalized academic and career plan; amending s.  
 17 1003.428, F.S.; revising requirements for high school  
 18 graduation; requiring students entering grade 9 in  
 19 specified school years to meet end-of-course assessment  
 20 requirements and revised credit requirements in  
 21 mathematics and science for high school graduation;  
 22 requiring credit in an online course; requiring district  
 23 school board standards for grades in certain courses;  
 24 providing for waiver of end-of-course assessment results  
 25 for the purpose of receiving a course grade and credit for  
 26 students with disabilities; amending s. 1003.429, F.S.;  
 27 revising requirements for accelerated high school  
 28 graduation options; updating cross-references; requiring

29 | students entering grade 9 in specified school years to  
 30 | meet end-of-course assessment requirements and revised  
 31 | credit requirements in mathematics and science for high  
 32 | school graduation; requiring credit in an online course;  
 33 | requiring district school board standards for grades in  
 34 | certain courses; creating s. 1003.4295, F.S.; requiring  
 35 | high schools to advise students of, and offer,  
 36 | acceleration courses; amending s. 1003.437, F.S.; revising  
 37 | the middle and high school grading system as it relates to  
 38 | grades for a high school student who fails an end-of-  
 39 | course assessment; amending s. 1003.493, F.S., relating to  
 40 | career and professional academies, to conform to changes  
 41 | made by the act; amending s. 1007.35, F.S., relating to  
 42 | the Florida Partnership for Minority and Underrepresented  
 43 | Student Achievement, to conform to changes made by the  
 44 | act; amending s. 1008.22, F.S.; revising the statewide  
 45 | student achievement testing program; requiring end-of-  
 46 | course assessments in mathematics and science to replace  
 47 | FCAT Mathematics and FCAT Science beginning with students  
 48 | entering grade 9 in specified school years; providing  
 49 | requirements for administration of, and student  
 50 | performance on, statewide, standardized end-of-course  
 51 | assessments in mathematics and science; providing for  
 52 | establishment of an implementation schedule to develop and  
 53 | administer end-of-course assessments in certain courses;  
 54 | requiring evaluation and reporting of transition to  
 55 | specified end-of-course assessments; deleting certain  
 56 | requirements relating to the assessment of writing;

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57 | requiring the use of scaled scores and achievement levels  
58 | for measuring a student's knowledge and skills; requiring  
59 | the State Board of Education to designate passing scores  
60 | for end-of-course assessments and scores that indicate  
61 | high achievement; providing requirements for retaking  
62 | specified assessments; providing for waiver of end-of-  
63 | course assessment requirements for students in exceptional  
64 | education programs and students who have limited English  
65 | proficiency; revising provisions relating to testing and  
66 | reporting schedules; conforming provisions and cross-  
67 | references; deleting certain uses of concordant scores for  
68 | the FCAT; authorizing the Commissioner of Education to  
69 | adopt equivalent scores for end-of-course assessments;  
70 | deleting retake requirements for use of concordant scores;  
71 | providing requirements for use of equivalent scores;  
72 | amending s. 1008.25, F.S., relating to public school  
73 | student progression, to conform to changes made by the  
74 | act; amending s. 1008.30, F.S., relating to the common  
75 | placement test, to conform to changes made by the act;  
76 | amending s. 1008.34, F.S.; revising provisions that  
77 | specify the basis for determining school grades to include  
78 | student performance on end-of-course assessments and to  
79 | conform provisions to current FCAT assessments; amending  
80 | s. 1008.341, F.S.; revising provisions that specify the  
81 | basis for determining an alternative school's school  
82 | improvement rating to include student performance on end-  
83 | of-course assessments; amending s. 1008.36, F.S.; revising

84 provisions relating to the use of school recognition  
 85 awards; providing an effective date.

86

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

88

89 Section 1. Subsection (3) of section 1003.25, Florida  
 90 Statutes, is amended to read:

91 1003.25 Procedures for maintenance and transfer of student  
 92 records.—

93 (3) The State Board of Education shall establish, by rule,  
 94 uniform procedures relating to the acceptance of credits and  
 95 grades earned by students entering Florida's public schools.  
 96 Credits and grades earned in courses, including those courses  
 97 that in Florida would require a statewide, standardized end-of-  
 98 course assessment under s. 1008.22(3)(c)2., shall be accepted at  
 99 face value and based on official transcripts, subject to  
 100 validation procedures established by rule ~~transfer work and~~  
 101 ~~credit for students shall be prescribed by rule by the State~~  
 102 ~~Board of Education.~~

103 Section 2. Paragraph (d) of subsection (3) and subsections  
 104 (4) and (5) of section 1003.413, Florida Statutes, are amended  
 105 to read:

106 1003.413 Florida Secondary School Redesign Act.—

107 (3) Based on these guiding principles, district school  
 108 boards shall establish policies to implement the requirements of  
 109 ss. 1003.4156, 1003.428, and 1003.493. The policies must  
 110 address:

111 (d) Credit recovery courses and intensive reading and

112 mathematics intervention courses based on student performance on  
 113 ~~the FCAT Reading and FCAT Mathematics~~. These courses should be  
 114 competency based and offered through innovative delivery  
 115 systems, including computer-assisted instruction. School  
 116 districts should use learning gains as well as other appropriate  
 117 data and provide incentives to identify and reward high-  
 118 performing teachers who teach credit recovery and intensive  
 119 intervention courses.

120 (4) In order to support the successful implementation of  
 121 this section by district school boards, the Department of  
 122 Education shall:

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

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

131 (a)~~(e)~~ Share best practices for providing a complete  
 132 education program to students enrolled in course recovery,  
 133 credit recovery, intensive reading intervention, or intensive  
 134 mathematics intervention.

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

138 ~~(c) Use data to provide the Legislature with an annual~~  
 139 ~~longitudinal analysis of the success of this reform effort,~~

140 ~~including the progress of 6th grade students and 9th grade~~  
 141 ~~students scoring at Level 1 on FCAT Reading or FCAT Mathematics.~~

142 ~~(5) The Commissioner of Education shall create and~~  
 143 ~~implement the Secondary School Improvement Award Program to~~  
 144 ~~reward public secondary schools that demonstrate continuous~~  
 145 ~~student academic improvement and show the greatest gains in~~  
 146 ~~student academic achievement in reading and mathematics.~~

147 Section 3. Paragraph (a) of subsection (1) of section  
 148 1003.4156, Florida Statutes, is amended to read:

149 1003.4156 General requirements for middle grades  
 150 promotion.—

151 (1) Beginning with students entering grade 6 in the 2006-  
 152 2007 school year, promotion from a school composed of middle  
 153 grades 6, 7, and 8 requires that:

154 (a) The student must successfully complete academic  
 155 courses as follows:

156 1. Three middle school or higher courses in English. These  
 157 courses shall emphasize literature, composition, and technical  
 158 text.

159 2. Three middle school or higher courses in mathematics.  
 160 Each middle school must offer at least one high school level  
 161 mathematics course for which students may earn high school  
 162 credit. Successful completion of a high school level Algebra I  
 163 or geometry course is not contingent upon the student's  
 164 performance on the end-of-course assessment required under s.  
 165 1008.22 (3) (c) 2.a. (I). However, to earn high school credit for an  
 166 Algebra I or geometry course, a middle school student must meet  
 167 the end-of-course assessment requirement under s.

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168 1008.22(3)(c)2.a.(I). Students in grades 6 through 8 who earn  
 169 high school credit for an Algebra I or geometry course before  
 170 the 2010-2011 school year are not subject to the end-of-course  
 171 assessment requirement.

172 3. Three middle school or higher courses in social  
 173 studies, one semester of which must include the study of state  
 174 and federal government and civics education.

175 4. Three middle school or higher courses in science.  
 176 Successful completion of a high school level Biology I course is  
 177 not contingent upon the student's performance on the end-of-  
 178 course assessment required under s. 1008.22(3)(c)2.a.(II).  
 179 However, to earn high school credit for a Biology I course, a  
 180 middle school student must meet the end-of-course assessment  
 181 requirement under s. 1008.22(3)(c)2.a.(II). Students in grades 6  
 182 through 8 who earn high school credit for a Biology I course  
 183 before the 2011-2012 school year are not subject to the end-of-  
 184 course assessment requirement.

185 5. One course in career and education planning to be  
 186 completed in 7th or 8th grade. The course may be taught by any  
 187 member of the instructional staff; must include career  
 188 exploration using Florida CHOICES ~~for the 21st Century~~ or a  
 189 comparable cost-effective program; must include educational  
 190 planning using the online student advising system known as  
 191 Florida Academic Counseling and Tracking for Students at the  
 192 Internet website FACTS.org; and shall result in the completion  
 193 of a personalized academic and career plan. The required  
 194 personalized academic and career plan must inform students of  
 195 high school graduation requirements, high school assessment and

196 college entrance test requirements, Florida Bright Futures  
 197 Scholarship Program requirements, state university and Florida  
 198 college admission requirements, and programs through which a  
 199 high school student can earn college credit, including Advanced  
 200 Placement, International Baccalaureate, Advanced International  
 201 Certificate of Education, dual enrollment, or industry  
 202 certification.

203  
 204 Each school must hold a parent meeting either in the evening or  
 205 on a weekend to inform parents about the course curriculum and  
 206 activities. Each student shall complete an electronic personal  
 207 education plan that must be signed by the student; the student's  
 208 instructor, guidance counselor, or academic advisor; and the  
 209 student's parent. ~~By January 1, 2007,~~ The Department of  
 210 Education shall develop course frameworks and professional  
 211 development materials for the career exploration and education  
 212 planning course. The course may be implemented as a stand-alone  
 213 course or integrated into another course or courses. The  
 214 Commissioner of Education shall collect longitudinal high school  
 215 course enrollment data by student ethnicity in order to analyze  
 216 course-taking patterns.

217 Section 4. Subsections (1) and (2), paragraph (a) of  
 218 subsection (4), and paragraph (b) of subsection (8) of section  
 219 1003.428, Florida Statutes, are amended to read:

220 1003.428 General requirements for high school graduation;  
 221 revised.—

222 (1) Except as otherwise authorized pursuant to s.  
 223 1003.429, beginning with students entering grade 9 ~~their first~~

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224 ~~year of high school~~ in the 2007-2008 school year, graduation  
 225 requires the successful completion of a minimum of 24 credits,  
 226 an International Baccalaureate curriculum, or an Advanced  
 227 International Certificate of Education curriculum. Students must  
 228 be advised of eligibility requirements for state scholarship  
 229 programs and postsecondary admissions.

230 (2) The 24 credits may be earned through applied,  
 231 integrated, and combined courses approved by the Department of  
 232 Education. Beginning with students entering grade 9 in the 2013-  
 233 2014 school year, one of the 24 credits must contain online  
 234 learning. This requirement shall be met through an online course  
 235 offered by the Florida Virtual School, through a course offered  
 236 by the high school that significantly integrates online content,  
 237 or through an online dual enrollment course offered pursuant to  
 238 a district interinstitutional articulation agreement under s.  
 239 1007.235. A student who is enrolled in a full-time virtual  
 240 instruction program under s. 1002.45 meets this requirement. The  
 241 24 credits ~~and~~ shall be distributed as follows:

- 242 (a) Sixteen core curriculum credits:
- 243 1. Four credits in English, with major concentration in  
 244 composition, reading for information, and literature.
  - 245 2. Four credits in mathematics, one of which must be  
 246 Algebra I, a series of courses equivalent to Algebra I, or a  
 247 higher-level mathematics course. Beginning with students  
 248 entering grade 9 in the 2010-2011 school year, in addition to  
 249 the Algebra I credit requirement, one of the four credits in  
 250 mathematics must be geometry or a series of courses equivalent  
 251 to geometry as approved by the State Board of Education.

252 Beginning with students entering grade 9 in the 2010-2011 school  
 253 year, the end-of-course assessment requirements under s.  
 254 1008.22(3)(c)2.a.(I) must be met in order for a student to earn  
 255 the required credits in Algebra I and geometry. Beginning with  
 256 students entering grade 9 in the 2012-2013 school year, in  
 257 addition to the Algebra I and geometry credit requirements, one  
 258 of the four credits in mathematics must be Algebra II or a  
 259 series of courses equivalent to Algebra II as approved by the  
 260 State Board of Education. ~~School districts are encouraged to set~~  
 261 ~~specific goals to increase enrollments in, and successful~~  
 262 ~~completion of, geometry and Algebra II.~~

263 3. Three credits in science, two of which must have a  
 264 laboratory component. Beginning with students entering grade 9  
 265 in the 2011-2012 school year, one of the three credits in  
 266 science must be Biology I or a series of courses equivalent to  
 267 Biology I as approved by the State Board of Education. Beginning  
 268 with students entering grade 9 in the 2011-2012 school year, the  
 269 end-of-course assessment requirements under s.  
 270 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
 271 the required credit in Biology I. Beginning with students  
 272 entering grade 9 in the 2013-2014 school year, in addition to  
 273 the Biology I credit requirement, one of the three credits in  
 274 science must be chemistry or physics or a series of courses  
 275 equivalent to chemistry or physics as approved by the State  
 276 Board of Education.

277 4. Three credits in social studies as follows: one credit  
 278 in United States ~~American~~ history; one credit in world history;

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279 one-half credit in economics; and one-half credit in United  
280 States ~~American~~ government.

281 5. One credit in fine or performing arts, speech and  
282 debate, or a practical arts course that incorporates artistic  
283 content and techniques of creativity, interpretation, and  
284 imagination. Eligible practical arts courses shall be identified  
285 through the Course Code Directory.

286 6. One credit in physical education to include integration  
287 of health. Participation in an interscholastic sport at the  
288 junior varsity or varsity level for two full seasons shall  
289 satisfy the one-credit requirement in physical education if the  
290 student passes a competency test on personal fitness with a  
291 score of "C" or better. The competency test on personal fitness  
292 must be developed by the Department of Education. A district  
293 school board may not require that the one credit in physical  
294 education be taken during the 9th grade year. Completion of one  
295 semester with a grade of "C" or better in a marching band class,  
296 in a physical activity class that requires participation in  
297 marching band activities as an extracurricular activity, or in a  
298 dance class shall satisfy one-half credit in physical education  
299 or one-half credit in performing arts. This credit may not be  
300 used to satisfy the personal fitness requirement or the  
301 requirement for adaptive physical education under an individual  
302 education plan (IEP) or 504 plan. Completion of 2 years in a  
303 Reserve Officer Training Corps (R.O.T.C.) class, a significant  
304 component of which is drills, shall satisfy the one-credit  
305 requirement in physical education and the one-credit requirement  
306 in performing arts. This credit may not be used to satisfy the

307 personal fitness requirement or the requirement for adaptive  
 308 physical education under an individual education plan (IEP) or  
 309 504 plan.

310 (b) Eight credits in majors, minors, or electives:

311 1. Four credits in a major area of interest, such as  
 312 sequential courses in a career and technical program, fine and  
 313 performing arts, or academic content area, selected by the  
 314 student as part of the education plan required by s. 1003.4156.  
 315 Students may revise major areas of interest each year as part of  
 316 annual course registration processes and should update their  
 317 education plan to reflect such revisions. Annually by October 1,  
 318 the district school board shall approve major areas of interest  
 319 and submit the list of majors to the Commissioner of Education  
 320 for approval. Each major area of interest shall be deemed  
 321 approved unless specifically rejected by the commissioner within  
 322 60 days. Upon approval, each district's major areas of interest  
 323 shall be available for use by all school districts and shall be  
 324 posted on the department's website.

325 2. Four credits in elective courses selected by the  
 326 student as part of the education plan required by s. 1003.4156.  
 327 These credits may be combined to allow for a second major area  
 328 of interest pursuant to subparagraph 1., a minor area of  
 329 interest, elective courses, or intensive reading or mathematics  
 330 intervention courses as described in this subparagraph.

331 a. Minor areas of interest are composed of three credits  
 332 selected by the student as part of the education plan required  
 333 by s. 1003.4156 and approved by the district school board.

334 b. Elective courses are selected by the student in order

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335 to pursue a complete education program as described in s.  
336 1001.41(3) and to meet eligibility requirements for  
337 scholarships.

338 c. For each year in which a student scores at Level 1 on  
339 FCAT Reading, the student must be enrolled in and complete an  
340 intensive reading course the following year. Placement of Level  
341 2 readers in either an intensive reading course or a content  
342 area course in which reading strategies are delivered shall be  
343 determined by diagnosis of reading needs. The department shall  
344 provide guidance on appropriate strategies for diagnosing and  
345 meeting the varying instructional needs of students reading  
346 below grade level. Reading courses shall be designed and offered  
347 pursuant to the comprehensive reading plan required by s.  
348 1011.62(9).

349 d. For each year in which a student scores at Level 1 or  
350 Level 2 on FCAT Mathematics, the student must receive  
351 remediation the following year. These courses may be taught  
352 through applied, integrated, or combined courses and are subject  
353 to approval by the department for inclusion in the Course Code  
354 Directory.

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

357 (a) Successful completion of the academic credit or  
358 curriculum requirements of subsections (1) and (2). For courses  
359 that require statewide, standardized end-of-course assessments  
360 under s. 1008.22(3)(c)2.c., a minimum of 30 percent of a  
361 student's course grade shall be comprised of performance on the  
362 statewide, standardized end-of-course assessment.

363  
364 Each district school board shall adopt policies designed to  
365 assist students in meeting the requirements of this subsection.  
366 These policies may include, but are not limited to: forgiveness  
367 policies, summer school or before or after school attendance,  
368 special counseling, volunteers or peer tutors, school-sponsored  
369 help sessions, homework hotlines, and study skills classes.  
370 Forgiveness policies for required courses shall be limited to  
371 replacing a grade of "D" or "F," or the equivalent of a grade of  
372 "D" or "F," with a grade of "C" or higher, or the equivalent of  
373 a grade of "C" or higher, earned subsequently in the same or  
374 comparable course. Forgiveness policies for elective courses  
375 shall be limited to replacing a grade of "D" or "F," or the  
376 equivalent of a grade of "D" or "F," with a grade of "C" or  
377 higher, or the equivalent of a grade of "C" or higher, earned  
378 subsequently in another course. The only exception to these  
379 forgiveness policies shall be made for a student in the middle  
380 grades who takes any high school course for high school credit  
381 and earns a grade of "C," "D," or "F" or the equivalent of a  
382 grade of "C," "D," or "F." In such case, the district  
383 forgiveness policy must allow the replacement of the grade with  
384 a grade of "C" or higher, or the equivalent of a grade of "C" or  
385 higher, earned subsequently in the same or comparable course. In  
386 all cases of grade forgiveness, only the new grade shall be used  
387 in the calculation of the student's grade point average. Any  
388 course grade not replaced according to a district school board  
389 forgiveness policy shall be included in the calculation of the  
390 cumulative grade point average required for graduation.

391 (8)  
 392 (b)1. A student with a disability, as defined in s.  
 393 1007.02(2), for whom the individual education plan (IEP)  
 394 committee determines that the FCAT cannot accurately measure the  
 395 student's abilities, taking into consideration all allowable  
 396 accommodations, shall have the FCAT requirement of paragraph  
 397 (4)(b) waived for the purpose of receiving a standard high  
 398 school diploma, if the student:

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

401 ~~b.2.~~ Does not meet the requirements of paragraph (4)(b)  
 402 after one opportunity in 10th grade and one opportunity in 11th  
 403 grade.

404 2. A student with a disability, as defined in s.  
 405 1007.02(2), for whom the individual education plan (IEP)  
 406 committee determines that an end-of-course assessment cannot  
 407 accurately measure the student's abilities, taking into  
 408 consideration all allowable accommodations, shall have the end-  
 409 of-course assessment results waived for the purpose of  
 410 determining the student's course grade and credit as required in  
 411 paragraph (4)(a).

412 Section 5. Subsections (1) and (5), paragraph (c) of  
 413 subsection (7), and subsection (8) of section 1003.429, Florida  
 414 Statutes, are amended to read:

415 1003.429 Accelerated high school graduation options.—

416 (1) Students who enter grade 9 in the 2006-2007 school  
 417 year and thereafter may select, upon receipt of each consent  
 418 required by this section, one of the following three high school

419 graduation options:

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

422 (b) Completion of a 3-year standard college preparatory  
423 program requiring successful completion of a minimum of 18  
424 academic credits in grades 9 through 12. At least 6 of the 18  
425 credits required for completion of this program must be received  
426 in classes that are offered pursuant to the International  
427 Baccalaureate Program, the Advanced Placement Program, dual  
428 enrollment, Advanced International Certificate of Education, or  
429 specifically listed or identified by the Department of Education  
430 as rigorous pursuant to s. 1009.531(3). Beginning with students  
431 entering grade 9 in the 2013-2014 school year, one of the 18  
432 credits must contain online learning. This requirement shall be  
433 met through an online course offered by the Florida Virtual  
434 School, through a course offered by the high school that  
435 significantly integrates online content, or through an online  
436 dual enrollment course offered pursuant to a district  
437 interinstitutional articulation agreement under s. 1007.235. A  
438 student who is enrolled in a full-time virtual instruction  
439 program under s. 1002.45 meets this requirement. The 18 credits  
440 required for completion of this program shall be primary  
441 requirements and shall be distributed as follows:

442 1. Four credits in English, with major concentration in  
443 composition and literature;

444 2. Three credits and, beginning with students entering  
445 grade 9 in the 2010-2011 school year, four credits in  
446 mathematics at the Algebra I level or higher from the list of

447 courses that qualify for state university admission. Beginning  
 448 with students entering grade 9 in the 2010-2011 school year, in  
 449 addition to the Algebra I credit requirement, one of the four  
 450 credits in mathematics must be geometry or a series of courses  
 451 equivalent to geometry as approved by the State Board of  
 452 Education. Beginning with students entering grade 9 in the 2010-  
 453 2011 school year, the end-of-course assessment requirements  
 454 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
 455 to earn the required credits in Algebra I and geometry.  
 456 Beginning with students entering grade 9 in the 2012-2013 school  
 457 year, in addition to the Algebra I and geometry credit  
 458 requirements, one of the four credits in mathematics must be  
 459 Algebra II or a series of courses equivalent to Algebra II as  
 460 approved by the State Board of Education;

461 3. Three credits in ~~natural~~ science, two of which must  
 462 have a laboratory component. Beginning with students entering  
 463 grade 9 in the 2011-2012 school year, one of the three credits  
 464 in science must be Biology I or a series of courses equivalent  
 465 to Biology I as approved by the State Board of Education.  
 466 Beginning with students entering grade 9 in the 2011-2012 school  
 467 year, the end-of-course assessment requirements under s.  
 468 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
 469 the required credit in Biology I. Beginning with students  
 470 entering grade 9 in the 2013-2014 school year, in addition to  
 471 the Biology I credit requirement, one of the three credits in  
 472 science must be chemistry or physics or a series of courses  
 473 equivalent to chemistry or physics as approved by the State  
 474 Board of Education;

475           4. Three credits in social sciences, which must include  
 476 one credit in United States ~~American~~ history, one credit in  
 477 world history, one-half credit in United States ~~American~~  
 478 government, and one-half credit in economics;

479           5. Two credits in the same second language unless the  
 480 student is a native speaker of or can otherwise demonstrate  
 481 competency in a language other than English. If the student  
 482 demonstrates competency in another language, the student may  
 483 replace the language requirement with two credits in other  
 484 academic courses; and

485           6. Three credits and, beginning with students entering  
 486 grade 9 in the 2010-2011 school year, two credits in electives;  
 487 or

488           (c) Completion of a 3-year career preparatory program  
 489 requiring successful completion of a minimum of 18 academic  
 490 credits in grades 9 through 12. Beginning with students entering  
 491 grade 9 in the 2013-2014 school year, one of the 18 credits must  
 492 contain online learning. This requirement shall be met through  
 493 an online course offered by the Florida Virtual School, through  
 494 a course offered by the high school that significantly  
 495 integrates online content, or through an online dual enrollment  
 496 course offered pursuant to a district interinstitutional  
 497 articulation agreement under s. 1007.235. A student who is  
 498 enrolled in a full-time virtual instruction program under s.  
 499 1002.45 meets this requirement. The 18 credits shall be primary  
 500 requirements and shall be distributed as follows:

501           1. Four credits in English, with major concentration in  
 502 composition and literature;

503           2. Three credits and, beginning with students entering  
 504 grade 9 in the 2010-2011 school year, four credits in  
 505 mathematics, one of which must be Algebra I. Beginning with  
 506 students entering grade 9 in the 2010-2011 school year, in  
 507 addition to the Algebra I credit requirement, one of the four  
 508 credits in mathematics must be geometry or a series of courses  
 509 equivalent to geometry as approved by the State Board of  
 510 Education. Beginning with students entering grade 9 in the 2010-  
 511 2011 school year, the end-of-course assessment requirements  
 512 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
 513 to earn the required credits in Algebra I and geometry.  
 514 Beginning with students entering grade 9 in the 2012-2013 school  
 515 year, in addition to the Algebra I and geometry credit  
 516 requirements, one of the four credits in mathematics must be  
 517 Algebra II or a series of courses equivalent to Algebra II as  
 518 approved by the State Board of Education;

519           3. Three credits in ~~natural~~ science, two of which must  
 520 have a laboratory component. Beginning with students entering  
 521 grade 9 in the 2011-2012 school year, one of the three credits  
 522 in science must be Biology I or a series of courses equivalent  
 523 to Biology I as approved by the State Board of Education.  
 524 Beginning with students entering grade 9 in the 2011-2012 school  
 525 year, the end-of-course assessment requirements under s.  
 526 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
 527 the required credit in Biology I. Beginning with students  
 528 entering grade 9 in the 2013-2014 school year, in addition to  
 529 the Biology I credit requirement, one of the three credits in  
 530 science must be chemistry or physics or a series of courses

531 equivalent to chemistry or physics as approved by the State  
 532 Board of Education;

533 4. Three credits in social sciences, which must include  
 534 one credit in United States ~~American~~ history, one credit in  
 535 world history, one-half credit in United States ~~American~~  
 536 government, and one-half credit in economics;

537 5. Three credits in a single vocational or career  
 538 education program, three credits in career and technical  
 539 certificate dual enrollment courses, or five credits in  
 540 vocational or career education courses; and

541 6. Two credits and, beginning with students entering grade  
 542 9 in the 2010-2011 school year, one credit in electives unless  
 543 five credits are earned pursuant to subparagraph 5.

544  
 545 Any student who selected an accelerated graduation program  
 546 before July 1, 2004, may continue that program, and all  
 547 statutory program requirements that were applicable when the  
 548 student made the program choice shall remain applicable to the  
 549 student as long as the student continues that program.

550 (5) District school boards may not establish requirements  
 551 for accelerated 3-year high school graduation options in excess  
 552 of the requirements in paragraphs (1)(b) and (c). For courses  
 553 that require statewide, standardized end-of-course assessments  
 554 under s. 1008.22(3)(c)2.c., a minimum of 30 percent of a  
 555 student's course grade shall be comprised of performance on the  
 556 statewide, standardized end-of-course assessment.

557 (7) If, at the end of grade 10, a student is not on track  
 558 to meet the credit, assessment, or grade-point-average

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559 requirements of the accelerated graduation option selected, the  
560 school shall notify the student and parent of the following:

561 (c) The right of the student to change to the 4-year  
562 program set forth in s. 1003.428 or s. 1003.43, as applicable.

563 (8) A student who selected one of the accelerated 3-year  
564 graduation options shall automatically move to the 4-year  
565 program set forth in s. 1003.428 or s. 1003.43, as applicable,  
566 if the student:

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

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

571 (c) Does not achieve a score of 3 or higher on the grade  
572 10 FCAT Writing assessment; or

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

575 Section 6. Section 1003.4295, Florida Statutes, is created  
576 to read:

577 1003.4295 Acceleration courses.-

578 (1) Each high school shall advise each student of programs  
579 through which a high school student can earn college credit,  
580 including Advanced Placement, International Baccalaureate,  
581 Advanced International Certificate of Education, dual  
582 enrollment, or industry certification, as well as the  
583 availability of course offerings through the Florida Virtual  
584 School.

585 (2) Beginning with the 2011-2012 school year, each high  
586 school shall offer an International Baccalaureate Program, an

587 Advanced International Certificate of Education Program, or a  
 588 combination of at least four courses in dual enrollment or  
 589 Advanced Placement, including one course each in English,  
 590 mathematics, science, and social studies. To meet this  
 591 requirement, school districts may utilize the course offerings  
 592 provided by the Florida Virtual School established under s.  
 593 1002.37 or through virtual instruction programs authorized under  
 594 s. 1002.45.

595 Section 7. Subsection (6) of section 1003.437, Florida  
 596 Statutes, is amended to read:

597 1003.437 Middle and high school grading system.—The  
 598 grading system and interpretation of letter grades used for  
 599 students in public schools in grades 6-12 shall be as follows:

600 (6) Grade "I" equals zero percent, has a grade point  
 601 average value of zero, and is defined as "incomplete." A high  
 602 school student who fails to pass an end-of-course assessment  
 603 required under s. 1008.22(3)(c) may receive a grade "I" in the  
 604 course until the next administration of the end-of-course  
 605 assessment if the student otherwise substantially knows and  
 606 understands the course curriculum. If the student then passes  
 607 the end-of-course assessment, the appropriate grade shall be  
 608 substituted.

609  
 610 For the purposes of class ranking, district school boards may  
 611 exercise a weighted grading system pursuant to s. 1007.271.

612 Section 8. Paragraph (k) of subsection (4) of section  
 613 1003.493, Florida Statutes, is amended to read:

614 1003.493 Career and professional academies.—

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615 (4) Each career and professional academy must:  
 616 (k) Include an evaluation plan developed jointly with the  
 617 Department of Education and the local workforce board. The  
 618 evaluation plan must include an assessment tool based on  
 619 national industry standards, such as the Career Academy National  
 620 Standards of Practice, and outcome measures, including, but not  
 621 limited to, achievement of industry certifications, graduation  
 622 rates, enrollment in postsecondary education, business and  
 623 industry satisfaction, employment and earnings, awards of  
 624 postsecondary credit and scholarships, and student FCAT  
 625 achievement levels and learning gains on statewide assessments  
 626 administered under s. 1008.22(3)(c). The Department of Education  
 627 shall use Workforce Florida, Inc., and Enterprise Florida, Inc.,  
 628 in identifying industry experts to participate in developing and  
 629 implementing such assessments.

630 Section 9. Paragraph (c) of subsection (6) of section  
 631 1007.35, Florida Statutes, is amended to read:

632 1007.35 Florida Partnership for Minority and  
 633 Underrepresented Student Achievement.—

634 (6) The partnership shall:

635 (c) Provide teacher training and materials that are  
 636 aligned with the Next Generation Sunshine State Standards and  
 637 are consistent with best theory and practice regarding multiple  
 638 learning styles and research on learning, instructional  
 639 strategies, instructional design, and classroom assessment.  
 640 Curriculum materials must be based on current, accepted, and  
 641 essential academic knowledge. ~~Materials for prerequisite courses~~  
 642 ~~should, at a minimum, address the skills assessed on the Florida~~

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643 ~~Comprehensive Assessment Test (FCAT).~~

644 Section 10. Paragraph (c) of subsection (3) and  
 645 subsections (6), (9), and (10) of section 1008.22, Florida  
 646 Statutes, are amended, present subsections (11) and (12) are  
 647 renumbered as subsections (12) and (13), respectively, and a new  
 648 subsection (11) is added to that section, to read:

649 1008.22 Student assessment program for public schools.—

650 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
 651 design and implement a statewide program of educational  
 652 assessment that provides information for the improvement of the  
 653 operation and management of the public schools, including  
 654 schools operating for the purpose of providing educational  
 655 services to youth in Department of Juvenile Justice programs.  
 656 The commissioner may enter into contracts for the continued  
 657 administration of the assessment, testing, and evaluation  
 658 programs authorized and funded by the Legislature. Contracts may  
 659 be initiated in 1 fiscal year and continue into the next and may  
 660 be paid from the appropriations of either or both fiscal years.  
 661 The commissioner is authorized to negotiate for the sale or  
 662 lease of tests, scoring protocols, test scoring services, and  
 663 related materials developed pursuant to law. Pursuant to the  
 664 statewide assessment program, the commissioner shall:

665 (c) Develop and implement a student achievement testing  
 666 program as follows:

667 1. ~~known as~~ The Florida Comprehensive Assessment Test  
 668 (FCAT) measures as part of the statewide assessment program to  
 669 ~~measure~~ a student's content knowledge and skills in reading,  
 670 writing, science, and mathematics. The content knowledge and

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671 skills assessed by the FCAT must be aligned to the core  
 672 curricular content established in the Next Generation Sunshine  
 673 State Standards. Other content areas may be included as directed  
 674 by the commissioner. Comprehensive assessments of reading and  
 675 mathematics shall be administered annually in grades 3 through  
 676 10 except, beginning with students entering grade 9 in the 2010-  
 677 2011 school year, the end-of-course assessments in Algebra I and  
 678 geometry required under sub-sub-subparagraph 2.a.(I) shall  
 679 replace grade 9 and grade 10 FCAT Mathematics. Comprehensive  
 680 assessments of writing and science shall be administered at  
 681 least once at the elementary, middle, and high school levels  
 682 except, beginning with students entering grade 9 in the 2011-  
 683 2012 school year, the end-of-course assessment in Biology I  
 684 required under sub-sub-subparagraph 2.a.(II) shall replace FCAT  
 685 Science at the high school level.

686 2.a. End-of-course assessments for a subject shall ~~may~~ be  
 687 administered in addition to the comprehensive assessments  
 688 required ~~for that subject~~ under subparagraph 1. ~~this paragraph.~~  
 689 ~~An~~ End-of-course assessments ~~assessment~~ must be rigorous,  
 690 statewide, standardized, and developed or approved by the  
 691 department. The content knowledge and skills assessed by  
 692 ~~comprehensive and~~ end-of-course assessments must be aligned to  
 693 the core curricular content established in the Next Generation  
 694 Sunshine State Standards.

695 (I) Statewide, standardized end-of-course assessments in  
 696 mathematics shall be administered according to this sub-sub-  
 697 subparagraph. Beginning with the 2010-2011 school year, all  
 698 students enrolled in Algebra I or an equivalent course must take

699 the Algebra I end-of-course assessment. For students entering  
 700 grade 9 during the 2010-2011 school year, each student's  
 701 performance on the end-of-course assessment in Algebra I shall  
 702 constitute 30 percent of the student's final course grade.  
 703 Beginning with students entering grade 9 in the 2011-2012 school  
 704 year, a student must earn a passing score on the end-of-course  
 705 assessment in Algebra I in order to pass the course and earn  
 706 course credit. Beginning with the 2010-2011 school year, all  
 707 students enrolled in geometry or an equivalent course must take  
 708 the geometry end-of-course assessment. For students entering  
 709 grade 9 during the 2010-2011 and 2011-2012 school years, each  
 710 student's performance on the end-of-course assessment in  
 711 geometry shall constitute 30 percent of the student's final  
 712 course grade. Beginning with students entering grade 9 during  
 713 the 2012-2013 school year, a student must earn a passing score  
 714 on the end-of-course assessment in geometry in order to pass the  
 715 course and earn course credit.

716 (II) A statewide, standardized end-of-course assessment in  
 717 Biology I shall be administered according to this sub-sub-  
 718 subparagraph. Beginning with the 2011-2012 school year, all  
 719 students enrolled in Biology I or an equivalent course must take  
 720 the Biology I end-of-course assessment. For students entering  
 721 grade 9 during the 2011-2012 school year, each student's  
 722 performance on the end-of-course assessment in Biology I shall  
 723 constitute 30 percent of the student's final course grade.  
 724 Beginning with students entering grade 9 during the 2012-2013  
 725 school year, a student must earn a passing score on the end-of-

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726 course assessment in Biology I in order to pass the course and  
727 earn course credit.

728 b. The commissioner may select one or more nationally  
729 developed comprehensive examinations, which may include, but  
730 need not be limited to, examinations for a College Board  
731 Advanced Placement course, International Baccalaureate course,  
732 or Advanced International Certificate of Education course or  
733 industry-approved examinations to earn national industry  
734 certifications as defined in s. 1003.492, for use as end-of-  
735 course assessments under this paragraph, if the commissioner  
736 determines that the content knowledge and skills assessed by the  
737 examinations meet or exceed the grade level expectations for the  
738 core curricular content established for the course in the Next  
739 Generation Sunshine State Standards. The commissioner may  
740 collaborate with the American Diploma Project in the adoption or  
741 development of rigorous end-of-course assessments that are  
742 aligned to the Next Generation Sunshine State Standards. ~~The~~  
743 ~~testing program must be designed as follows:~~

744 c. Contingent upon funding provided in the General  
745 Appropriations Act, including appropriation of federal funds,  
746 the Commissioner of Education shall establish an implementation  
747 schedule for the development and administration of statewide,  
748 standardized end-of-course assessments in English/Language Arts  
749 II, Algebra II, chemistry, physics, earth/space science, United  
750 States history, and world history. Priority shall be given to  
751 the development of an end-of-course assessment in  
752 English/Language Arts II. The Commissioner of Education shall  
753 evaluate the feasibility and effect of transitioning from the

754 grade 9 and grade 10 FCAT Reading and high school level FCAT  
 755 Writing to an end-of-course assessment in English/Language Arts  
 756 II. The commissioner shall report the results of the evaluation  
 757 to the President of the Senate and the Speaker of the House of  
 758 Representatives no later July 1, 2011.

759 3.1. The testing program ~~tests~~ shall measure student  
 760 skills and competencies adopted by the State Board of Education  
 761 as specified in paragraph (a) and. ~~The tests must~~ measure and  
 762 report student performance ~~proficiency~~ levels of all students  
 763 assessed in reading, writing, mathematics, and science. The  
 764 commissioner shall provide for the tests to be developed or  
 765 obtained, as appropriate, through contracts and project  
 766 agreements with private vendors, public vendors, public  
 767 agencies, postsecondary educational institutions, or school  
 768 districts. The commissioner shall obtain input with respect to  
 769 the design and implementation of the testing program from state  
 770 educators, assistive technology experts, and the public.

771 4.2. The testing program shall be composed of criterion-  
 772 referenced tests that shall, to the extent determined by the  
 773 commissioner, include test items that require the student to  
 774 produce information or perform tasks in such a way that the core  
 775 content knowledge and skills he or she uses can be measured.

776 ~~3. Beginning with the 2008-2009 school year, the~~  
 777 ~~commissioner shall discontinue administration of the selected-~~  
 778 ~~response test items on the comprehensive assessments of writing.~~  
 779 ~~Beginning with the 2012-2013 school year, the comprehensive~~  
 780 ~~assessments of writing shall be composed of a combination of~~  
 781 ~~selected response test items, short response performance tasks,~~

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782 ~~and extended response performance tasks, which shall measure a~~  
783 ~~student's content knowledge of writing, including, but not~~  
784 ~~limited to, paragraph and sentence structure, sentence~~  
785 ~~construction, grammar and usage, punctuation, capitalization,~~  
786 ~~spelling, parts of speech, verb tense, irregular verbs, subject-~~  
787 ~~verb agreement, and noun-pronoun agreement.~~

788 5.4. FCAT Reading, Mathematics, and Science and all  
789 statewide, standardized end-of-course assessments shall measure,  
790 by use of scaled scores and achievement levels, the content  
791 knowledge and skills a student has attained. Achievement levels  
792 shall range from 1 through 5, with level 1 being the lowest  
793 achievement level, level 5 being the highest achievement level,  
794 and level 3 indicating satisfactory performance on an  
795 assessment. For FCAT Writing, student achievement shall be  
796 scored using the rubric scale of 1 through 6 and the score  
797 earned shall be used in calculating school grades. A score shall  
798 be designated for each subject area tested, below which score a  
799 student's performance is deemed inadequate. The school districts  
800 shall provide appropriate remedial instruction to students who  
801 score below these levels.

802 ~~6.5. Except as provided in s. 1003.428(8)(b) or s.~~  
803 ~~1003.43(11)(b), students must earn a passing score on the grade~~  
804 ~~10 assessment test described in this paragraph or attain~~  
805 ~~concordant scores as described in subsection (10) in reading,~~  
806 ~~writing, and mathematics to qualify for a standard high school~~  
807 ~~diploma. The State Board of Education shall, by rule, designate~~  
808 ~~a passing score for each part of the grade 10 assessment test~~  
809 ~~and end-of-course assessments. In establishing passing scores,~~

810 the state board shall consider any possible negative impact of  
 811 the test on minority students. ~~The State Board of Education~~  
 812 ~~shall adopt rules which specify the passing scores for the grade~~  
 813 ~~10 FCAT.~~ Any such rules that, ~~which~~ have the effect of raising  
 814 the required passing scores, shall apply only to students taking  
 815 the assessment grade 10 FCAT for the first time after such rules  
 816 are adopted by the State Board of Education. Except as otherwise  
 817 provided in this paragraph and as provided in s. 1003.428(8)(b)  
 818 or s. 1003.43(11)(b), students must earn a passing score on  
 819 grade 10 FCAT Reading and grade 10 FCAT Mathematics or attain  
 820 concordant scores as described in subsection (10) to qualify for  
 821 a standard high school diploma.

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

828 8.6. Participation in the testing program is mandatory for  
 829 all students attending public school, including students served  
 830 in Department of Juvenile Justice programs, except as otherwise  
 831 prescribed by the commissioner. A student who has not earned  
 832 passing scores on the grade 10 FCAT as provided in subparagraph  
 833 6. must participate in each retake of the assessment until the  
 834 student earns passing scores or achieves scores on a  
 835 standardized assessment that are concordant with passing scores  
 836 pursuant to subsection (10). If a student does not participate  
 837 in the statewide assessment, the district must notify the

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838 student's parent and provide the parent with information  
839 regarding the implications of such nonparticipation. A parent  
840 must provide signed consent for a student to receive classroom  
841 instructional accommodations that would not be available or  
842 permitted on the statewide assessments and must acknowledge in  
843 writing that he or she understands the implications of such  
844 instructional accommodations. The State Board of Education shall  
845 adopt rules, based upon recommendations of the commissioner, for  
846 the provision of test accommodations for students in exceptional  
847 education programs and for students who have limited English  
848 proficiency. Accommodations that negate the validity of a  
849 statewide assessment are not allowable in the administration of  
850 the FCAT or an end-of-course assessment. However, instructional  
851 accommodations are allowable in the classroom if included in a  
852 student's individual education plan. Students using  
853 instructional accommodations in the classroom that are not  
854 allowable as accommodations on the FCAT or an end-of-course  
855 assessment may have the FCAT or end-of-course assessment  
856 requirement waived pursuant to the requirements of s.  
857 1003.428(8)(b) or s. 1003.43(11)(b).

858 ~~9.7.~~ A student seeking an adult high school diploma must  
859 meet the same testing requirements that a regular high school  
860 student must meet.

861 ~~10.8.~~ District school boards must provide instruction to  
862 prepare students ~~to demonstrate proficiency~~ in the core  
863 curricular content established in the Next Generation Sunshine  
864 State Standards adopted under s. 1003.41, including the core  
865 content knowledge and skills necessary for successful grade-to-

866 grade progression and high school graduation. If a student is  
 867 provided with instructional accommodations in the classroom that  
 868 are not allowable as accommodations in the statewide assessment  
 869 program, as described in the test manuals, the district must  
 870 inform the parent in writing and must provide the parent with  
 871 information regarding the impact on the student's ability to  
 872 meet expected performance ~~proficiency~~ levels in reading,  
 873 writing, ~~and~~ mathematics, and science. The commissioner shall  
 874 conduct studies as necessary to verify that the required core  
 875 curricular content is part of the district instructional  
 876 programs.

877 ~~11.9.~~ District school boards must provide opportunities  
 878 for students to demonstrate an acceptable level of performance  
 879 on an alternative standardized assessment approved by the State  
 880 Board of Education following enrollment in summer academies.

881 ~~12.10.~~ The Department of Education must develop, or  
 882 select, and implement a common battery of assessment tools that  
 883 will be used in all juvenile justice programs in the state.  
 884 These tools must accurately measure the core curricular content  
 885 established in the Next Generation Sunshine State Standards.

886 ~~13.11.~~ For students seeking a special diploma pursuant to  
 887 s. 1003.438, the Department of Education must develop or select  
 888 and implement an alternate assessment tool that accurately  
 889 measures the core curricular content established in the Next  
 890 Generation Sunshine State Standards for students with  
 891 disabilities under s. 1003.438.

892 ~~14.12.~~ The Commissioner of Education shall establish  
 893 schedules for the administration of statewide assessments and

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894 the reporting of student test results. The commissioner shall,  
895 by August 1 of each year, notify each school district in writing  
896 and publish on the department's Internet website the testing and  
897 reporting schedules for, at a minimum, the school year following  
898 the upcoming school year. The testing and reporting schedules  
899 shall require that:

900 a. There is the latest possible administration of  
901 statewide assessments and the earliest possible reporting to the  
902 school districts of student test results which is feasible  
903 within available technology and specific appropriations;  
904 however, test results for the FCAT must be made available no  
905 later than the week of June 8. Student results for end-of-course  
906 assessments must be provided no later than 1 week after the  
907 school district completes testing for each course ~~final day of~~  
908 ~~the regular school year for students.~~

909 b. Beginning with the 2010-2011 school year, FCAT a  
910 ~~comprehensive statewide assessment of~~ Writing is not  
911 administered earlier than the week of March 1 and a  
912 comprehensive statewide assessment of any other subject is not  
913 administered earlier than the week of April 15.

914 c. A statewide, standardized end-of-course assessment is  
915 administered during a 3-week period at the end of a year-long  
916 course. The commissioner shall select a 3-week administration  
917 period for assessments that meets the intent of end-of-course  
918 assessments and provides student results prior to the end of the  
919 course. School districts shall select one testing week within  
920 the 3-week administration period for each end-of-course  
921 assessment. For an end-of-course assessment administered at the

922 end of a semester-long course, the commissioner shall determine  
 923 the most appropriate testing dates based on a school district's  
 924 academic calendar ~~within the last 2 weeks of the course.~~

925  
 926 The commissioner may, based on collaboration and input from  
 927 school districts, design and implement student testing programs,  
 928 for any grade level and subject area, necessary to effectively  
 929 monitor educational achievement in the state, including the  
 930 measurement of educational achievement of the Next Generation  
 931 Sunshine State Standards for students with disabilities.

932 Development and refinement of assessments shall include  
 933 universal design principles and accessibility standards that  
 934 will prevent any unintended obstacles for students with  
 935 disabilities while ensuring the validity and reliability of the  
 936 test. These principles should be applicable to all technology  
 937 platforms and assistive devices available for the assessments.  
 938 The field testing process and psychometric analyses for the  
 939 statewide assessment program must include an appropriate  
 940 percentage of students with disabilities and an evaluation or  
 941 determination of the effect of test items on such students.

942 (6) SCHOOL TESTING PROGRAMS.—Each public school shall  
 943 participate in the statewide assessment program in accordance  
 944 with the testing and reporting schedules published by the  
 945 Commissioner of Education under subparagraph (3) (c) 14.12.~~12~~ unless  
 946 specifically exempted by state board rule based on serving a  
 947 specialized population for which standardized testing is not  
 948 appropriate. Student performance data shall be analyzed and  
 949 reported to parents, the community, and the state. Student

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950 performance data shall be used in developing objectives of the  
 951 school improvement plan, evaluation of instructional personnel,  
 952 evaluation of administrative personnel, assignment of staff,  
 953 allocation of resources, acquisition of instructional materials  
 954 and technology, performance-based budgeting, and promotion and  
 955 assignment of students into educational programs. The analysis  
 956 of student performance data also must identify strengths and  
 957 needs in the educational program and trends over time. The  
 958 analysis must be used in conjunction with the budgetary planning  
 959 processes developed pursuant to s. 1008.385 and the development  
 960 of the programs of remediation.

961 (9) APPLICABILITY OF TESTING STANDARDS.—

962 (a) If the Commissioner of Education revises a statewide  
 963 assessment and the revisions require the State Board of  
 964 Education to modify the assessment's performance ~~proficiency~~  
 965 levels or modify the passing scores ~~required for a standard high~~  
 966 ~~school diploma~~, until the state board adopts the modifications  
 967 by rule, the commissioner shall use calculations for scoring the  
 968 assessment which adjust student scores on the revised assessment  
 969 for statistical equivalence to student scores on the former  
 970 assessment.

971 (b) A student must attain the passing scores on the  
 972 statewide assessment required for a standard high school diploma  
 973 or for high school course credits under sub-sub-subparagraphs  
 974 (3)(c)2.a.(I) and (II) which are in effect at the time the  
 975 student enters grade 9 if the student's enrollment is  
 976 continuous.

977 (c) If the commissioner revises a statewide assessment and

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978 | the revisions require the State Board of Education to modify the  
 979 | passing scores required for a standard high school diploma or  
 980 | for high school course credits under sub-sub-subparagraphs  
 981 | (3)(c)2.a (I) and (II), the commissioner may, with approval of  
 982 | the state board, discontinue administration of the former  
 983 | assessment upon the graduation, based on normal student  
 984 | progression, of students participating in the final regular  
 985 | administration of the former assessment. The state board shall  
 986 | adopt by rule passing scores for the revised assessment which  
 987 | are statistically equivalent to passing scores on the  
 988 | discontinued assessment for a student required under paragraph  
 989 | (b) to attain passing scores on the discontinued assessment.  
 990 |       (10) CONCORDANT SCORES FOR THE FCAT.—  
 991 |       (a) The Commissioner ~~State Board~~ of Education shall  
 992 | analyze the content and concordant data sets for ~~widely used~~  
 993 | high school achievement tests, including, but not limited to,  
 994 | the PSAT, PLAN, SAT, ACT, and College Placement Test, to assess  
 995 | if concordant scores for FCAT scores can be determined for high  
 996 | school graduation, ~~college placement, and scholarship awards.~~  
 997 | When ~~In cases where~~ content alignment and concordant scores can  
 998 | be determined, the Commissioner of Education shall adopt those  
 999 | scores as meeting the graduation requirement in lieu of  
 1000 | achieving the FCAT passing score and may adopt those scores as  
 1001 | being sufficient to achieve additional purposes as determined by  
 1002 | rule. Each time that test content or scoring procedures change  
 1003 | for the FCAT or for a high school achievement test for which a  
 1004 | concordant score is determined, new concordant scores must be  
 1005 | determined. Concordant scores earned before taking the grade 10

1006 FCAT for the first time in grade 10 may not be used to satisfy  
 1007 the requirement in this paragraph.

1008 ~~(b) In order to use a concordant subject area score~~  
 1009 ~~pursuant to this subsection to satisfy the assessment~~  
 1010 ~~requirement for a standard high school diploma as provided in s.~~  
 1011 ~~1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must~~  
 1012 ~~take each subject area of the grade 10 FCAT a total of three~~  
 1013 ~~times without earning a passing score. The requirements of this~~  
 1014 ~~paragraph shall not apply to a new student who enters the~~  
 1015 ~~Florida public school system in grade 12, who may either achieve~~  
 1016 ~~a passing score on the FCAT or use an approved subject area~~  
 1017 ~~concordant score to fulfill the graduation requirement.~~

1018 (b)(e) The State Board of Education may define by rule the  
 1019 allowable uses, other than to satisfy the high school graduation  
 1020 requirement, for concordant scores as described in this  
 1021 subsection. Such uses may include, but need not be limited to,  
 1022 achieving appropriate standardized test scores required for the  
 1023 awarding of Florida Bright Futures Scholarships and college  
 1024 placement.

1025 (11) EQUIVALENT SCORES FOR END-OF-COURSE ASSESSMENTS.—

1026 (a) The Commissioner of Education shall analyze the  
 1027 content and equivalent data sets for high school achievement  
 1028 tests, including, but not limited to, grade 10 FCAT Mathematics  
 1029 retakes until such retakes are discontinued pursuant to  
 1030 subsection (9), the PSAT, the PLAN, the SAT, the ACT, and the  
 1031 College Placement Test, to assess if equivalent scores for end-  
 1032 of-course assessment scores can be determined for passage of an  
 1033 end-of-course assessment. When content alignment and equivalent

1034 scores can be determined, the Commissioner of Education shall  
 1035 adopt those scores as meeting the requirement to pass the end-  
 1036 of-course assessment and as being sufficient to achieve  
 1037 additional purposes as determined by rule. Each time that  
 1038 assessment content or scoring procedures change for an end-of-  
 1039 course assessment or for a high school achievement test for  
 1040 which an equivalent score is determined, new equivalent scores  
 1041 must be determined. Equivalent scores earned before taking an  
 1042 end-of-course assessment for the first time may not be used to  
 1043 satisfy the requirement in this subsection.

1044 (b) In order to use an equivalent score pursuant to this  
 1045 subsection to satisfy the end-of-course assessment requirements  
 1046 under sub-subparagraph (3)(c)2.a., a student must have received  
 1047 a grade "F" in a course solely because the student failed to  
 1048 pass the end-of-course assessment. Use of an equivalent score  
 1049 adopted by the Commissioner of Education under paragraph (a) for  
 1050 purposes of grade adjustment, grade forgiveness, or course  
 1051 credit recovery is contingent upon and subject to district  
 1052 school board rules.

1053 Section 11. 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

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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 12. 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

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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 13. 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 performance on  
 1108 all FCAT assessments administered under s. 1008.22(3)(c)1. and  
 1109 end-of-course assessments administered under s.

1110 1008.22(3)(c)2.a., and achievement scores for students seeking a  
 1111 special diploma.

1112 b. Student learning gains in reading and mathematics as  
 1113 measured by ~~annual~~ FCAT and end-of-course assessments ~~in grades~~  
 1114 ~~3 through 10~~; learning gains for students seeking a special  
 1115 diploma, as measured by an alternate assessment tool, shall be  
 1116 included not 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 and end-of-course assessments, unless these students are  
 1120 exhibiting satisfactory performance.

1121 2. Beginning with the 2009-2010 school year for schools  
 1122 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
 1123 11, and 12, 50 percent of the school grade shall be based on a  
 1124 combination of the factors listed in sub-subparagraphs 1.a.-c.  
 1125 and the remaining 50 percent on the following factors:

1126 a. The high school graduation rate of the school;

1127 b. As valid data becomes available, the performance and  
 1128 participation of the school's students in College Board Advanced  
 1129 Placement courses, International Baccalaureate courses, dual  
 1130 enrollment courses, and Advanced International Certificate of  
 1131 Education courses; and the students' achievement of industry  
 1132 certification, as determined by the Agency for Workforce  
 1133 Innovation under s. 1003.492(2) in a career and professional  
 1134 academy, as described in s. 1003.493;

1135 c. Postsecondary readiness of the school's students as  
 1136 measured by the SAT, ACT, or the common placement test;

1137 d. The high school graduation rate of at-risk students who  
 1138 scored at Level 2 or lower on the grade 8 FCAT Reading and  
 1139 Mathematics examinations;

1140 e. As valid data becomes available, the performance of the  
 1141 school's students on statewide, standardized end-of-course  
 1142 assessments administered under s. 1008.22(3)(c)2.b. and c.; and

1143 f. The growth or decline in the components listed in sub-  
 1144 subparagraphs a.-e. from year to year.

1145 (c) Student assessment data used in determining school

1146 grades shall include:

1147 1. The aggregate scores of all eligible students enrolled  
 1148 in the school who have been assessed on the FCAT assessments  
 1149 administered under s. 1008.22(3)(c)1. and end-of-course  
 1150 assessments administered under s. 1008.22(3)(c)2.a.

1151 2. The aggregate scores of all eligible students enrolled  
 1152 in the school who have been assessed on the FCAT and end-of-  
 1153 course assessments and who have scored at or in the lowest 25th  
 1154 percentile of students in the school in reading and  
 1155 mathematics, ~~or writing,~~ unless these students are exhibiting  
 1156 satisfactory performance.

1157 3. Effective with the 2005-2006 school year, the  
 1158 achievement scores and learning gains of eligible students  
 1159 attending alternative schools that provide dropout prevention  
 1160 and academic intervention services pursuant to s. 1003.53. The  
 1161 term "eligible students" in this subparagraph does not include  
 1162 students attending an alternative school who are subject to  
 1163 district school board policies for expulsion for repeated or  
 1164 serious offenses, who are in dropout retrieval programs serving  
 1165 students who have officially been designated as dropouts, or who  
 1166 are in programs operated or contracted by the Department of  
 1167 Juvenile Justice. The student performance data for eligible  
 1168 students identified in this subparagraph shall be included in  
 1169 the calculation of the home school's grade. As used in this  
 1170 section and s. 1008.341, the term "home school" means the school  
 1171 to which the student would be assigned if the student were not  
 1172 assigned to an alternative school. If an alternative school  
 1173 chooses to be graded under this section, student performance

1174 data for eligible students identified in this subparagraph shall  
 1175 not be included in the home school's grade but shall be included  
 1176 only in the calculation of the alternative school's grade. A  
 1177 school district that fails to assign the FCAT and end-of-course  
 1178 assessment scores of each of its students to his or her home  
 1179 school or to the alternative school that receives a grade shall  
 1180 forfeit Florida School Recognition Program funds for 1 fiscal  
 1181 year. School districts must require collaboration between the  
 1182 home school and the alternative school in order to promote  
 1183 student success. This collaboration must include an annual  
 1184 discussion between the principal of the alternative school and  
 1185 the principal of each student's home school concerning the most  
 1186 appropriate school assignment of the student.

1187 4. Beginning with the 2009-2010 school year for schools  
 1188 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
 1189 11, and 12, the data listed in subparagraphs 1.-3. and the  
 1190 following data as the Department of Education determines such  
 1191 data are valid and available:

1192 a. The high school graduation rate of the school as  
 1193 calculated by the Department of Education;

1194 b. The participation rate of all eligible students  
 1195 enrolled in the school and enrolled in College Board Advanced  
 1196 Placement courses; International Baccalaureate courses; dual  
 1197 enrollment courses; Advanced International Certificate of  
 1198 Education courses; and courses or sequence of courses leading to  
 1199 industry certification, as determined by the Agency for  
 1200 Workforce Innovation under s. 1003.492(2) in a career and  
 1201 professional academy, as described in s. 1003.493;

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1202 c. The aggregate scores of all eligible students enrolled  
 1203 in the school in College Board Advanced Placement courses,  
 1204 International Baccalaureate courses, and Advanced International  
 1205 Certificate of Education courses;

1206 d. Earning of college credit by all eligible students  
 1207 enrolled in the school in dual enrollment programs under s.  
 1208 1007.271;

1209 e. Earning of an industry certification, as determined by  
 1210 the Agency for Workforce Innovation under s. 1003.492(2) in a  
 1211 career and professional academy, as described in s. 1003.493;

1212 f. The aggregate scores of all eligible students enrolled  
 1213 in the school in reading, mathematics, and other subjects as  
 1214 measured by the SAT, the ACT, and the common placement test for  
 1215 postsecondary readiness;

1216 g. The high school graduation rate of all eligible at-risk  
 1217 students enrolled in the school who scored at Level 2 or lower  
 1218 on the grade 8 FCAT Reading and Mathematics examinations;

1219 h. The performance of the school's students on statewide,  
 1220 standardized end-of-course assessments administered under s.  
 1221 1008.22(3)(c)2.b. and c.; and

1222 i. The growth or decline in the data components listed in  
 1223 sub-subparagraphs a.-h. from year to year.

1224  
 1225 The State Board of Education shall adopt appropriate criteria  
 1226 for each school grade. The criteria must also give added weight  
 1227 to student achievement in reading. Schools designated with a  
 1228 grade of "C," making satisfactory progress, shall be required to  
 1229 demonstrate that adequate progress has been made by students in

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1230 the school who are in the lowest 25th percentile in reading and  
 1231 mathematics, ~~or writing~~ on the FCAT and end-of-course  
 1232 assessments, unless these students are exhibiting satisfactory  
 1233 performance. Beginning with the 2009-2010 school year for  
 1234 schools comprised of high school grades 9, 10, 11, and 12, or  
 1235 grades 10, 11, and 12, the criteria for school grades must also  
 1236 give added weight to the graduation rate of all eligible at-risk  
 1237 students, as defined in this paragraph. Beginning in the 2009-  
 1238 2010 school year, in order for a high school to be designated as  
 1239 having a grade of "A," making excellent progress, the school  
 1240 must demonstrate that at-risk students, as defined in this  
 1241 paragraph, in the school are making adequate progress.

1242 Section 14. Subsection (3) of section 1008.341, Florida  
 1243 Statutes, is amended to read:

1244 1008.341 School improvement rating for alternative  
 1245 schools.—

1246 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data  
 1247 used in determining an alternative school's school improvement  
 1248 rating shall include:

1249 (a) The aggregate scores on statewide assessments  
 1250 administered under s. 1008.22 for ~~of~~ all eligible students who  
 1251 were assigned to and enrolled in the school during the October  
 1252 or February FTE count, ~~who have been assessed on the FCAT,~~ and  
 1253 who have ~~FCAT or~~ comparable scores for the preceding school  
 1254 year.

1255 (b) The aggregate scores on statewide assessments  
 1256 administered under s. 1008.22 for ~~of~~ all eligible students who  
 1257 were assigned to and enrolled in the school during the October

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1258 or February FTE count, ~~who have been assessed on the FCAT~~ and  
 1259 who have scored in the lowest 25th percentile of students in the  
 1260 state on FCAT Reading.

1261  
 1262 The assessment scores of students who are subject to district  
 1263 school board policies for expulsion for repeated or serious  
 1264 offenses, who are in dropout retrieval programs serving students  
 1265 who have officially been designated as dropouts, or who are in  
 1266 programs operated or contracted by the Department of Juvenile  
 1267 Justice may not be included in an alternative school's school  
 1268 improvement rating.

1269 Section 15. Subsection (4) of section 1008.36, Florida  
 1270 Statutes, is amended to read:

1271 1008.36 Florida School Recognition Program.—

1272 (4) All selected schools shall receive financial awards  
 1273 depending on the availability of funds appropriated and the  
 1274 number and size of schools selected to receive an award. Funds  
 1275 must be distributed to the school's fiscal agent and placed in  
 1276 the school's account and must be used for purposes listed in  
 1277 subsection (5) as determined jointly by the school's staff and  
 1278 school advisory council. If school staff and the school advisory  
 1279 council cannot reach agreement by February ~~November~~ 1, the  
 1280 awards must be equally distributed to all classroom teachers  
 1281 currently teaching in the school. Beginning with the 2009-2010  
 1282 school year, if a school selected to receive a school  
 1283 recognition award is no longer in existence at the time the  
 1284 award is paid, the district school superintendent shall  
 1285 determine how the school recognition funds shall be used to

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1286 | support the district in accordance with subsection (5).

1287

1288 | Notwithstanding statutory provisions to the contrary, incentive  
1289 | awards are not subject to collective bargaining.

1290 |       Section 16. This act shall take effect July 1, 2010.