

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCS for HB 1293 High School Graduation

**SPONSOR(S):** PreK-12 Policy Committee

**TIED BILLS:** **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	PreK-12 Policy Committee		Duncan	Ahearn
1)				
2)				
3)				
4)				
5)				

**SUMMARY ANALYSIS**

Students must earn 24 credits in required courses and pass the Grade 10 Florida Comprehensive Assessment Test (FCAT) to graduate from high school and receive a standard diploma. Four of the required credits students must earn are in mathematics: one credit in Algebra I, the equivalent, or a higher level mathematics course. In science, students are required to earn three credits, two of which must have a laboratory component.

This Proposed Committee Substitute (PCS) for HB 1293 modifies the high school graduation requirements for receipt of a standard diploma by specifying the required mathematics and science courses that must be taken, as follows:

*Beginning with students entering the 9<sup>th</sup> grade in the 2010-2011 School Year*

- In mathematics one of the four credits must be Algebra I or a series of courses equivalent to Algebra I that have been approved by the State Board of Education (SBE); and one credit must be geometry or a series of courses equivalent to geometry as approved by the SBE.
- In science one of the three credits must be Biology I or a series of courses equivalent to Biology I as approved by the SBE; one credit must be in a physical science or a series of courses equivalent to a physical science as approved by the SBE; and one must be a higher-level science. At least two of the science courses must have a laboratory component.

*Beginning with students entering the 9<sup>th</sup> grade in the 2012-2013 School Year*

- In mathematics one of the four credits must be Algebra I or a series of courses equivalent to Algebra I that have been approved by the SBE; one credit must be geometry or a series of courses equivalent to geometry as approved by the SBE; and one credit must be Algebra II or a series of courses equivalent to Algebra II as approved by the SBE.
- In science one of the three credits must be Biology I or a series of courses equivalent to Biology I as approved by the SBE; one credit must be chemistry, or a series of courses equivalent to chemistry as approved by the SBE; and one credit must be in a higher-level science course. At least two of the science courses must have a laboratory component.

Students choosing the 24-credit or the accelerated 18-credit college or career preparatory graduation options must be advised of the Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, and dual enrollment courses available as well as the availability of course offerings through the Florida Virtual School.

The PCS raises the FCAT score required for a student to pass the Grade 10 FCAT by providing that passing scores on the Grade 10 FCAT must, at a minimum, meet grade-level proficiency.

The PCS also creates the Graduation Exit Option Program which authorizes the award of an alternative diploma to students who are at least 16 years old, enrolled in high school courses that meet high school graduation requirements, and at risk of failing to graduate and meet criteria developed by the Department of Education (DOE). The DOE is granted rulemaking authority to implement the program.

See the FISCAL COMMENTS section of this analysis.

**This document does not reflect the intent or official position of the bill sponsor or House of Representatives.**

**STORAGE NAME:** pcs1293.PT.doc

**DATE:** 3/16/2009

## HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

#### **High School Graduation Requirements**

##### **Current Law**

Students must earn 24 credits in required courses and pass the Grade 10 Florida Comprehensive Assessment Test (FCAT)<sup>1</sup> to graduate from high school and receive a standard diploma. Of the 24 credits, four of the credits are in mathematics, one of which must be Algebra I, a series of courses equivalent to Algebra I, or a higher-level mathematics course. School districts are encouraged to set specific goals to increase enrollments in, and successful completion of, geometry and Algebra II. Three credits must be in science, two of which must have a laboratory component. However, no specific science courses are identified.<sup>2</sup>

##### Mathematics Courses

There are several options available for students to meet the mathematics credit requirements. Courses equivalent to Algebra I include Algebra Ia and Ib and pre-Advanced International Certificate of Education (AICE) Math I. In addition, there are a series of integrated mathematics courses (Integrated Math I, II, and III) that incorporate Algebra I and II and geometry into a 3-year sequence of courses. Algebra I, geometry, and Algebra II all have equivalent honors level courses.<sup>3</sup>

##### Science Courses

There are also several options available for students to meet the science credit requirements. Physical sciences include any chemistry, physics, or physical science course and the equivalent honors level, AICE, or International Baccalaureate (IB) courses. In addition, there is a series of integrated science courses (Science I, II, and III) that incorporate biology, chemistry, and earth science into a 3-year sequence of courses. Higher level science courses include any Advanced Placement (AP), IB, or AICE level courses in science or the second year of chemistry, physics, or biology.<sup>4</sup>

<sup>1</sup> s. 1003.428(4)(b), F.S., and s. 1008.22(3)(c), F.S.

<sup>2</sup> s. 1003.428(2)(a), F.S.

<sup>3</sup> Information provided by staff at the Department of Education, Bureau of Curriculum and Instruction, March 9, 2009. *See* <https://www.osfaffelp.org/bfiehhs/fnbpas04.aspx?curyr4=2009>, Florida Bright Futures Scholarship Program, Florida Department of Education, Office of Student Financial Assistance, Special Course Equivalencies.

<sup>4</sup> *Id.*

## Effect of Proposed Changes

The Proposed Committee Substitute (PCS) modifies the high school graduation requirements for receipt of a standard high school diploma by specifying the mathematics and science courses required. The number of credits required in both mathematics and science remain the same -- four credits and three credits, respectively. The PCS provides the following schedule and specific courses:

### *Beginning with students entering the 9<sup>th</sup> grade in the 2010-2011 School Year*

- In mathematics, one of the four credits must be Algebra I or a series of courses equivalent to Algebra I that have been approved by the SBE; and one credit must be geometry or a series of courses equivalent to geometry as approved by the SBE.
- In science one of the three credits must be Biology I or a series of courses equivalent to Biology I as approved by the SBE; one credit must be in a physical science or a series of courses equivalent to a physical science as approved by the SBE; and one must be a higher-level science. At least two of the science courses must have a laboratory component which is a current requirement.

### *Beginning with students entering the 9<sup>th</sup> grade in the 2012-2013 School Year*

- In mathematics one of the four credits must be Algebra I or a series of courses equivalent to Algebra I as approved by the SBE; one credit must be geometry or a series of courses equivalent to geometry as approved by the SBE; and one credit must be Algebra II or a series of courses equivalent to Algebra II as approved by the SBE.
- In science, one of the three credits must be Biology I or a series of courses equivalent to Biology I as approved by the SBE; one credit must be chemistry, or a series of courses equivalent to chemistry as approved by the SBE; and one credit must be in a higher-level science course. At least two of the science courses must have a laboratory component which is a current requirement.

Students choosing the 24-credit or the accelerated 18-credit college or career preparatory graduation options<sup>5</sup> must be advised of the Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, and dual enrollment courses available as well as the availability of course offerings through the Florida Virtual School.<sup>6</sup>

## **Grade 10 Florida Comprehensive Assessment Test (FCAT)**

### **Current Law**

In addition to earning credits in the required high school courses, students must also pass the reading and mathematics portions of the Grade 10 FCAT or attain concordant scores on either the SAT or American College Test (ACT) tests.<sup>7</sup> A student must take each subject area of the Grade 10 FCAT a total of three times without earning a passing score in order to use concordant scores from the SAT or ACT. A new student entering the Florida public school system in the 12<sup>th</sup> grade may use a concordant score without taking the FCAT.<sup>8</sup>

FCAT Achievement Levels are based on both scale scores and developmental scale scores<sup>9</sup> and range from Level 1 (lowest) to Level 5 (highest).<sup>10</sup> The passing scores for the Grade 10 FCAT reading and

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<sup>5</sup> s. 1003.429(1)(b) and (c), F.S.

<sup>6</sup> The Florida Virtual School offers over 85 middle and high school courses, from general to honors courses, and 11 Advanced Placement classes. In addition, courses in foreign language, physical education, health, business, computer science, and FCAT and SAT prep are also offered by the virtual school. See [http://www.floridaschoolchoice.oeg/Information/virtual\\_schools/faqs.asp](http://www.floridaschoolchoice.oeg/Information/virtual_schools/faqs.asp)

<sup>7</sup> <http://www.fcattldoe.org/pdf/fcatpass.pdf> Florida Department of Education, FCAT Graduation Requirements, January 2009.

<sup>8</sup> s. 1008.22(10), F.S.

<sup>9</sup> Scale scores are reported for all FCAT Sunshine State Standards (SSS) subjects, except FCAT Writing, and range from 100 (lowest) to 500 (highest). Developmental Scale Scores (DSS) are only reported for FCAT SSS Reading and Mathematics and range from 0 to

mathematics and retake tests are determined by the State Board of Education (SBE). For FCAT reading, the passing score is a Developmental Scale Score (DSS) of 1926 (scale score of 300) or above and is within the Level 2 FCAT Achievement Level. For FCAT mathematics, the passing score is a Developmental Scale Score of 1889 (scale score of 300) or above, which is also within the Level 2 FCAT Achievement Level.<sup>11</sup>

### **Effect of Proposed Changes**

The PCS provides that passing scores on the Grade 10 FCAT must, at a minimum, meet grade-level proficiency. This requirement in effect raises the required passing score from a DSS within the Level 2 FCAT Achievement Level to a DSS within the Level 3 FCAT Achievement Level. Initially, there may be an increase in the number of students that would not pass the Grade 10 FCAT causing an increase in the demand for remedial classes and an increase in the number of students required to retake the FCAT in order to meet high school graduation requirements.

### **Alternative Diplomas**

#### **Current Law**

##### *High School Equivalency Diploma*

The SBE is required to adopt rules that prescribe performance standards and provide comprehensive examinations to be administered to candidates for high school equivalency diplomas.<sup>12</sup> Each district school board must offer and administer the high school equivalency diploma examinations to all candidates. The DOE is authorized to award high school equivalency diplomas to candidates who: have attained on each of the 5 General Education Development (GED) Tests<sup>13</sup> a minimum score of 410 or above on a scale of 0 to 800, with an average score of 450; and meet the standards specified by the SBE.<sup>14</sup>

#### **Effect of Proposed Changes**

##### *Graduation Exit Option Program*

The PCS creates the Graduation Exit Option Program which authorizes the award of an alternative diploma to students who are at least 16 years old, are enrolled in high school courses that meet high school graduation requirements, are at risk of failing to graduate, and meet criteria developed by the DOE. The criteria developed by the DOE must ensure that the program is not used as a means for early graduation for students who have the ability to pass the Grade 10 FCAT. Additional student eligibility requirements are that: the student must meet minimum reading levels and minimum scores on GED practice tests; earn passing scores on the reading and math portions of the FCAT, or scores on a standardized test that are concordant with passing scores on the FCAT; and pass each of the five sections of the GED Test.

Students receiving an alternative diploma cannot be counted when calculating graduation rates. The DOE is required to design the alternative diploma to distinguish it from the standard diploma. The DOE is also granted rulemaking authority to implement the program.

The PCS moves existing sections of law relating to the accommodations required for students with disabilities and the award of diplomas for certain veterans to separate sections for organizational purposes.

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3000 across grades 3 through 10. DSS link two years of student FCAT data that track student progress over time. Students should receive higher scores as they move from grade to grade according to their increased achievement. *See*

<http://www.fcatachievementlevels.org/pdf/fcAchievementLevels.pdf> Florida Department of Education. FCAT Achievement Levels, July 2008.

<sup>10</sup> <http://www.fcatachievementlevels.org/pdf/fcAchievementLevels.pdf> Florida Department of Education. FCAT Achievement Levels, July 2008.

<sup>11</sup> *Id.*

<sup>12</sup> s. 1003.435, F.S.

<sup>13</sup> The 5 GED Tests are in Social Studies, Science, Reading, Mathematics, and Writing Skills. *See* Rule 6A-6.021(3), F.A.C.

<sup>14</sup> Rule 6A-6.021, F.A.C.

## B. SECTION DIRECTORY:

**Section 1:** Amends s. 1003.428, F.S., relating to the revised general requirements for high school graduation; providing additional requirements in mathematics and science for students entering 9<sup>th</sup> grade in the 2010-2011 and 2012-2013 school years; requiring that students be advised of the availability of Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, and virtual courses; and moving provisions relating to testing accommodations for students with disabilities and awarding standard high school diplomas to certain honorably discharged veterans to a newly created section of law for organizational purposes.

**Section 2:** Creates s. 1003.4282, F.S., relating to accommodations for students with disabilities; graduation requirements; locating existing law relating to testing accommodations for students with disabilities into one section of law for organizational purposes.

**Section 3:** Creates s. 1003.4286, F.S., creating the Graduation Exit Option Program; authorizing the award of an alternative diploma for eligible high school students; establishing the requirements for eligibility; and granting rulemaking authority to the State Board of Education.

**Section 4:** Creates s. 1003.4287, F.S., relating to recognition of veterans; high school diploma; locating existing provisions awarding standard high school diplomas to certain honorably discharged veterans under the revised standard diploma and the general requirements for graduation into one section of law for organizational purposes.

**Section 5:** Amends s. 1003.429, F.S., relating to accelerated high school graduation requirements; requiring that students be advised of the availability of Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, and virtual courses.

**Section 6:** Amends s. 1003.43, F.S., relating to general requirements for high school graduation; moving existing provisions relating to testing accommodations for students with disabilities and awarding standard high school diplomas to certain honorably discharged veterans to newly created sections of law for organizational purposes.

**Section 7:** Amends s. 1007.623, F.S., relating to community colleges; admissions of students; correcting a cross-reference.

**Section 8:** Amends s. 1008.22, F.S., relating to student assessment program for public schools; providing that, at a minimum, passing scores for the grade 10 FCAT must meet grade-level proficiency.

**Section 9:** Amends s. 1009.531, F.S., relating to Florida Bright Futures Scholarship program; clarifying that in order to be eligible for the Florida Bright Futures Scholarship Program a student must earn a standard diploma under the revised general requirements for high school graduation.

**Section 10:** Provides an effective date of July 1, 2009.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

This bill does not appear to have a fiscal impact on state government revenues.

#### 2. Expenditures:

See FISCAL COMMENTS section below.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

This bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

This bill does not appear to have a fiscal impact on local government expenditures.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

**DOE COMMENTS:**<sup>15</sup>

More rigorous high school graduation requirements would likely result in a reduction in the number of students needing remediation courses at community colleges. This should result in a cost savings that is indeterminate at this time.

Due to lower first-time passing rates, there would be an increase in the number of students that would be required to retake the FCAT. For example, the difference between the percent passing and the percent at grade level proficiency (currently interpreted as scoring Level 3) for the Grade 10 FCAT reading is 19%. This 19% represents an additional 35,200 students that would be required to retake the FCAT at a minimum in reading. While some of these students will pass at the first retake opportunity (fall 2011), others will not and they will be required to participate in another retake administration (spring 2012).

If 50% of the students participating in the fall retake are required to test again, there would be an additional impact of approximately 17,600 students. In total, approximately 52,800 additional students would participate.

Beginning in FY 2011-2012, the cost related to the new FCAT passing score is approximately \$1M. This cost is associated with the increased number of students to be tested in fall and spring FCAT retake administrations.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

The bill does not appear to require a city or county to expend funds or take any action requiring the expenditure of funds. The bill does not appear to reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not appear to reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

The Department of Education is granted rulemaking authority to implement the Graduation Exit Option Program.

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<sup>15</sup> Florida Department of Education. Analysis of PCS for HB 1293, March 13, 2009.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES**

N/A.