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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
5 career and education planning explore Florida's Career
6 Clusters; creating s. 1003.4287, F.S.; providing
7 requirements for a career high school diploma;
8 requiring a student and the student's parent to agree
9 in writing to the requirements of the career diploma
10 track; specifying the credits that must be
11 successfully completed to receive a career diploma;
12 requiring an intensive reading course or remediation
13 in mathematics for a student who does not meet certain
14 academic standards; requiring at least one course
15 required for high school graduation to be completed
16 through online learning; providing strategies to
17 enable an exceptional student to meet graduation
18 requirements for a career diploma; requiring district
19 school board standards for graduation and policies to
20 assist students in meeting the requirements; requiring
21 rules for test accommodations and modifications of
22 procedures for students with disabilities; providing
23 for the award of a certificate of completion to a
24 student who is unable to meet certain standards;
25 providing conditions for the waiver of assessment
26 requirements for a career diploma for a student with a
27 disability; authorizing the State Board of Education
28 to adopt rules; amending ss. 1002.321, 1002.33,

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29 | 1002.45, 1003.03, 1003.413, 1003.428, 1003.438,
 30 | 1003.493, 1003.4935, and 1008.22, F.S.; conforming
 31 | provisions to changes made by the act; providing an
 32 | effective date.

34 | Be It Enacted by the Legislature of the State of Florida:

36 | Section 1. Paragraph (a) of subsection (1) of section
 37 | 1003.4156, Florida Statutes, is amended to read:

38 | 1003.4156 General requirements for middle grades
 39 | promotion.—

40 | (1) Promotion from a school composed of middle grades 6,
 41 | 7, and 8 requires that:

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

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

47 | 2. Three middle school or higher courses in mathematics.
 48 | Each middle school must offer at least one high school level
 49 | mathematics course for which students may earn high school
 50 | credit. Successful completion of a high school level Algebra I
 51 | or geometry course is not contingent upon the student's
 52 | performance on the end-of-course assessment required under s.
 53 | 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
 54 | school year, to earn high school credit for an Algebra I course,
 55 | a middle school student must pass the Algebra I end-of-course
 56 | assessment, and beginning with the 2012-2013 school year, to

57 | earn high school credit for a geometry course, a middle school
58 | student must pass the geometry end-of-course assessment.

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

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

79 | 5. One course in career and education planning to be
80 | completed in 7th or 8th grade. The course may be taught by any
81 | member of the instructional staff; must include career
82 | exploration aligned to Florida's Career Clusters; must include
83 | career exploration using Florida CHOICES or a comparable cost-
84 | effective program; must include educational planning using the

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85 | online student advising system known as Florida Academic
86 | Counseling and Tracking for Students at the Internet website
87 | FACTS.org; and shall result in the completion of a personalized
88 | academic and career plan. The required personalized academic and
89 | career plan must inform students of high school graduation
90 | requirements, high school assessment and college entrance test
91 | requirements, Florida Bright Futures Scholarship Program
92 | requirements, state university and Florida College System
93 | institution admission requirements, and programs through which a
94 | high school student can earn college credit, including Advanced
95 | Placement, International Baccalaureate, Advanced International
96 | Certificate of Education, dual enrollment, career academy
97 | opportunities, and courses that lead to national industry
98 | certification.

99 |
100 | A student with a disability, as defined in s. 1007.02(2), for
101 | whom the individual education plan team determines that an end-
102 | of-course assessment cannot accurately measure the student's
103 | abilities, taking into consideration all allowable
104 | accommodations, shall have the end-of-course assessment results
105 | waived for purposes of determining the student's course grade
106 | and completing the requirements for middle grades promotion.
107 | Each school must hold a parent meeting either in the evening or
108 | on a weekend to inform parents about the course curriculum and
109 | activities. Each student shall complete an electronic personal
110 | education plan that must be signed by the student; the student's
111 | instructor, guidance counselor, or academic advisor; and the
112 | student's parent. The Department of Education shall develop

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113 course frameworks and professional development materials for the
 114 career exploration and education planning course. The course may
 115 be implemented as a stand-alone course or integrated into
 116 another course or courses. The Commissioner of Education shall
 117 collect longitudinal high school course enrollment data by
 118 student ethnicity in order to analyze course-taking patterns.

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

121 1003.4287 Requirements for the career high school
 122 diploma.-

123 (1) Beginning with students entering grade 9 in the 2012-
 124 2013 school year, a career high school diploma shall be awarded
 125 to a student who successfully completes a minimum of 24 credits
 126 as required under this section. In order to pursue the career
 127 diploma, the student and the student's parent must sign a form
 128 confirming that they are aware of the requirements for the
 129 career track and agree to the minimum standards for successful
 130 completion. The school personnel designated to advise the
 131 student or the school principal must also sign the form to
 132 confirm that the school and the school district are aware of the
 133 student's intent to pursue the career diploma. The form shall be
 134 a standard form prescribed by the Department of Education and
 135 used in each school district. Students must be advised of
 136 eligibility requirements for state scholarship programs and
 137 postsecondary admissions.

138 (2) The 24 credits may be earned through applied,
 139 integrated, and combined courses approved by the Department of
 140 Education and shall be distributed as follows:

141 (a) Core curriculum credits:

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

144 2. Four credits in mathematics, one of which must be
145 Algebra I, a series of courses equivalent to Algebra I, or a
146 higher-level mathematics course. In addition to the Algebra I
147 credit requirement, one of the four credits in mathematics must
148 be geometry or a series of courses equivalent to geometry as
149 approved by the State Board of Education. The end-of-course
150 assessment requirements under s. 1008.22(3)(c)2.a.(I) must be
151 met in order for a student to earn the required credits in
152 Algebra I and geometry.

153 3. Three credits in science, two of which must have a
154 laboratory component. One of the three credits in science must
155 be Biology I or a series of courses equivalent to Biology I as
156 approved by the State Board of Education. The end-of-course
157 assessment requirements under s. 1008.22(3)(c)2.a.(II) must be
158 met in order for a student to earn the required credit in
159 Biology I.

160 4. Three credits in social studies as follows: one credit
161 in United States history; one credit in world history; one-half
162 credit in economics; and one-half credit in United States
163 government.

164 5. One-half credit in fine or performing arts, speech and
165 debate, or a practical arts course that incorporates artistic
166 content and techniques of creativity, interpretation, and
167 imagination. Eligible practical arts courses shall be identified
168 through the Course Code Directory.

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169 6. One credit in physical education to include integration
170 of health. Participation in an interscholastic sport at the
171 junior varsity or varsity level for two full seasons shall
172 satisfy the one-credit requirement in physical education if the
173 student passes a competency test on personal fitness with a
174 score of "C" or better. The competency test on personal fitness
175 must be developed by the Department of Education. A district
176 school board may not require that the one credit in physical
177 education be taken during the 9th grade year. Completion of one
178 semester with a grade of "C" or better in a marching band class,
179 in a physical activity class that requires participation in
180 marching band activities as an extracurricular activity, or in a
181 dance class shall satisfy one-half credit in physical education
182 or one-half credit in performing arts. This credit may not be
183 used to satisfy the personal fitness requirement or the
184 requirement for adaptive physical education under an individual
185 education plan (IEP) or 504 plan. Completion of 2 years in a
186 Reserve Officer Training Corps (R.O.T.C.) class, a significant
187 component of which is drills, shall satisfy the one-credit
188 requirement in physical education and the one-credit requirement
189 in performing arts. This credit may not be used to satisfy the
190 personal fitness requirement or the requirement for adaptive
191 physical education under an individual education plan (IEP) or
192 504 plan.

193 (b) Seven credits in career or technical training. A
194 student must receive at least a "C" average in each course to
195 earn the required credit.

196 (c) One-half credit in a career preparation or planning

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197 course. A student must receive at least a "C" average to earn
198 the required credit.

199 (d) One credit in an elective.

200 1. For each year in which a student scores at Level 1 on
201 FCAT Reading, the student must be enrolled in and complete an
202 intensive reading course the following year. Placement of Level
203 2 readers in either an intensive reading course or a content
204 area course in which reading strategies are delivered shall be
205 determined by diagnosis of reading needs. The department shall
206 provide guidance on appropriate strategies for diagnosing and
207 meeting the varying instructional needs of students reading
208 below grade level. Reading courses shall be designed and offered
209 pursuant to the comprehensive reading plan required by s.
210 1011.62(9). A high school student who scores at Level 1 or Level
211 2 on FCAT Reading but who did not score below Level 3 in the
212 previous 3 years may be granted a 1-year exemption from the
213 reading remediation requirement; however, the student must have
214 an approved academic improvement plan already in place, signed
215 by the appropriate school staff and the student's parent, for
216 the year for which the exemption is granted.

217 2. For each year in which a student scores at Level 1 or
218 Level 2 on FCAT Mathematics, the student must receive
219 remediation the following year. These courses may be taught
220 through applied, integrated, or combined courses and are subject
221 to approval by the department for inclusion in the Course Code
222 Directory.

223 (e) Beginning with students entering grade 9 in the 2012-
224 2013 school year, at least one course within the 24 credits

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225 required in this subsection must be completed through online
226 learning. However, an online course taken during grades 6
227 through 8 fulfills this requirement. This requirement shall be
228 met through an online course offered by the Florida Virtual
229 School, an online course offered by the high school, or an
230 online dual enrollment course offered pursuant to a district
231 interinstitutional articulation agreement pursuant to s.
232 1007.235. A student who is enrolled in a full-time or part-time
233 virtual instruction program under s. 1002.45 meets this
234 requirement.

235 (3) (a) A district school board may require specific
236 courses and programs of study within the minimum credit
237 requirements for high school graduation and shall modify basic
238 courses, as necessary, to assure exceptional students the
239 opportunity to meet the graduation requirements for a career
240 diploma, using one of the following strategies:

241 1. Assignment of the exceptional student to an exceptional
242 education class for instruction in a basic course with the same
243 student performance standards as those required of
244 nonexceptional students in the district school board student
245 progression plan; or

246 2. Assignment of the exceptional student to a basic
247 education class for instruction that is modified to accommodate
248 the student's exceptionality.

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

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

255 (a) Successful completion of the academic credit or
 256 curriculum requirements of subsections (1) and (2). For courses
 257 that require statewide, standardized end-of-course assessments
 258 under s. 1008.22(3)(c)2.d., a minimum of 30 percent of a
 259 student's course grade shall be comprised of performance on the
 260 statewide, standardized end-of-course assessment.

261 (b) Earning passing scores on the FCAT, as defined in s.
 262 1008.22(3)(c), or scores on a standardized test that are
 263 concordant with passing scores on the FCAT, as defined in s.
 264 1008.22(10).

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

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

270
 271 Each district school board shall adopt policies designed to
 272 assist students in meeting the requirements of this subsection.
 273 These policies may include, but are not limited to: forgiveness
 274 policies, summer school or before or after school attendance,
 275 special counseling, volunteers or peer tutors, school-sponsored
 276 help sessions, homework hotlines, and study skills classes.
 277 Forgiveness policies for required courses shall be limited to
 278 replacing a grade of "D" or "F," or the equivalent of a grade of
 279 "D" or "F," with a grade of "C" or higher, or the equivalent of
 280 a grade of "C" or higher, earned subsequently in the same or

281 comparable course. Forgiveness policies for elective courses
282 shall be limited to replacing a grade of "D" or "F," or the
283 equivalent of a grade of "D" or "F," with a grade of "C" or
284 higher, or the equivalent of a grade of "C" or higher, earned
285 subsequently in another course. The only exception to these
286 forgiveness policies shall be made for a student in the middle
287 grades who takes any high school course for high school credit
288 and earns a grade of "C," "D," or "F" or the equivalent of a
289 grade of "C," "D," or "F." In such case, the district
290 forgiveness policy must allow the replacement of the grade with
291 a grade of "C" or higher, or the equivalent of a grade of "C" or
292 higher, earned subsequently in the same or comparable course. In
293 all cases of grade forgiveness, only the new grade shall be used
294 in the calculation of the student's grade point average. Any
295 course grade not replaced according to a district school board
296 forgiveness policy shall be included in the calculation of the
297 cumulative grade point average required for graduation.

298 (5) The State Board of Education, after a public hearing
299 and consideration, shall adopt rules based upon the
300 recommendations of the Commissioner of Education for the
301 provision of test accommodations and modifications of procedures
302 as necessary for students with disabilities which will
303 demonstrate the student's abilities rather than reflect the
304 student's impaired sensory, manual, speaking, or psychological
305 process skills.

306 (6) The public hearing and consideration required in
307 subsection (5) shall not be construed to amend or nullify the
308 requirements of security relating to the contents of

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309 examinations or assessment instruments and related materials or
310 data as prescribed in s. 1008.23.

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

314 (b) A student who completes the minimum number of credits
315 and other requirements prescribed by subsections (1), (2), and
316 (3), but who is unable to meet the standards of paragraph
317 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded
318 a certificate of completion in a form prescribed by the State
319 Board of Education. However, any student who is otherwise
320 entitled to a certificate of completion may elect to remain in
321 the secondary school either as a full-time student or a part-
322 time student for up to 1 additional year and receive special
323 instruction designed to remedy his or her identified
324 deficiencies.

325 (8) (a) Each district school board must provide instruction
326 to prepare students with disabilities to demonstrate proficiency
327 in the core content knowledge and skills necessary for
328 successful grade-to-grade progression and high school
329 graduation.

330 (b)1. A student with a disability, as defined in s.
331 1007.02 (2), for whom the individual education plan (IEP)
332 committee determines that the FCAT cannot accurately measure the
333 student's abilities, taking into consideration all allowable
334 accommodations, shall have the FCAT requirement of paragraph
335 (4) (b) waived for the purpose of receiving a career diploma, if
336 the student:

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

339 b. Does not meet the requirements of paragraph (4)(b)
 340 after one opportunity in 10th grade and one opportunity in 11th
 341 grade.

342 2. A student with a disability, as defined in s.
 343 1007.02(2), for whom the IEP committee determines that an end-
 344 of-course assessment cannot accurately measure the student's
 345 abilities, taking into consideration all allowable
 346 accommodations, shall have the end-of-course assessment results
 347 waived for the purpose of determining the student's course grade
 348 and credit as required in paragraph (4)(a).

349 (9) The State Board of Education may adopt rules pursuant
 350 to ss. 120.536(1) and 120.54 to implement the provisions of this
 351 section and may enforce the provisions of this section pursuant
 352 to s. 1008.32.

353 Section 3. Subsection (3) of section 1002.321, Florida
 354 Statutes, is amended to read:

355 1002.321 Digital learning.—

356 (3) DIGITAL PREPARATION.—Each student must graduate from
 357 high school having taken at least one online course, as provided
 358 in s. 1003.428 or s. 1003.4287.

359 Section 4. Paragraph (a) of subsection (7) of section
 360 1002.33, Florida Statutes, is amended to read:

361 1002.33 Charter schools.—

362 (7) CHARTER.—The major issues involving the operation of a
 363 charter school shall be considered in advance and written into
 364 the charter. The charter shall be signed by the governing board

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365 of the charter school and the sponsor, following a public
366 hearing to ensure community input.

367 (a) The charter shall address and criteria for approval of
368 the charter shall be based on:

369 1. The school's mission, the students to be served, and
370 the ages and grades to be included.

371 2. The focus of the curriculum, the instructional methods
372 to be used, any distinctive instructional techniques to be
373 employed, and identification and acquisition of appropriate
374 technologies needed to improve educational and administrative
375 performance which include a means for promoting safe, ethical,
376 and appropriate uses of technology which comply with legal and
377 professional standards.

378 a. The charter shall ensure that reading is a primary
379 focus of the curriculum and that resources are provided to
380 identify and provide specialized instruction for students who
381 are reading below grade level. The curriculum and instructional
382 strategies for reading must be consistent with the Sunshine
383 State Standards and grounded in scientifically based reading
384 research.

385 b. In order to provide students with access to diverse
386 instructional delivery models, to facilitate the integration of
387 technology within traditional classroom instruction, and to
388 provide students with the skills they need to compete in the
389 21st century economy, the Legislature encourages instructional
390 methods for blended learning courses consisting of both
391 traditional classroom and online instructional techniques.
392 Charter schools may implement blended learning courses which

393 combine traditional classroom instruction and virtual
394 instruction. Students in a blended learning course must be full-
395 time students of the charter school and receive the online
396 instruction in a classroom setting at the charter school.
397 Instructional personnel certified pursuant to s. 1012.55 who
398 provide virtual instruction for blended learning courses may be
399 employees of the charter school or may be under contract to
400 provide instructional services to charter school students. At a
401 minimum, such instructional personnel must hold an active state
402 or school district adjunct certification under s. 1012.57 for
403 the subject area of the blended learning course. The funding and
404 performance accountability requirements for blended learning
405 courses are the same as those for traditional courses.

406 3. The current incoming baseline standard of student
407 academic achievement, the outcomes to be achieved, and the
408 method of measurement that will be used. The criteria listed in
409 this subparagraph shall include a detailed description of:

410 a. How the baseline student academic achievement levels
411 and prior rates of academic progress will be established.

412 b. How these baseline rates will be compared to rates of
413 academic progress achieved by these same students while
414 attending the charter school.

415 c. To the extent possible, how these rates of progress
416 will be evaluated and compared with rates of progress of other
417 closely comparable student populations.

418

419 The district school board is required to provide academic
420 student performance data to charter schools for each of their

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421 students coming from the district school system, as well as
422 rates of academic progress of comparable student populations in
423 the district school system.

424 4. The methods used to identify the educational strengths
425 and needs of students and how well educational goals and
426 performance standards are met by students attending the charter
427 school. The methods shall provide a means for the charter school
428 to ensure accountability to its constituents by analyzing
429 student performance data and by evaluating the effectiveness and
430 efficiency of its major educational programs. Students in
431 charter schools shall, at a minimum, participate in the
432 statewide assessment program created under s. 1008.22.

433 5. In secondary charter schools, a method for determining
434 that a student has satisfied the requirements for graduation in
435 s. 1003.428, s. 1003.4287, s. 1003.429, or s. 1003.43.

436 6. A method for resolving conflicts between the governing
437 board of the charter school and the sponsor.

438 7. The admissions procedures and dismissal procedures,
439 including the school's code of student conduct.

440 8. The ways by which the school will achieve a
441 racial/ethnic balance reflective of the community it serves or
442 within the racial/ethnic range of other public schools in the
443 same school district.

444 9. The financial and administrative management of the
445 school, including a reasonable demonstration of the professional
446 experience or competence of those individuals or organizations
447 applying to operate the charter school or those hired or
448 retained to perform such professional services and the

449 description of clearly delineated responsibilities and the
450 policies and practices needed to effectively manage the charter
451 school. A description of internal audit procedures and
452 establishment of controls to ensure that financial resources are
453 properly managed must be included. Both public sector and
454 private sector professional experience shall be equally valid in
455 such a consideration.

456 10. The asset and liability projections required in the
457 application which are incorporated into the charter and shall be
458 compared with information provided in the annual report of the
459 charter school.

460 11. A description of procedures that identify various
461 risks and provide for a comprehensive approach to reduce the
462 impact of losses; plans to ensure the safety and security of
463 students and staff; plans to identify, minimize, and protect
464 others from violent or disruptive student behavior; and the
465 manner in which the school will be insured, including whether or
466 not the school will be required to have liability insurance,
467 and, if so, the terms and conditions thereof and the amounts of
468 coverage.

469 12. The term of the charter which shall provide for
470 cancellation of the charter if insufficient progress has been
471 made in attaining the student achievement objectives of the
472 charter and if it is not likely that such objectives can be
473 achieved before expiration of the charter. The initial term of a
474 charter shall be for 4 or 5 years. In order to facilitate access
475 to long-term financial resources for charter school
476 construction, charter schools that are operated by a

477 municipality or other public entity as provided by law are
478 eligible for up to a 15-year charter, subject to approval by the
479 district school board. A charter lab school is eligible for a
480 charter for a term of up to 15 years. In addition, to facilitate
481 access to long-term financial resources for charter school
482 construction, charter schools that are operated by a private,
483 not-for-profit, s. 501(c)(3) status corporation are eligible for
484 up to a 15-year charter, subject to approval by the district
485 school board. Such long-term charters remain subject to annual
486 review and may be terminated during the term of the charter, but
487 only according to the provisions set forth in subsection (8).

488 13. The facilities to be used and their location.

489 14. The qualifications to be required of the teachers and
490 the potential strategies used to recruit, hire, train, and
491 retain qualified staff to achieve best value.

492 15. The governance structure of the school, including the
493 status of the charter school as a public or private employer as
494 required in paragraph (12)(i).

495 16. A timetable for implementing the charter which
496 addresses the implementation of each element thereof and the
497 date by which the charter shall be awarded in order to meet this
498 timetable.

499 17. In the case of an existing public school that is being
500 converted to charter status, alternative arrangements for
501 current students who choose not to attend the charter school and
502 for current teachers who choose not to teach in the charter
503 school after conversion in accordance with the existing
504 collective bargaining agreement or district school board rule in

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505 the absence of a collective bargaining agreement. However,
506 alternative arrangements shall not be required for current
507 teachers who choose not to teach in a charter lab school, except
508 as authorized by the employment policies of the state university
509 which grants the charter to the lab school.

510 18. Full disclosure of the identity of all relatives
511 employed by the charter school who are related to the charter
512 school owner, president, chairperson of the governing board of
513 directors, superintendent, governing board member, principal,
514 assistant principal, or any other person employed by the charter
515 school who has equivalent decisionmaking authority. For the
516 purpose of this subparagraph, the term "relative" means father,
517 mother, son, daughter, brother, sister, uncle, aunt, first
518 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
519 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
520 stepfather, stepmother, stepson, stepdaughter, stepbrother,
521 stepsister, half brother, or half sister.

522 19. Implementation of the activities authorized under s.
523 1002.331 by the charter school when it satisfies the eligibility
524 requirements for a high-performing charter school. A high-
525 performing charter school shall notify its sponsor in writing by
526 March 1 if it intends to increase enrollment or expand grade
527 levels the following school year. The written notice shall
528 specify the amount of the enrollment increase and the grade
529 levels that will be added, as applicable.

530 Section 5. Paragraph (b) of subsection (4) of section
531 1002.45, Florida Statutes, is amended to read:

532 1002.45 Virtual instruction programs.—

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

535 (b) Provide a method for determining that a student has
 536 satisfied the requirements for graduation in s. 1003.428, s.
 537 1003.4287, s. 1003.429, or s. 1003.43 if the contract is for the
 538 provision of a full-time virtual instruction program to students
 539 in grades 9 through 12.

540 Section 6. Subsection (6) of section 1003.03, Florida
 541 Statutes, is amended to read:

542 1003.03 Maximum class size.—

543 (6) COURSES FOR COMPLIANCE.—Consistent with the provisions
 544 in ss. 1003.01(14), ~~and~~ 1003.428, and 1003.4287, the Department
 545 of Education shall identify from the Course Code Directory the
 546 core-curricula courses for the purpose of satisfying the maximum
 547 class size requirement in this section. The department may adopt
 548 rules to implement this subsection, if necessary.

549 Section 7. Subsection (3) of section 1003.413, Florida
 550 Statutes, is amended to read:

551 1003.413 Florida Secondary School Redesign Act.—

552 (3) Based on these guiding principles, district school
 553 boards shall establish policies to implement the requirements of
 554 ss. 1003.4156, 1003.428, 1003.4287, and 1003.493. The policies
 555 must address:

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

560 (b) Alternative methods for students to demonstrate

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561 competency in required courses and credits, with special support
562 for students who have been retained.

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

566 (d) Credit recovery courses and intensive reading and
567 mathematics intervention courses based on student performance on
568 FCAT Reading and Mathematics. These courses should be competency
569 based and offered through innovative delivery systems, including
570 computer-assisted instruction. School districts should use
571 learning gains as well as other appropriate data and provide
572 incentives to identify and reward high-performing teachers who
573 teach credit recovery and intensive intervention courses.

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

577 (f) Summer academies for students to receive intensive
578 reading and mathematics intervention courses or competency-based
579 credit recovery courses. A student's participation in an
580 instructional or remediation program prior to or immediately
581 following entering grade 9 for the first time shall not affect
582 that student's classification as a first-time 9th grader for
583 reporting purposes.

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

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

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589 (i) An annual review of each high school student's
590 electronic personal education plan created pursuant to s.
591 1003.4156 and procedures for high school students who have not
592 prepared an electronic personal education plan pursuant to s.
593 1003.4156 to prepare such plan.

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

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

602 Section 8. Subsection (1) of section 1003.428, Florida
603 Statutes, is amended to read:

604 1003.428 General requirements for high school graduation;
605 revised.—

606 (1) Except as otherwise authorized pursuant to s.
607 1003.4287 or s. 1003.429, beginning with students entering grade
608 9 in the 2007-2008 school year, graduation requires the
609 successful completion of a minimum of 24 credits, an
610 International Baccalaureate curriculum, or an Advanced
611 International Certificate of Education curriculum. Students must
612 be advised of eligibility requirements for state scholarship
613 programs and postsecondary admissions.

614 Section 9. Section 1003.438, Florida Statutes, is amended
615 to read:

616 1003.438 Special high school graduation requirements for

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617 | certain exceptional students.—A student who has been identified,
618 | in accordance with rules established by the State Board of
619 | Education, as a student with disabilities who has an
620 | intellectual disability; an autism spectrum disorder; a language
621 | impairment; an orthopedic impairment; an other health
622 | impairment; a traumatic brain injury; an emotional or behavioral
623 | disability; a specific learning disability, including, but not
624 | limited to, dyslexia, dyscalculia, or developmental aphasia; or
625 | students who are deaf or hard of hearing or dual sensory
626 | impaired shall not be required to meet all requirements of s.
627 | 1003.43, ~~s. 1003.428~~, or s. 1003.4287 and shall, upon meeting
628 | all applicable requirements prescribed by the district school
629 | board pursuant to s. 1008.25, be awarded a special diploma in a
630 | form prescribed by the commissioner; however, such special
631 | graduation requirements prescribed by the district school board
632 | must include minimum graduation requirements as prescribed by
633 | the commissioner. Any such student who meets all special
634 | requirements of the district school board, but is unable to meet
635 | the appropriate special state minimum requirements, shall be
636 | awarded a special certificate of completion in a form prescribed
637 | by the commissioner. However, this section does not limit or
638 | restrict the right of an exceptional student solely to a special
639 | diploma or special certificate of completion. Any such student
640 | shall, upon proper request, be afforded the opportunity to fully
641 | meet all requirements of s. 1003.43, ~~s. 1003.428~~, or s.
642 | 1003.4287 through the standard procedures established therein
643 | and thereby to qualify for a standard diploma or a career
644 | diploma upon graduation.

645 Section 10. Paragraph (g) of subsection (4) of section
 646 1003.493, Florida Statutes, is amended to read:

647 1003.493 Career and professional academies.—

648 (4) Each career and professional academy must:

649 (g) Deliver academic content through instruction relevant
 650 to the career, including intensive reading and mathematics
 651 intervention required by s. 1003.428 or s. 1003.4287, with an
 652 emphasis on strengthening reading for information skills.

653 Section 11. Paragraph (c) of subsection (2) of section
 654 1003.4935, Florida Statutes, is amended to read:

655 1003.4935 Middle school career and professional academy
 656 courses.—

657 (2) Each middle school career and professional academy
 658 must be aligned with at least one high school career and
 659 professional academy offered in the district and maintain
 660 partnerships with local business and industry and economic
 661 development boards. Middle school career and professional
 662 academies must:

663 (c) Offer courses that integrate career and professional
 664 academy content with intensive reading and mathematics pursuant
 665 to s. 1003.428 or s. 1003.4287;

666 Section 12. Paragraph (c) of subsection (3) and paragraphs
 667 (b) and (c) of subsection (9) of section 1008.22, Florida
 668 Statutes, are amended to read:

669 1008.22 Student assessment program for public schools.—

670 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
 671 design and implement a statewide program of educational
 672 assessment that provides information for the improvement of the

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673 operation and management of the public schools, including
674 schools operating for the purpose of providing educational
675 services to youth in Department of Juvenile Justice programs.
676 The commissioner may enter into contracts for the continued
677 administration of the assessment, testing, and evaluation
678 programs authorized and funded by the Legislature. Contracts may
679 be initiated in 1 fiscal year and continue into the next and may
680 be paid from the appropriations of either or both fiscal years.
681 The commissioner is authorized to negotiate for the sale or
682 lease of tests, scoring protocols, test scoring services, and
683 related materials developed pursuant to law. Pursuant to the
684 statewide assessment program, the commissioner shall:

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

687 1. The Florida Comprehensive Assessment Test (FCAT)
688 measures a student's content knowledge and skills in reading,
689 writing, science, and mathematics. The content knowledge and
690 skills assessed by the FCAT must be aligned to the core
691 curricular content established in the Next Generation Sunshine
692 State Standards. Other content areas may be included as directed
693 by the commissioner. Comprehensive assessments of reading and
694 mathematics shall be administered annually in grades 3 through
695 10 except, beginning with the 2010-2011 school year, the
696 administration of grade 9 FCAT Mathematics shall be
697 discontinued, and beginning with the 2011-2012 school year, the
698 administration of grade 10 FCAT Mathematics shall be
699 discontinued, except as required for students who have not
700 attained minimum performance expectations for graduation as

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701 provided in paragraph (9) (c). FCAT Writing and FCAT Science
702 shall be administered at least once at the elementary, middle,
703 and high school levels except, beginning with the 2011-2012
704 school year, the administration of FCAT Science at the high
705 school level shall be discontinued.

706 2.a. End-of-course assessments for a subject shall be
707 administered in addition to the comprehensive assessments
708 required under subparagraph 1. End-of-course assessments must be
709 rigorous, statewide, standardized, and developed or approved by
710 the department. The content knowledge and skills assessed by
711 end-of-course assessments must be aligned to the core curricular
712 content established in the Next Generation Sunshine State
713 Standards.

714 (I) Statewide, standardized end-of-course assessments in
715 mathematics shall be administered according to this sub-sub-
716 subparagraph. Beginning with the 2010-2011 school year, all
717 students enrolled in Algebra I or an equivalent course must take
718 the Algebra I end-of-course assessment. For students entering
719 grade 9 during the 2010-2011 school year and who are enrolled in
720 Algebra I or an equivalent, each student's performance on the
721 end-of-course assessment in Algebra I shall constitute 30
722 percent of the student's final course grade. Beginning with
723 students entering grade 9 in the 2011-2012 school year, a
724 student who is enrolled in Algebra I or an equivalent must earn
725 a passing score on the end-of-course assessment in Algebra I or
726 attain an equivalent score as described in subsection (11) in
727 order to earn course credit. Beginning with the 2011-2012 school
728 year, all students enrolled in geometry or an equivalent course

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729 must take the geometry end-of-course assessment. For students
730 entering grade 9 during the 2011-2012 school year, each
731 student's performance on the end-of-course assessment in
732 geometry shall constitute 30 percent of the student's final
733 course grade. Beginning with students entering grade 9 during
734 the 2012-2013 school year, a student must earn a passing score
735 on the end-of-course assessment in geometry or attain an
736 equivalent score as described in subsection (11) in order to
737 earn course credit.

738 (II) Statewide, standardized end-of-course assessments in
739 science shall be administered according to this sub-sub-
740 subparagraph. Beginning with the 2011-2012 school year, all
741 students enrolled in Biology I or an equivalent course must take
742 the Biology I end-of-course assessment. For the 2011-2012 school
743 year, each student's performance on the end-of-course assessment
744 in Biology I shall constitute 30 percent of the student's final
745 course grade. Beginning with students entering grade 9 during
746 the 2012-2013 school year, a student must earn a passing score
747 on the end-of-course assessment in Biology I in order to earn
748 course credit.

749 b. During the 2012-2013 school year, an end-of-course
750 assessment in civics education shall be administered as a field
751 test at the middle school level. During the 2013-2014 school
752 year, each student's performance on the statewide, standardized
753 end-of-course assessment in civics education shall constitute 30
754 percent of the student's final course grade. Beginning with the
755 2014-2015 school year, a student must earn a passing score on
756 the end-of-course assessment in civics education in order to

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757 | pass the course and be promoted from the middle grades. The
758 | school principal of a middle school shall determine, in
759 | accordance with State Board of Education rule, whether a student
760 | who transfers to the middle school and who has successfully
761 | completed a civics education course at the student's previous
762 | school must take an end-of-course assessment in civics
763 | education.

764 | c. The commissioner may select one or more nationally
765 | developed comprehensive examinations, which may include, but
766 | need not be limited to, examinations for a College Board
767 | Advanced Placement course, International Baccalaureate course,
768 | or Advanced International Certificate of Education course, or
769 | industry-approved examinations to earn national industry
770 | certifications identified in the Industry Certification Funding
771 | List, pursuant to rules adopted by the State Board of Education,
772 | for use as end-of-course assessments under this paragraph, if
773 | the commissioner determines that the content knowledge and
774 | skills assessed by the examinations meet or exceed the grade
775 | level expectations for the core curricular content established
776 | for the course in the Next Generation Sunshine State Standards.
777 | The commissioner may collaborate with the American Diploma
778 | Project in the adoption or development of rigorous end-of-course
779 | assessments that are aligned to the Next Generation Sunshine
780 | State Standards.

781 | d. Contingent upon funding provided in the General
782 | Appropriations Act, including the appropriation of funds
783 | received through federal grants, the Commissioner of Education
784 | shall establish an implementation schedule for the development

785 and administration of additional statewide, standardized end-of-
786 course assessments in English/Language Arts II, Algebra II,
787 chemistry, physics, earth/space science, United States history,
788 and world history. Priority shall be given to the development of
789 end-of-course assessments in English/Language Arts II. The
790 Commissioner of Education shall evaluate the feasibility and
791 effect of transitioning from the grade 9 and grade 10 FCAT
792 Reading and high school level FCAT Writing to an end-of-course
793 assessment in English/Language Arts II. The commissioner shall
794 report the results of the evaluation to the President of the
795 Senate and the Speaker of the House of Representatives no later
796 than July 1, 2011.

797 3. The testing program shall measure student content
798 knowledge and skills adopted by the State Board of Education as
799 specified in paragraph (a) and measure and report student
800 performance levels of all students assessed in reading, writing,
801 mathematics, and science. The commissioner shall provide for the
802 tests to be developed or obtained, as appropriate, through
803 contracts and project agreements with private vendors, public
804 vendors, public agencies, postsecondary educational
805 institutions, or school districts. The commissioner shall obtain
806 input with respect to the design and implementation of the
807 testing program from state educators, assistive technology
808 experts, and the public.

809 4. The testing program shall be composed of criterion-
810 referenced tests that shall, to the extent determined by the
811 commissioner, include test items that require the student to
812 produce information or perform tasks in such a way that the core

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813 content knowledge and skills he or she uses can be measured.

814 5. FCAT Reading, Mathematics, and Science and all
815 statewide, standardized end-of-course assessments shall measure
816 the content knowledge and skills a student has attained on the
817 assessment by the use of scaled scores and achievement levels.
818 Achievement levels shall range from 1 through 5, with level 1
819 being the lowest achievement level, level 5 being the highest
820 achievement level, and level 3 indicating satisfactory
821 performance on an assessment. For purposes of FCAT Writing,
822 student achievement shall be scored using a scale of 1 through 6
823 and the score earned shall be used in calculating school grades.
824 A score shall be designated for each subject area tested, below
825 which score a student's performance is deemed inadequate. The
826 school districts shall provide appropriate remedial instruction
827 to students who score below these levels.

828 6. The State Board of Education shall, by rule, designate
829 a passing score for each part of the grade 10 assessment test
830 and end-of-course assessments. Any rule that has the effect of
831 raising the required passing scores may apply only to students
832 taking the assessment for the first time after the rule is
833 adopted by the State Board of Education. Except as otherwise
834 provided in this subparagraph and as provided in s.
835 1003.428(8)(b), s. 1003.4287(8)(b), or s. 1003.43(11)(b),
836 students must earn a passing score on grade 10 FCAT Reading and
837 grade 10 FCAT Mathematics or attain concordant scores as
838 described in subsection (10) in order to qualify for a standard
839 or career high school diploma.

840 7. In addition to designating a passing score under

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841 subparagraph 6., the State Board of Education shall also
842 designate, by rule, a score for each statewide, standardized
843 end-of-course assessment which indicates that a student is high
844 achieving and has the potential to meet college-readiness
845 standards by the time the student graduates from high school.

846 8. Participation in the testing program is mandatory for
847 all students attending public school, including students served
848 in Department of Juvenile Justice programs, except as otherwise
849 prescribed by the commissioner. A student who has not earned
850 passing scores on the grade 10 FCAT as provided in subparagraph
851 6. must participate in each retake of the assessment until the
852 student earns passing scores or achieves scores on a
853 standardized assessment which are concordant with passing scores
854 pursuant to subsection (10). If a student does not participate
855 in the statewide assessment, the district must notify the
856 student's parent and provide the parent with information
857 regarding the implications of such nonparticipation. A parent
858 must provide signed consent for a student to receive classroom
859 instructional accommodations that would not be available or
860 permitted on the statewide assessments and must acknowledge in
861 writing that he or she understands the implications of such
862 instructional accommodations. The State Board of Education shall
863 adopt rules, based upon recommendations of the commissioner, for
864 the provision of test accommodations for students in exceptional
865 education programs and for students who have limited English
866 proficiency. Accommodations that negate the validity of a
867 statewide assessment are not allowable in the administration of
868 the FCAT or an end-of-course assessment. However, instructional

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869 accommodations are allowable in the classroom if included in a
870 student's individual education plan. Students using
871 instructional accommodations in the classroom that are not
872 allowable as accommodations on the FCAT or an end-of-course
873 assessment may have the FCAT or an end-of-course assessment
874 requirement waived pursuant to the requirements of s.
875 1003.428(8)(b), s. 1003.4287(8)(b), or s. 1003.43(11)(b).

876 9. A student seeking an adult high school diploma must
877 meet the same testing requirements that a regular high school
878 student must meet.

879 10. District school boards must provide instruction to
880 prepare students in the core curricular content established in
881 the Next Generation Sunshine State Standards adopted under s.
882 1003.41, including the core content knowledge and skills
883 necessary for successful grade-to-grade progression and high
884 school graduation. If a student is provided with instructional
885 accommodations in the classroom that are not allowable as
886 accommodations in the statewide assessment program, as described
887 in the test manuals, the district must inform the parent in
888 writing and must provide the parent with information regarding
889 the impact on the student's ability to meet expected performance
890 levels in reading, writing, mathematics, and science. The
891 commissioner shall conduct studies as necessary to verify that
892 the required core curricular content is part of the district
893 instructional programs.

894 11. District school boards must provide opportunities for
895 students to demonstrate an acceptable performance level on an
896 alternative standardized assessment approved by the State Board

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897 of Education following enrollment in summer academies.

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

903 13. For students seeking a special diploma pursuant to s.
904 1003.438, the Department of Education must develop or select and
905 implement an alternate assessment tool that accurately measures
906 the core curricular content established in the Next Generation
907 Sunshine State Standards for students with disabilities under s.
908 1003.438.

909 14. The Commissioner of Education shall establish
910 schedules for the administration of statewide assessments and
911 the reporting of student test results. When establishing the
912 schedules for the administration of statewide assessments, the
913 commissioner shall consider the observance of religious and
914 school holidays. The commissioner shall, by August 1 of each
915 year, notify each school district in writing and publish on the
916 department's Internet website the testing and reporting
917 schedules for, at a minimum, the school year following the
918 upcoming school year. The testing and reporting schedules shall
919 require that:

920 a. There is the latest possible administration of
921 statewide assessments and the earliest possible reporting to the
922 school districts of student test results which is feasible
923 within available technology and specific appropriations;
924 however, test results for the FCAT must be made available no

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925 later than the week of June 8. Student results for end-of-course
926 assessments must be provided no later than 1 week after the
927 school district completes testing for each course. The
928 commissioner may extend the reporting schedule under exigent
929 circumstances.

930 b. FCAT Writing may not be administered earlier than the
931 week of March 1, and a comprehensive statewide assessment of any
932 other subject may not be administered earlier than the week of
933 April 15.

934 c. A statewide, standardized end-of-course assessment is
935 administered at the end of the course. The commissioner shall
936 select an administration period for assessments that meets the
937 intent of end-of-course assessments and provides student results
938 prior to the end of the course. School districts shall
939 administer tests in accordance with the schedule determined by
940 the commissioner. For an end-of-course assessment administered
941 at the end of the first semester, the commissioner shall
942 determine the most appropriate testing dates based on a review
943 of each school district's academic calendar.

944
945 The commissioner may, based on collaboration and input from
946 school districts, design and implement student testing programs,
947 for any grade level and subject area, necessary to effectively
948 monitor educational achievement in the state, including the
949 measurement of educational achievement of the Next Generation
950 Sunshine State Standards for students with disabilities.

951 Development and refinement of assessments shall include
952 universal design principles and accessibility standards that

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953 will prevent any unintended obstacles for students with
954 disabilities while ensuring the validity and reliability of the
955 test. These principles should be applicable to all technology
956 platforms and assistive devices available for the assessments.
957 The field testing process and psychometric analyses for the
958 statewide assessment program must include an appropriate
959 percentage of students with disabilities and an evaluation or
960 determination of the effect of test items on such students.

961 (9) APPLICABILITY OF TESTING STANDARDS.—

962 (b) A student must attain the passing scores on the
963 statewide assessment required for a standard or career high
964 school diploma or for high school course credits under sub-sub-
965 subparagraphs (3)(c)2.a.(I) and (II) which are in effect at the
966 time the student enters grade 9. If a student transfers into a
967 high school, the school principal shall determine, in accordance
968 with State Board of Education rule, whether the student must
969 take an end-of-course assessment in a course for which the
970 student has credit that was earned from the previous school.

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

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981 are statistically equivalent to passing scores on the
982 discontinued assessment for a student required under paragraph
983 (b) to attain passing scores on the discontinued assessment.

984 Section 13. This act shall take effect upon becoming a
985 law.