

1 A bill to be entitled
2 An act relating to career education; amending s.
3 1003.4156, F.S.; revising the general requirements for
4 middle grades promotion to require that a course in career
5 and education planning explore Florida's Career Clusters;
6 creating s. 1003.4287, F.S.; providing requirements for a
7 high school career diploma; requiring a student and the
8 student's parent to agree in writing to the requirements
9 of the career diploma track; specifying the 24 credits
10 that must be successfully completed to receive a career
11 diploma; requiring an intensive reading course or
12 remediation in mathematics for a student who does not meet
13 certain academic standards; providing strategies to enable
14 an exceptional student to meet graduation requirements for
15 a career diploma; requiring district school board
16 standards for graduation and policies to assist students
17 in meeting the requirements; requiring rules for test
18 accommodations and modifications of procedures for
19 students with disabilities; providing for the award of a
20 certificate of completion to a student who is unable to
21 meet certain standards; providing conditions for the
22 waiver of assessment requirements for a career diploma for
23 a student with a disability; authorizing the State Board
24 of Education to adopt rules; amending ss. 1002.45,
25 1003.413, 1003.428, 1003.438, 1003.493, and 1008.22, F.S.;
26 conforming provisions to changes made by the act;
27 providing an effective date.
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Be It Enacted by the Legislature of the State of Florida:

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

1003.4156 General requirements for middle grades promotion.—

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

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

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

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

3. Three middle school or higher courses in social studies, one semester of which must include the study of state

57 and federal government and civics education. Beginning with
58 students entering grade 6 in the 2012-2013 school year, one of
59 these courses must be at least a one-semester civics education
60 course that a student successfully completes in accordance with
61 s. 1008.22(3)(c) and that includes the roles and
62 responsibilities of federal, state, and local governments; the
63 structures and functions of the legislative, executive, and
64 judicial branches of government; and the meaning and
65 significance of historic documents, such as the Articles of
66 Confederation, the Declaration of Independence, and the
67 Constitution of the United States.

68 4. Three middle school or higher courses in science.
69 Successful completion of a high school level Biology I course is
70 not contingent upon the student's performance on the end-of-
71 course assessment required under s. 1008.22(3)(c)2.a.(II).
72 However, beginning with the 2012-2013 school year, to earn high
73 school credit for a Biology I course, a middle school student
74 must pass the Biology I end-of-course assessment.

75 5. One course in career and education planning to be
76 completed in 7th or 8th grade. The course may be taught by any
77 member of the instructional staff; must include career
78 exploration aligned to Florida's Career Clusters; must include
79 career exploration using Florida CHOICES or a comparable cost-
80 effective program; must include educational planning using the
81 online student advising system known as Florida Academic
82 Counseling and Tracking for Students at the Internet website
83 FACTS.org; and shall result in the completion of a personalized
84 academic and career plan. The required personalized academic and

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career plan must inform students of high school graduation requirements, high school assessment and college entrance test requirements, Florida Bright Futures Scholarship Program requirements, state university and Florida college admission requirements, and programs through which a high school student can earn college credit, including Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, career academy opportunities, and courses that lead to national industry certification.

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

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

1003.4287 Requirements for the high school career diploma.—

(1) Beginning with students entering grade 9 in the 2011-2012 school year, the high school career diploma shall be

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113 awarded to a student who successfully completes a minimum of 24
114 credits as required under this section. In order to pursue the
115 career diploma, the student and the student's parent must sign a
116 form confirming that they are aware of the requirements for the
117 career track and agree to the minimum standards for successful
118 completion. The school personnel designated to advise the
119 student or the school principal must also sign the form to
120 confirm that the school and the school district are aware of the
121 student's intent to pursue the career diploma. The form shall be
122 a standard form prescribed by the Department of Education and
123 used in each school district.

124 (2) (a) The 24 credits may be earned through applied,
125 integrated, and combined courses approved by the Department of
126 Education and shall be distributed as follows:

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

129 2. Four credits in mathematics, one of which must be
130 Algebra I, a series of courses equivalent to Algebra I, or a
131 higher-level mathematics course. In addition to the Algebra I
132 credit requirement, one of the four credits in mathematics must
133 be geometry or a series of courses equivalent to geometry as
134 approved by the State Board of Education. The end-of-course
135 assessment requirements under s. 1008.22(3)(c)2.a.(I) must be
136 met in order for a student to earn the required credits in
137 Algebra I and geometry.

138 3. Three credits in science, two of which must have a
139 laboratory component. One of the three credits in science must
140 be Biology I or a series of courses equivalent to Biology I as

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141 approved by the State Board of Education. The end-of-course
142 assessment requirements under s. 1008.22(3)(c)2.a.(II) must be
143 met in order for a student to earn the required credit in
144 Biology I.

145 4. Three credits in social studies as follows: one credit
146 in United States history; one credit in world history; one-half
147 credit in economics; and one-half credit in United States
148 government.

149 5. One-half credit in fine or performing arts, speech and
150 debate, or a practical arts course that incorporates artistic
151 content and techniques of creativity, interpretation, and
152 imagination. Eligible practical arts courses shall be identified
153 through the Course Code Directory.

154 6. One credit in physical education to include integration
155 of health. Participation in an interscholastic sport at the
156 junior varsity or varsity level for two full seasons shall
157 satisfy the one-credit requirement in physical education if the
158 student passes a competency test on personal fitness with a
159 score of "C" or better. The competency test on personal fitness
160 must be developed by the Department of Education. A district
161 school board may not require that the one credit in physical
162 education be taken during the 9th grade year. Completion of one
163 semester with a grade of "C" or better in a marching band class,
164 in a physical activity class that requires participation in
165 marching band activities as an extracurricular activity, or in a
166 dance class shall satisfy one-half credit in physical education
167 or one-half credit in performing arts. This credit may not be
168 used to satisfy the personal fitness requirement or the

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169 requirement for adaptive physical education under an individual
170 education plan (IEP) or 504 plan. Completion of 2 years in a
171 Reserve Officer Training Corps (R.O.T.C.) class, a significant
172 component of which is drills, shall satisfy the one-credit
173 requirement in physical education and the one-credit requirement
174 in performing arts. This credit may not be used to satisfy the
175 personal fitness requirement or the requirement for adaptive
176 physical education under an individual education plan (IEP) or
177 504 plan.

178 7. Seven credits in career or technical training. A
179 student must receive at least a "C" average in each course to
180 earn the required credit.

181 8. One-half credit in a career preparation or planning
182 course. A student must receive at least a "C" average to earn
183 the required credit.

184 9. One credit in an elective.

185 (b)1. For each year in which a student scores at Level 1
186 on FCAT Reading, the student must be enrolled in and complete an
187 intensive reading course the following year. Placement of Level
188 2 readers in either an intensive reading course or a content
189 area course in which reading strategies are delivered shall be
190 determined by diagnosis of reading needs. The department shall
191 provide guidance on appropriate strategies for diagnosing and
192 meeting the varying instructional needs of students reading
193 below grade level. Reading courses shall be designed and offered
194 pursuant to the comprehensive reading plan required by s.

195 1011.62(9).

196 2. For each year in which a student scores at Level 1 or

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197 Level 2 on FCAT Mathematics, the student must receive
198 remediation the following year. These courses may be taught
199 through applied, integrated, or combined courses and are subject
200 to approval by the department for inclusion in the Course Code
201 Directory.

202 (3) (a) A district school board may require specific
203 courses and programs of study within the minimum credit
204 requirements for high school graduation and shall modify basic
205 courses, as necessary, to assure exceptional students the
206 opportunity to meet the graduation requirements for a career
207 diploma, using one of the following strategies:

208 1. Assignment of the exceptional student to an exceptional
209 education class for instruction in a basic course with the same
210 student performance standards as those required of
211 nonexceptional students in the district school board student
212 progression plan; or

213 2. Assignment of the exceptional student to a basic
214 education class for instruction that is modified to accommodate
215 the student's exceptionality.

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

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

222 (a) Successful completion of the academic credit or
223 curriculum requirements of subsections (1) and (2). For courses
224 that require statewide, standardized end-of-course assessments

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225 under s. 1008.22(3)(c)2.c., a minimum of 30 percent of a
226 student's course grade shall be comprised of performance on the
227 statewide, standardized end-of-course assessment.

228 (b) Earning passing scores on the FCAT, as defined in s.
229 1008.22(3)(c), or scores on a standardized test that are
230 concordant with passing scores on the FCAT, as defined in s.
231 1008.22(10).

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

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

237
238 Each district school board shall adopt policies designed to
239 assist students in meeting the requirements of this subsection.
240 These policies may include, but are not limited to: forgiveness
241 policies, summer school or before or after school attendance,
242 special counseling, volunteers or peer tutors, school-sponsored
243 help sessions, homework hotlines, and study skills classes.
244 Forgiveness policies for required courses shall be limited to
245 replacing a grade of "D" or "F," or the equivalent of a grade of
246 "D" or "F," with a grade of "C" or higher, or the equivalent of
247 a grade of "C" or higher, earned subsequently in the same or
248 comparable course. Forgiveness policies for elective courses
249 shall be limited to replacing a grade of "D" or "F," or the
250 equivalent of a grade of "D" or "F," with a grade of "C" or
251 higher, or the equivalent of a grade of "C" or higher, earned
252 subsequently in another course. The only exception to these

253 forgiveness policies shall be made for a student in the middle
254 grades who takes any high school course for high school credit
255 and earns a grade of "C," "D," or "F" or the equivalent of a
256 grade of "C," "D," or "F." In such case, the district
257 forgiveness policy must allow the replacement of the grade with
258 a grade of "C" or higher, or the equivalent of a grade of "C" or
259 higher, earned subsequently in the same or comparable course. In
260 all cases of grade forgiveness, only the new grade shall be used
261 in the calculation of the student's grade point average. Any
262 course grade not replaced according to a district school board
263 forgiveness policy shall be included in the calculation of the
264 cumulative grade point average required for graduation.

265 (5) The State Board of Education, after a public hearing
266 and consideration, shall adopt rules based upon the
267 recommendations of the Commissioner of Education for the
268 provision of test accommodations and modifications of procedures
269 as necessary for students with disabilities which will
270 demonstrate the student's abilities rather than reflect the
271 student's impaired sensory, manual, speaking, or psychological
272 process skills.

273 (6) The public hearing and consideration required in
274 subsection (5) shall not be construed to amend or nullify the
275 requirements of security relating to the contents of
276 examinations or assessment instruments and related materials or
277 data as prescribed in s. 1008.23.

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

281 (b) A student who completes the minimum number of credits
282 and other requirements prescribed by subsections (1), (2), and
283 (3), but who is unable to meet the standards of paragraph
284 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded
285 a certificate of completion in a form prescribed by the State
286 Board of Education. However, any student who is otherwise
287 entitled to a certificate of completion may elect to remain in
288 the secondary school either as a full-time student or a part-
289 time student for up to 1 additional year and receive special
290 instruction designed to remedy his or her identified
291 deficiencies.

292 (8) (a) Each district school board must provide instruction
293 to prepare students with disabilities to demonstrate proficiency
294 in the core content knowledge and skills necessary for
295 successful grade-to-grade progression and high school
296 graduation.

297 (b)1. A student with a disability, as defined in s.
298 1007.02 (2), for whom the individual education plan (IEP)
299 committee determines that the FCAT cannot accurately measure the
300 student's abilities taking into consideration all allowable
301 accommodations, shall have the FCAT requirement of paragraph
302 (4) (b) waived for the purpose of receiving a career diploma, if
303 the student:

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

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

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309 2. A student with a disability, as defined in s.
310 1007.02(2), for whom the IEP committee determines that an end-
311 of-course assessment cannot accurately measure the student's
312 abilities, taking into consideration all allowable
313 accommodations, shall have the end-of-course assessment results
314 waived for the purpose of determining the student's course grade
315 and credit as required in paragraph (4)(a).

316 (9) The State Board of Education may adopt rules pursuant
317 to ss. 120.536(1) and 120.54 to implement the provisions of this
318 section and may enforce the provisions of this section pursuant
319 to s. 1008.32.

320 Section 3. Paragraph (b) of subsection (4) of section
321 1002.45, Florida Statutes, is amended to read:

322 1002.45 School district virtual instruction programs.—

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

325 (b) Provide a method for determining that a student has
326 satisfied the requirements for graduation in s. 1003.428, s.
327 1003.4287, s. 1003.429, or s. 1003.43 if the contract is for the
328 provision of a full-time virtual instruction program to students
329 in grades 9 through 12.

330 Section 4. Subsection (3) of section 1003.413, Florida
331 Statutes, is amended to read:

332 1003.413 Florida Secondary School Redesign Act.—

333 (3) Based on these guiding principles, district school
334 boards shall establish policies to implement the requirements of
335 ss. 1003.4156, 1003.428, 1003.4287, and 1003.493. The policies
336 must address:

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

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

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

347 (d) Credit recovery courses and intensive reading and
348 mathematics intervention courses based on student performance on
349 FCAT Reading and Mathematics. These courses should be competency
350 based and offered through innovative delivery systems, including
351 computer-assisted instruction. School districts should use
352 learning gains as well as other appropriate data and provide
353 incentives to identify and reward high-performing teachers who
354 teach credit recovery and intensive intervention courses.

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

358 (f) Summer academies for students to receive intensive
359 reading and mathematics intervention courses or competency-based
360 credit recovery courses. A student's participation in an
361 instructional or remediation program prior to or immediately
362 following entering grade 9 for the first time shall not affect
363 that student's classification as a first-time 9th grader for
364 reporting purposes.

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

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

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

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

(k) Additional course requirements for promotion and graduation which may be determined by each school district in the student progression plan and may include additional academic, fine and performing arts, physical education, or career and technical education courses in order to provide a complete education program pursuant to s. 1001.41(3).

Section 5. Subsection (1) of section 1003.428, Florida Statutes, is amended to read:

1003.428 General requirements for high school graduation; revised.—

(1) Except as otherwise authorized pursuant to s. 1003.4287 or s. 1003.429, beginning with students entering grade 9 in the 2007-2008 school year, graduation requires the successful completion of a minimum of 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum. Students must

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be advised of eligibility requirements for state scholarship programs and postsecondary admissions.

Section 6. Section 1003.438, Florida Statutes, is amended to read:

1003.438 Special high school graduation requirements for certain exceptional students.—A student who has been identified, in accordance with rules established by the State Board of Education, as a student with disabilities who has an intellectual disability; an autism spectrum disorder; a language impairment; an orthopedic impairment; an other health impairment; a traumatic brain injury; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; or students who are deaf or hard of hearing or dual sensory impaired shall not be required to meet all requirements of s. 1003.43, ~~or~~ s. 1003.428, or s. 1003.4287 and shall, upon meeting all applicable requirements prescribed by the district school board pursuant to s. 1008.25, be awarded a special diploma in a form prescribed by the commissioner; however, such special graduation requirements prescribed by the district school board must include minimum graduation requirements as prescribed by the commissioner. Any such student who meets all special requirements of the district school board, but is unable to meet the appropriate special state minimum requirements, shall be awarded a special certificate of completion in a form prescribed by the commissioner. However, this section does not limit or restrict the right of an exceptional student solely to a special diploma or special certificate of completion. Any such student

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shall, upon proper request, be afforded the opportunity to fully meet all requirements of s. 1003.43, ~~or~~ s. 1003.428, or s. 1003.4287 through the standard procedures established therein and thereby to qualify for a standard diploma or a career diploma upon graduation.

Section 7. Paragraph (e) of subsection (2) of section 1003.493, Florida Statutes, is amended to read:

1003.493 Career and professional academies.—

(2) The goals of a career and professional academy are to:

(e) Support graduation requirements pursuant to s. 1003.428 or s. 1003.4287 by providing creative, applied major areas of interest.

Section 8. Paragraph (c) of subsection (3) of section 1008.22, Florida Statutes, is amended to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall design and implement a statewide program of educational assessment that provides information for the improvement of the operation and management of the public schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. The commissioner may enter into contracts for the continued administration of the assessment, testing, and evaluation programs authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next and may be paid from the appropriations of either or both fiscal years. The commissioner is authorized to negotiate for the sale or lease of tests, scoring protocols, test scoring services, and

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related materials developed pursuant to law. Pursuant to the statewide assessment program, the commissioner shall:

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

1. The Florida Comprehensive Assessment Test (FCAT) measures a student's content knowledge and skills in reading, writing, science, and mathematics. The content knowledge and skills assessed by the FCAT must be aligned to the core curricular content established in the Next Generation Sunshine State Standards. Other content areas may be included as directed by the commissioner. Comprehensive assessments of reading and mathematics shall be administered annually in grades 3 through 10 except, beginning with the 2010-2011 school year, the administration of grade 9 FCAT Mathematics shall be discontinued, and beginning with the 2011-2012 school year, the administration of grade 10 FCAT Mathematics shall be discontinued, except as required for students who have not attained minimum performance expectations for graduation as provided in paragraph (9) (c). FCAT Writing and FCAT Science shall be administered at least once at the elementary, middle, and high school levels except, beginning with the 2011-2012 school year, the administration of FCAT Science at the high school level shall be discontinued.

2.a. End-of-course assessments for a subject shall be administered in addition to the comprehensive assessments required under subparagraph 1. End-of-course assessments must be rigorous, statewide, standardized, and developed or approved by the department. The content knowledge and skills assessed by

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end-of-course assessments must be aligned to the core curricular content established in the Next Generation Sunshine State Standards.

(I) Statewide, standardized end-of-course assessments in mathematics shall be administered according to this sub-sub-paragraph. Beginning with the 2010-2011 school year, all students enrolled in Algebra I or an equivalent course must take the Algebra I end-of-course assessment. Students who earned high school credit in Algebra I while in grades 6 through 8 during the 2007-2008 through 2009-2010 school years and who have not taken Grade 10 FCAT Mathematics must take the Algebra I end-of-course assessment during the 2010-2011 school year. For students entering grade 9 during the 2010-2011 school year and who are enrolled in Algebra I or an equivalent, each student's performance on the end-of-course assessment in Algebra I shall constitute 30 percent of the student's final course grade.

Beginning with students entering grade 9 in the 2011-2012 school year, a student who is enrolled in Algebra I or an equivalent must earn a passing score on the end-of-course assessment in Algebra I or attain an equivalent score as described in subsection (11) in order to earn course credit. Beginning with the 2011-2012 school year, all students enrolled in geometry or an equivalent course must take the geometry end-of-course assessment. For students entering grade 9 during the 2011-2012 school year, each student's performance on the end-of-course assessment in geometry shall constitute 30 percent of the student's final course grade. Beginning with students entering grade 9 during the 2012-2013 school year, a student must earn a

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505 passing score on the end-of-course assessment in geometry or
506 attain an equivalent score as described in subsection (11) in
507 order to earn course credit.

508 (II) Statewide, standardized end-of-course assessments in
509 science shall be administered according to this sub-sub-
510 subparagraph. Beginning with the 2011-2012 school year, all
511 students enrolled in Biology I or an equivalent course must take
512 the Biology I end-of-course assessment. For the 2011-2012 school
513 year, each student's performance on the end-of-course assessment
514 in Biology I shall constitute 30 percent of the student's final
515 course grade. Beginning with students entering grade 9 during
516 the 2012-2013 school year, a student must earn a passing score
517 on the end-of-course assessment in Biology I in order to earn
518 course credit.

519 b. During the 2012-2013 school year, an end-of-course
520 assessment in civics education shall be administered as a field
521 test at the middle school level. During the 2013-2014 school
522 year, each student's performance on the statewide, standardized
523 end-of-course assessment in civics education shall constitute 30
524 percent of the student's final course grade. Beginning with the
525 2014-2015 school year, a student must earn a passing score on
526 the end-of-course assessment in civics education in order to
527 pass the course and receive course credit.

528 c. The commissioner may select one or more nationally
529 developed comprehensive examinations, which may include, but
530 need not be limited to, examinations for a College Board
531 Advanced Placement course, International Baccalaureate course,
532 or Advanced International Certificate of Education course, or

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533 industry-approved examinations to earn national industry
534 certifications identified in the Industry Certification Funding
535 List, pursuant to rules adopted by the State Board of Education,
536 for use as end-of-course assessments under this paragraph, if
537 the commissioner determines that the content knowledge and
538 skills assessed by the examinations meet or exceed the grade
539 level expectations for the core curricular content established
540 for the course in the Next Generation Sunshine State Standards.
541 The commissioner may collaborate with the American Diploma
542 Project in the adoption or development of rigorous end-of-course
543 assessments that are aligned to the Next Generation Sunshine
544 State Standards.

545 d. Contingent upon funding provided in the General
546 Appropriations Act, including the appropriation of funds
547 received through federal grants, the Commissioner of Education
548 shall establish an implementation schedule for the development
549 and administration of additional statewide, standardized end-of-
550 course assessments in English/Language Arts II, Algebra II,
551 chemistry, physics, earth/space science, United States history,
552 and world history. Priority shall be given to the development of
553 end-of-course assessments in English/Language Arts II. The
554 Commissioner of Education shall evaluate the feasibility and
555 effect of transitioning from the grade 9 and grade 10 FCAT
556 Reading and high school level FCAT Writing to an end-of-course
557 assessment in English/Language Arts II. The commissioner shall
558 report the results of the evaluation to the President of the
559 Senate and the Speaker of the House of Representatives no later
560 than July 1, 2011.

561 3. The testing program shall measure student content
562 knowledge and skills adopted by the State Board of Education as
563 specified in paragraph (a) and measure and report student
564 performance levels of all students assessed in reading, writing,
565 mathematics, and science. The commissioner shall provide for the
566 tests to be developed or obtained, as appropriate, through
567 contracts and project agreements with private vendors, public
568 vendors, public agencies, postsecondary educational
569 institutions, or school districts. The commissioner shall obtain
570 input with respect to the design and implementation of the
571 testing program from state educators, assistive technology
572 experts, and the public.

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

578 5. FCAT Reading, Mathematics, and Science and all
579 statewide, standardized end-of-course assessments shall measure
580 the content knowledge and skills a student has attained on the
581 assessment by the use of scaled scores and achievement levels.
582 Achievement levels shall range from 1 through 5, with level 1
583 being the lowest achievement level, level 5 being the highest
584 achievement level, and level 3 indicating satisfactory
585 performance on an assessment. For purposes of FCAT Writing,
586 student achievement shall be scored using a scale of 1 through 6
587 and the score earned shall be used in calculating school grades.
588 A score shall be designated for each subject area tested, below

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589 which score a student's performance is deemed inadequate. The
590 school districts shall provide appropriate remedial instruction
591 to students who score below these levels.

592 6. The State Board of Education shall, by rule, designate
593 a passing score for each part of the grade 10 assessment test
594 and end-of-course assessments. Any rule that has the effect of
595 raising the required passing scores may apply only to students
596 taking the assessment for the first time after the rule is
597 adopted by the State Board of Education. Except as otherwise
598 provided in this subparagraph and as provided in s.

599 1003.428(8)(b), s. 1003.4287(8)(b), or s. 1003.43(11)(b),
600 students must earn a passing score on grade 10 FCAT Reading and
601 grade 10 FCAT Mathematics or attain concordant scores as
602 described in subsection (10) in order to qualify for a standard
603 or career high school diploma.

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

610 8. Participation in the testing program is mandatory for
611 all students attending public school, including students served
612 in Department of Juvenile Justice programs, except as otherwise
613 prescribed by the commissioner. A student who has not earned
614 passing scores on the grade 10 FCAT as provided in subparagraph
615 6. must participate in each retake of the assessment until the
616 student earns passing scores or achieves scores on a

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617 standardized assessment which are concordant with passing scores
618 pursuant to subsection (10). If a student does not participate
619 in the statewide assessment, the district must notify the
620 student's parent and provide the parent with information
621 regarding the implications of such nonparticipation. A parent
622 must provide signed consent for a student to receive classroom
623 instructional accommodations that would not be available or
624 permitted on the statewide assessments and must acknowledge in
625 writing that he or she understands the implications of such
626 instructional accommodations. The State Board of Education shall
627 adopt rules, based upon recommendations of the commissioner, for
628 the provision of test accommodations for students in exceptional
629 education programs and for students who have limited English
630 proficiency. Accommodations that negate the validity of a
631 statewide assessment are not allowable in the administration of
632 the FCAT or an end-of-course assessment. However, instructional
633 accommodations are allowable in the classroom if included in a
634 student's individual education plan. Students using
635 instructional accommodations in the classroom that are not
636 allowable as accommodations on the FCAT or an end-of-course
637 assessment may have the FCAT or an end-of-course assessment
638 requirement waived pursuant to the requirements of s.
639 1003.428(8)(b), s. 1003.4287(8)(b), or s. 1003.43(11)(b).

640 9. A student seeking an adult high school diploma must
641 meet the same testing requirements that a regular high school
642 student must meet.

643 10. District school boards must provide instruction to
644 prepare students in the core curricular content established in

645 the Next Generation Sunshine State Standards adopted under s.
646 1003.41, including the core content knowledge and skills
647 necessary for successful grade-to-grade progression and high
648 school graduation. If a student is provided with instructional
649 accommodations in the classroom that are not allowable as
650 accommodations in the statewide assessment program, as described
651 in the test manuals, the district must inform the parent in
652 writing and must provide the parent with information regarding
653 the impact on the student's ability to meet expected performance
654 levels in reading, writing, mathematics, and science. The
655 commissioner shall conduct studies as necessary to verify that
656 the required core curricular content is part of the district
657 instructional programs.

658 11. District school boards must provide opportunities for
659 students to demonstrate an acceptable performance level on an
660 alternative standardized assessment approved by the State Board
661 of Education following enrollment in summer academies.

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

667 13. For students seeking a special diploma pursuant to s.
668 1003.438, the Department of Education must develop or select and
669 implement an alternate assessment tool that accurately measures
670 the core curricular content established in the Next Generation
671 Sunshine State Standards for students with disabilities under s.
672 1003.438.

673 14. The Commissioner of Education shall establish
674 schedules for the administration of statewide assessments and
675 the reporting of student test results. When establishing the
676 schedules for the administration of statewide assessments, the
677 commissioner shall consider the observance of religious and
678 school holidays. The commissioner shall, by August 1 of each
679 year, notify each school district in writing and publish on the
680 department's Internet website the testing and reporting
681 schedules for, at a minimum, the school year following the
682 upcoming school year. The testing and reporting schedules shall
683 require that:

684 a. There is the latest possible administration of
685 statewide assessments and the earliest possible reporting to the
686 school districts of student test results which is feasible
687 within available technology and specific appropriations;
688 however, test results for the FCAT must be made available no
689 later than the week of June 8. Student results for end-of-course
690 assessments must be provided no later than 1 week after the
691 school district completes testing for each course.

692 b. Beginning with the 2010-2011 school year, FCAT Writing
693 is not administered earlier than the week of March 1 and a
694 comprehensive statewide assessment of any other subject is not
695 administered earlier than the week of April 15.

696 c. A statewide, standardized end-of-course assessment is
697 administered during a 3-week period at the end of the course.
698 The commissioner shall select a 3-week administration period for
699 assessments that meets the intent of end-of-course assessments
700 and provides student results prior to the end of the course.

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School districts shall select 1 testing week within the 3-week administration period for each end-of-course assessment. For an end-of-course assessment administered at the end of the first semester, the commissioner shall determine the most appropriate testing dates based on a school district's academic calendar.

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

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

Section 9. This act shall take effect upon becoming a law.