

By Senator Wise

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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 technical high school
8 diploma; requiring a student and the student's parent
9 or guardian to agree in writing to the requirements of
10 the career diploma track; specifying the credits that
11 must be successfully completed in order to receive a
12 career diploma; requiring an intensive reading course
13 or remediation in mathematics for a student who does
14 not meet certain academic standards; requiring at
15 least one course required for high school graduation
16 to be completed through online learning; providing
17 strategies to enable an exceptional student to meet
18 graduation requirements for a career diploma;
19 requiring district school board standards for
20 graduation and policies to assist students in meeting
21 the requirements; requiring rules for test
22 accommodations and modifications of procedures for
23 students with disabilities; providing for the award of
24 a certificate of completion to a student who is unable
25 to meet certain standards; providing conditions for
26 the waiver of assessment requirements for a career
27 diploma for a student with a disability; providing
28 that a career technical high school diploma is a
29 standard high school diploma for purposes of federal

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30 and state accountability requirements; authorizing the
31 State Board of Education to adopt rules; amending ss.
32 1002.321, 1002.33, 1002.45, 1003.03, 1003.413,
33 1003.428, 1003.438, 1003.493, 1003.4935, and 1008.22,
34 F.S.; conforming provisions to changes made by the
35 act; providing an effective date.
36

37 WHEREAS, the Legislature finds that the state's public
38 education system needs to respond to the workforce needs of
39 employers by aligning career and technical education with
40 industry standards and workforce demands, and

41 WHEREAS, career and technical education helps students
42 experience the practical and meaningful application of any
43 number of skills and offers individuals lifelong opportunities
44 to learn new skills, and

45 WHEREAS, the Legislature intends to offer students the
46 option of receiving a career technical high school diploma to
47 meet the state's workforce demands and allow students the
48 opportunity to continue their education or career paths, NOW,
49 THEREFORE,

50
51 Be It Enacted by the Legislature of the State of Florida:

52
53 Section 1. Paragraph (a) of subsection (1) of section
54 1003.4156, Florida Statutes, is amended to read:

55 1003.4156 General requirements for middle grades
56 promotion.—

57 (1) Promotion from a school composed of middle grades 6, 7,
58 and 8 requires that:

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

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

64 2. Three middle school or higher courses in mathematics.
65 Each middle school must offer at least one high school level
66 mathematics course for which students may earn high school
67 credit. Successful completion of a high school level Algebra I
68 or geometry course is not contingent upon the student's
69 performance on the end-of-course assessment required under s.
70 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
71 school year, to earn high school credit for an Algebra I course,
72 a middle school student must pass the Algebra I end-of-course
73 assessment, and beginning with the 2012-2013 school year, to
74 earn high school credit for a geometry course, a middle school
75 student must pass the geometry end-of-course assessment.

76 3. Three middle school or higher courses in social studies,
77 one semester of which must include the study of state and
78 federal government and civics education. Beginning with students
79 entering grade 6 in the 2012-2013 school year, one of these
80 courses must be at least a one-semester civics education course
81 that a student successfully completes in accordance with s.
82 1008.22(3)(c) and that includes the roles and responsibilities
83 of federal, state, and local governments; the structures and
84 functions of the legislative, executive, and judicial branches
85 of government; and the meaning and significance of historic
86 documents, such as the Articles of Confederation, the
87 Declaration of Independence, and the Constitution of the United

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88 States.

89 4. Three middle school or higher courses in science.
90 Successful completion of a high school level Biology I course is
91 not contingent upon the student's performance on the end-of-
92 course assessment required under s. 1008.22(3)(c)2.a.(II).
93 However, beginning with the 2012-2013 school year, to earn high
94 school credit for a Biology I course, a middle school student
95 must pass the Biology I end-of-course assessment.

96 5. One course in career and education planning to be
97 completed in 7th or 8th grade. The course may be taught by any
98 member of the instructional staff; must include career
99 exploration aligned to Florida's Career Clusters; must include
100 career exploration using Florida CHOICES or a comparable cost-
101 effective program; must include educational planning using the
102 online student advising system known as Florida Academic
103 Counseling and Tracking for Students at the Internet website
104 FACTS.org; and shall result in the completion of a personalized
105 academic and career plan. The required personalized academic and
106 career plan must inform students of high school graduation
107 requirements, high school assessment and college entrance test
108 requirements, Florida Bright Futures Scholarship Program
109 requirements, state university and Florida College System
110 institution admission requirements, and programs through which a
111 high school student can earn college credit, including Advanced
112 Placement, International Baccalaureate, Advanced International
113 Certificate of Education, dual enrollment, career academy
114 opportunities, and courses that lead to national industry
115 certification.

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117 A student with a disability, as defined in s. 1007.02(2), for
118 whom the individual education plan team determines that an end-
119 of-course assessment cannot accurately measure the student's
120 abilities, taking into consideration all allowable
121 accommodations, shall have the end-of-course assessment results
122 waived for purposes of determining the student's course grade
123 and completing the requirements for middle grades promotion.
124 Each school must hold a parent meeting either in the evening or
125 on a weekend to inform parents about the course curriculum and
126 activities. Each student shall complete an electronic personal
127 education plan that must be signed by the student; the student's
128 instructor, guidance counselor, or academic advisor; and the
129 student's parent. The Department of Education shall develop
130 course frameworks and professional development materials for the
131 career exploration and education planning course. The course may
132 be implemented as a stand-alone course or integrated into
133 another course or courses. The Commissioner of Education shall
134 collect longitudinal high school course enrollment data by
135 student ethnicity in order to analyze course-taking patterns.

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

138 1003.4287 Requirements for the career technical high school
139 diploma.—

140 (1) Beginning with students entering grade 9 in the 2012-
141 2013 school year, a career technical high school diploma shall
142 be awarded to a student who successfully completes a minimum of
143 24 credits as required under this section. In order to pursue
144 the career diploma, the student and the student's parent or
145 guardian must sign a form confirming that they are aware of the

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146 requirements for the career track and agree to the minimum
147 standards for successful completion. The school personnel
148 designated to advise the student or the school principal must
149 also sign the form to confirm that the school and the school
150 district are aware of the student's intent to pursue the career
151 diploma. The form shall be a standard form prescribed by the
152 Department of Education and used in each school district.
153 Students must be advised of eligibility requirements for state
154 scholarship programs and postsecondary admissions.

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

158 (a) Core curriculum credits:

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

161 2. Four credits in mathematics, one of which must be
162 Algebra I, a series of courses equivalent to Algebra I, or a
163 higher-level mathematics course. In addition to the Algebra I
164 credit requirement, one of the four credits in mathematics must
165 be geometry or a series of courses equivalent to geometry as
166 approved by the State Board of Education. The end-of-course
167 assessment requirements under s. 1008.22(3)(c)2.a.(I) must be
168 met in order for a student to earn the required credits in
169 Algebra I and geometry. In addition to the Algebra I and
170 geometry credit requirements, one of the four credits in
171 mathematics must be an applied Algebra II or a series of courses
172 equivalent to applied Algebra II as approved by the State Board
173 of Education. The applied Algebra II course shall be aligned
174 with the career or technical course of study in which the

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175 student is enrolled. To the extent possible, the applied Algebra
176 II course must be incorporated into the career or technical
177 courses in which the student is enrolled.

178 3. Three credits in science, two of which must have a
179 laboratory component. One of the three credits in science must
180 be Biology I or a series of courses equivalent to Biology I as
181 approved by the State Board of Education. The end-of-course
182 assessment requirements under s. 1008.22(3)(c)2.a.(II) must be
183 met in order for a student to earn the required credit in
184 Biology I. Beginning with students entering grade 9 in the 2013-
185 2014 school year, one of the three credits must be Biology I or
186 a series of courses equivalent to Biology I as approved by the
187 State Board of Education, one credit must be applied chemistry
188 or applied physics or a series of courses equivalent to applied
189 chemistry or applied physics as approved by the State Board of
190 Education, and one credit must be an equally rigorous course in
191 an applied science, as determined by the State Board of
192 Education. The applied courses shall be aligned with the career
193 or technical course of study in which the student is enrolled.
194 To the extent possible, the applied courses must be incorporated
195 into the career or technical courses in which the student is
196 enrolled.

197 4. Three credits in social studies as follows: one credit
198 in United States history; one credit in world history; one-half
199 credit in economics; and one-half credit in United States
200 government.

201 5. One-half credit in fine or performing arts, speech and
202 debate, or a practical arts course that incorporates artistic
203 content and techniques of creativity, interpretation, and

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204 imagination. Eligible practical arts courses shall be identified
205 through the Course Code Directory.

206 6. One credit in physical education to include integration
207 of health. Participation in an interscholastic sport at the
208 junior varsity or varsity level for two full seasons shall
209 satisfy the one-credit requirement in physical education if the
210 student passes a competency test on personal fitness with a
211 score of "C" or better. The competency test on personal fitness
212 must be developed by the Department of Education. A district
213 school board may not require that the one credit in physical
214 education be taken during the 9th grade year. Completion of one
215 semester with a grade of "C" or better in a marching band class,
216 in a physical activity class that requires participation in
217 marching band activities as an extracurricular activity, or in a
218 dance class shall satisfy one-half credit in physical education
219 or one-half credit in performing arts. This credit may not be
220 used to satisfy the personal fitness requirement or the
221 requirement for adaptive physical education under an individual
222 education plan (IEP) or 504 plan. Completion of 2 years in a
223 Reserve Officer Training Corps (R.O.T.C.) class, a significant
224 component of which is drills, shall satisfy the one-credit
225 requirement in physical education and the one-credit requirement
226 in performing arts. This credit may not be used to satisfy the
227 personal fitness requirement or the requirement for adaptive
228 physical education under an individual education plan (IEP) or
229 504 plan.

230 (b) Up to a maximum of seven credits in a career or
231 technical training program leading to the attainment of an
232 industry certification included on the Industry Certified

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233 Funding List pursuant to rules adopted by the State Board of
234 Education. The program must be in compliance with ss. 1003.491,
235 1003.492, and 1003.493 which relate to industry-certified career
236 education programs. A student must receive at least a "C"
237 average in each course to earn the required credit.

238 (c) One-half credit in a career preparation or planning
239 course. A student must receive at least a "C" average to earn
240 the required credit.

241 (d) One credit in an elective.

242 1. For each year in which a student scores at Level 1 on
243 FCAT Reading, the student must be enrolled in and complete an
244 intensive reading course the following year. Placement of Level
245 2 readers in either an intensive reading course or a content
246 area course in which reading strategies are delivered shall be
247 determined by diagnosis of reading needs. The department shall
248 provide guidance on appropriate strategies for diagnosing and
249 meeting the varying instructional needs of students reading
250 below grade level. Reading courses shall be designed and offered
251 pursuant to the comprehensive reading plan required by s.
252 1011.62(9). A high school student who scores at Level 1 or Level
253 2 on FCAT Reading but who did not score below Level 3 in the
254 previous 3 years may be granted a 1-year exemption from the
255 reading remediation requirement; however, the student must have
256 an approved academic improvement plan already in place, signed
257 by the appropriate school staff and the student's parent, for
258 the year for which the exemption is granted.

259 2. For each year in which a student scores at Level 1 or
260 Level 2 on FCAT Mathematics, the student must receive
261 remediation the following year. These courses may be taught

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262 through applied, integrated, or combined courses and are subject
263 to approval by the department for inclusion in the Course Code
264 Directory.

265 (e) Beginning with students entering grade 9 in the 2012-
266 2013 school year, at least one course within the 24 credits
267 required in this subsection must be completed through online
268 learning. However, an online course taken during grades 6
269 through 8 fulfills this requirement. This requirement shall be
270 met through an online course offered by the Florida Virtual
271 School, an online course offered by the high school, or an
272 online dual enrollment course offered pursuant to a district
273 interinstitutional articulation agreement pursuant to s.
274 1007.235. A student who is enrolled in a full-time or part-time
275 virtual instruction program under s. 1002.45 meets this
276 requirement.

277 (3) (a) A district school board may require specific courses
278 and programs of study within the minimum credit requirements for
279 high school graduation and shall modify basic courses, as
280 necessary, to assure exceptional students the opportunity to
281 meet the graduation requirements for a career diploma, using one
282 of the following strategies:

283 1. Assignment of the exceptional student to an exceptional
284 education class for instruction in a basic course that has the
285 same student performance standards as those required of
286 nonexceptional students in the district school board student
287 progression plan; or

288 2. Assignment of the exceptional student to a basic
289 education class for instruction that is modified to accommodate
290 the student's exceptionality.

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

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

297 (a) Successful completion of the academic credit or
298 curriculum requirements of subsections (1) and (2). For courses
299 that require statewide, standardized end-of-course assessments
300 under s. 1008.22(3)(c)2.d., a minimum of 30 percent of a
301 student's course grade shall be comprised of performance on the
302 statewide, standardized end-of-course assessment.

303 (b) Earning passing scores on the FCAT, as defined in s.
304 1008.22(3)(c), or scores on a standardized test which are
305 concordant with passing scores on the FCAT, as defined in s.
306 1008.22(10).

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

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

312
313 Each district school board shall adopt policies designed to
314 assist students in meeting the requirements of this subsection.
315 These policies may include, but are not limited to: forgiveness
316 policies, summer school or before or after school attendance,
317 special counseling, volunteers or peer tutors, school-sponsored
318 help sessions, homework hotlines, and study skills classes.
319 Forgiveness policies for required courses shall be limited to

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320 replacing a grade of "D" or "F," or the equivalent of a grade of
321 "D" or "F," with a grade of "C" or higher, or the equivalent of
322 a grade of "C" or higher, earned subsequently in the same or
323 comparable course. Forgiveness policies for elective courses
324 shall be limited to replacing a grade of "D" or "F," or the
325 equivalent of a grade of "D" or "F," with a grade of "C" or
326 higher, or the equivalent of a grade of "C" or higher, earned
327 subsequently in another course. The only exception to these
328 forgiveness policies shall be made for a student in the middle
329 grades who takes any high school course for high school credit
330 and earns a grade of "C," "D," or "F" or the equivalent of a
331 grade of "C," "D," or "F." In such case, the district
332 forgiveness policy must allow the replacement of the grade with
333 a grade of "C" or higher, or the equivalent of a grade of "C" or
334 higher, earned subsequently in the same or comparable course. In
335 all cases of grade forgiveness, only the new grade shall be used
336 in the calculation of the student's grade point average. Any
337 course grade not replaced according to a district school board
338 forgiveness policy shall be included in the calculation of the
339 cumulative grade point average required for graduation.

340 (5) The State Board of Education, after a public hearing
341 and consideration, shall adopt rules based upon the
342 recommendations of the Commissioner of Education for the
343 provision of test accommodations and modifications of procedures
344 as necessary for students with disabilities which will
345 demonstrate the student's abilities rather than reflect the
346 student's impaired sensory, manual, speaking, or psychological
347 process skills.

348 (6) The public hearing and consideration required in

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349 subsection (5) shall not be construed to amend or nullify the
350 requirements of security relating to the contents of
351 examinations or assessment instruments and related materials or
352 data as prescribed in s. 1008.23.

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

356 (b) A student who completes the minimum number of credits
357 and other requirements prescribed by subsections (1), (2), and
358 (3), but who is unable to meet the standards of paragraph
359 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded
360 a certificate of completion in a form prescribed by the State
361 Board of Education. However, any student who is otherwise
362 entitled to a certificate of completion may elect to remain in
363 the secondary school either as a full-time student or a part-
364 time student for up to 1 additional year and receive special
365 instruction designed to remedy his or her identified
366 deficiencies.

367 (8) (a) Each district school board must provide instruction
368 to prepare students with disabilities to demonstrate proficiency
369 in the core content knowledge and skills necessary for
370 successful grade-to-grade progression and high school
371 graduation.

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

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378 the student:

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

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

383 2. A student with a disability, as defined in s.
384 1007.02(2), for whom the IEP committee determines that an end-
385 of-course assessment cannot accurately measure the student's
386 abilities, taking into consideration all allowable
387 accommodations, shall have the end-of-course assessment results
388 waived for the purpose of determining the student's course grade
389 and credit as required in paragraph (4)(a).

390 (9) A career technical high school diploma shall be a
391 standard high school diploma for purposes of federal and state
392 accountability requirements.

393 (10) The State Board of Education may adopt rules pursuant
394 to ss. 120.536(1) and 120.54 to implement the provisions of this
395 section and may enforce the provisions of this section pursuant
396 to s. 1008.32.

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

399 1002.321 Digital learning.—

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

403 Section 4. Paragraph (a) of subsection (7) of section
404 1002.33, Florida Statutes, is amended to read:

405 1002.33 Charter schools.—

406 (7) CHARTER.—The major issues involving the operation of a

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407 charter school shall be considered in advance and written into
408 the charter. The charter shall be signed by the governing board
409 of the charter school and the sponsor, following a public
410 hearing to ensure community input.

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

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

415 2. The focus of the curriculum, the instructional methods
416 to be used, any distinctive instructional techniques to be
417 employed, and identification and acquisition of appropriate
418 technologies needed to improve educational and administrative
419 performance which include a means for promoting safe, ethical,
420 and appropriate uses of technology which comply with legal and
421 professional standards.

422 a. The charter shall ensure that reading is a primary focus
423 of the curriculum and that resources are provided to identify
424 and provide specialized instruction for students who are reading
425 below grade level. The curriculum and instructional strategies
426 for reading must be consistent with the Sunshine State Standards
427 and grounded in scientifically based reading research.

428 b. In order to provide students with access to diverse
429 instructional delivery models, to facilitate the integration of
430 technology within traditional classroom instruction, and to
431 provide students with the skills they need to compete in the
432 21st century economy, the Legislature encourages instructional
433 methods for blended learning courses consisting of both
434 traditional classroom and online instructional techniques.
435 Charter schools may implement blended learning courses which

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436 combine traditional classroom instruction and virtual
437 instruction. Students in a blended learning course must be full-
438 time students of the charter school and receive the online
439 instruction in a classroom setting at the charter school.
440 Instructional personnel certified pursuant to s. 1012.55 who
441 provide virtual instruction for blended learning courses may be
442 employees of the charter school or may be under contract to
443 provide instructional services to charter school students. At a
444 minimum, such instructional personnel must hold an active state
445 or school district adjunct certification under s. 1012.57 for
446 the subject area of the blended learning course. The funding and
447 performance accountability requirements for blended learning
448 courses are the same as those for traditional courses.

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

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

455 b. How these baseline rates will be compared to rates of
456 academic progress achieved by these same students while
457 attending the charter school.

458 c. To the extent possible, how these rates of progress will
459 be evaluated and compared with rates of progress of other
460 closely comparable student populations.

461
462 The district school board is required to provide academic
463 student performance data to charter schools for each of their
464 students coming from the district school system, as well as

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465 rates of academic progress of comparable student populations in
466 the district school system.

467 4. The methods used to identify the educational strengths
468 and needs of students and how well educational goals and
469 performance standards are met by students attending the charter
470 school. The methods shall provide a means for the charter school
471 to ensure accountability to its constituents by analyzing
472 student performance data and by evaluating the effectiveness and
473 efficiency of its major educational programs. Students in
474 charter schools shall, at a minimum, participate in the
475 statewide assessment program created under s. 1008.22.

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

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

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

483 8. The ways by which the school will achieve a
484 racial/ethnic balance reflective of the community it serves or
485 within the racial/ethnic range of other public schools in the
486 same school district.

487 9. The financial and administrative management of the
488 school, including a reasonable demonstration of the professional
489 experience or competence of those individuals or organizations
490 applying to operate the charter school or those hired or
491 retained to perform such professional services and the
492 description of clearly delineated responsibilities and the
493 policies and practices needed to effectively manage the charter

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494 school. A description of internal audit procedures and
495 establishment of controls to ensure that financial resources are
496 properly managed must be included. Both public sector and
497 private sector professional experience shall be equally valid in
498 such a consideration.

499 10. The asset and liability projections required in the
500 application which are incorporated into the charter and shall be
501 compared with information provided in the annual report of the
502 charter school.

503 11. A description of procedures that identify various risks
504 and provide for a comprehensive approach to reduce the impact of
505 losses; plans to ensure the safety and security of students and
506 staff; plans to identify, minimize, and protect others from
507 violent or disruptive student behavior; and the manner in which
508 the school will be insured, including whether or not the school
509 will be required to have liability insurance, and, if so, the
510 terms and conditions thereof and the amounts of coverage.

511 12. The term of the charter which shall provide for
512 cancellation of the charter if insufficient progress has been
513 made in attaining the student achievement objectives of the
514 charter and if it is not likely that such objectives can be
515 achieved before expiration of the charter. The initial term of a
516 charter shall be for 4 or 5 years. In order to facilitate access
517 to long-term financial resources for charter school
518 construction, charter schools that are operated by a
519 municipality or other public entity as provided by law are
520 eligible for up to a 15-year charter, subject to approval by the
521 district school board. A charter lab school is eligible for a
522 charter for a term of up to 15 years. In addition, to facilitate

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523 access to long-term financial resources for charter school
524 construction, charter schools that are operated by a private,
525 not-for-profit, s. 501(c)(3) status corporation are eligible for
526 up to a 15-year charter, subject to approval by the district
527 school board. Such long-term charters remain subject to annual
528 review and may be terminated during the term of the charter, but
529 only according to the provisions set forth in subsection (8).

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

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

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

537 16. A timetable for implementing the charter which
538 addresses the implementation of each element thereof and the
539 date by which the charter shall be awarded in order to meet this
540 timetable.

541 17. In the case of an existing public school that is being
542 converted to charter status, alternative arrangements for
543 current students who choose not to attend the charter school and
544 for current teachers who choose not to teach in the charter
545 school after conversion in accordance with the existing
546 collective bargaining agreement or district school board rule in
547 the absence of a collective bargaining agreement. However,
548 alternative arrangements shall not be required for current
549 teachers who choose not to teach in a charter lab school, except
550 as authorized by the employment policies of the state university
551 which grants the charter to the lab school.

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552 18. Full disclosure of the identity of all relatives
553 employed by the charter school who are related to the charter
554 school owner, president, chairperson of the governing board of
555 directors, superintendent, governing board member, principal,
556 assistant principal, or any other person employed by the charter
557 school who has equivalent decisionmaking authority. For the
558 purpose of this subparagraph, the term "relative" means father,
559 mother, son, daughter, brother, sister, uncle, aunt, first
560 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
561 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
562 stepfather, stepmother, stepson, stepdaughter, stepbrother,
563 stepsister, half brother, or half sister.

564 19. Implementation of the activities authorized under s.
565 1002.331 by the charter school when it satisfies the eligibility
566 requirements for a high-performing charter school. A high-
567 performing charter school shall notify its sponsor in writing by
568 March 1 if it intends to increase enrollment or expand grade
569 levels the following school year. The written notice shall
570 specify the amount of the enrollment increase and the grade
571 levels that will be added, as applicable.

572 Section 5. Paragraph (b) of subsection (4) of section
573 1002.45, Florida Statutes, is amended to read:

574 1002.45 Virtual instruction programs.—

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

577 (b) Provide a method for determining that a student has
578 satisfied the requirements for graduation in s. 1003.428, s.
579 1003.4287, s. 1003.429, or s. 1003.43 if the contract is for the
580 provision of a full-time virtual instruction program to students

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581 in grades 9 through 12.

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

584 1003.03 Maximum class size.—

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

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

593 1003.413 Florida Secondary School Redesign Act.—

594 (3) Based on these guiding principles, district school
595 boards shall establish policies to implement the requirements of
596 ss. 1003.4156, 1003.428, 1003.4287, and 1003.493. The policies
597 must address:

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

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

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

608 (d) Credit recovery courses and intensive reading and
609 mathematics intervention courses based on student performance on

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610 FCAT Reading and Mathematics. These courses should be competency
611 based and offered through innovative delivery systems, including
612 computer-assisted instruction. School districts should use
613 learning gains as well as other appropriate data and provide
614 incentives to identify and reward high-performing teachers who
615 teach credit recovery and intensive intervention courses.

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

619 (f) Summer academies for students to receive intensive
620 reading and mathematics intervention courses or competency-based
621 credit recovery courses. A student's participation in an
622 instructional or remediation program prior to or immediately
623 following entering grade 9 for the first time shall not affect
624 that student's classification as a first-time 9th grader for
625 reporting purposes.

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

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

631 (i) An annual review of each high school student's
632 electronic personal education plan created pursuant to s.
633 1003.4156 and procedures for high school students who have not
634 prepared an electronic personal education plan pursuant to s.
635 1003.4156 to prepare such plan.

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

638 (k) Additional course requirements for promotion and

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639 graduation which may be determined by each school district in
640 the student progression plan and may include additional
641 academic, fine and performing arts, physical education, or
642 career and technical education courses in order to provide a
643 complete education program pursuant to s. 1001.41(3).

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

646 1003.428 General requirements for high school graduation;
647 revised.—

648 (1) Except as otherwise authorized pursuant to s. 1003.4287
649 or s. 1003.429, beginning with students entering grade 9 in the
650 2007-2008 school year, graduation requires the successful
651 completion of a minimum of 24 credits, an International
652 Baccalaureate curriculum, or an Advanced International
653 Certificate of Education curriculum. Students must be advised of
654 eligibility requirements for state scholarship programs and
655 postsecondary admissions.

656 Section 9. Section 1003.438, Florida Statutes, is amended
657 to read:

658 1003.438 Special high school graduation requirements for
659 certain exceptional students.—A student who has been identified,
660 in accordance with rules established by the State Board of
661 Education, as a student with disabilities who has an
662 intellectual disability; an autism spectrum disorder; a language
663 impairment; an orthopedic impairment; an other health
664 impairment; a traumatic brain injury; an emotional or behavioral
665 disability; a specific learning disability, including, but not
666 limited to, dyslexia, dyscalculia, or developmental aphasia; or
667 students who are deaf or hard of hearing or dual sensory

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668 impaired shall not be required to meet all requirements of s.
669 1003.43, ~~or~~ s. 1003.428, or s. 1003.4287 and shall, upon meeting
670 all applicable requirements prescribed by the district school
671 board pursuant to s. 1008.25, be awarded a special diploma in a
672 form prescribed by the commissioner; however, such special
673 graduation requirements prescribed by the district school board
674 must include minimum graduation requirements as prescribed by
675 the commissioner. Any such student who meets all special
676 requirements of the district school board, but is unable to meet
677 the appropriate special state minimum requirements, shall be
678 awarded a special certificate of completion in a form prescribed
679 by the commissioner. However, this section does not limit or
680 restrict the right of an exceptional student solely to a special
681 diploma or special certificate of completion. Any such student
682 shall, upon proper request, be afforded the opportunity to fully
683 meet all requirements of s. 1003.43, ~~or~~ s. 1003.428, or s.
684 1003.4287 through the standard procedures established therein
685 and thereby to qualify for a standard diploma or a career
686 diploma upon graduation.

687 Section 10. Paragraph (g) of subsection (4) of section
688 1003.493, Florida Statutes, is amended to read:

689 1003.493 Career and professional academies.—

690 (4) Each career and professional academy must:

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

695 Section 11. Subsection (2) of section 1003.4935, Florida
696 Statutes, is amended to read:

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697 1003.4935 Middle school career and professional academy
698 courses.-

699 (2) Each middle school career and professional academy must
700 be aligned with at least one high school career and professional
701 academy offered in the district and maintain partnerships with
702 local business and industry and economic development boards.

703 Middle school career and professional academies must:

704 (a) Provide instruction in courses leading to careers in
705 occupations designated as high growth, high demand, and high pay
706 in the Industry Certification Funding List approved under rules
707 adopted by the State Board of Education;

708 (b) Offer career and professional academy courses that
709 integrate content from core subject areas;

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

713 (d) Coordinate with high schools to maximize opportunities
714 for middle school career and professional academy students to
715 earn high school credit;

716 (e) Provide access to virtual instruction courses provided
717 by virtual education providers legislatively authorized to
718 provide part-time instruction to middle school students. The
719 virtual instruction courses must be aligned to state curriculum
720 standards for middle school career and professional academy
721 students, with priority given to students who have required
722 course deficits;

723 (f) Provide instruction from highly skilled professionals
724 who hold industry certificates in the career area in which they
725 teach;

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726 (g) Offer externships; and

727 (h) Provide personalized student advisement that includes a
728 parent-participation component.

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

732 1008.22 Student assessment program for public schools.—

733 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
734 design and implement a statewide program of educational
735 assessment that provides information for the improvement of the
736 operation and management of the public schools, including
737 schools operating for the purpose of providing educational
738 services to youth in Department of Juvenile Justice programs.
739 The commissioner may enter into contracts for the continued
740 administration of the assessment, testing, and evaluation
741 programs authorized and funded by the Legislature. Contracts may
742 be initiated in 1 fiscal year and continue into the next and may
743 be paid from the appropriations of either or both fiscal years.
744 The commissioner is authorized to negotiate for the sale or
745 lease of tests, scoring protocols, test scoring services, and
746 related materials developed pursuant to law. Pursuant to the
747 statewide assessment program, the commissioner shall:

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

750 1. The Florida Comprehensive Assessment Test (FCAT)
751 measures a student's content knowledge and skills in reading,
752 writing, science, and mathematics. The content knowledge and
753 skills assessed by the FCAT must be aligned to the core
754 curricular content established in the Next Generation Sunshine

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755 State Standards. Other content areas may be included as directed
756 by the commissioner. Comprehensive assessments of reading and
757 mathematics shall be administered annually in grades 3 through
758 10 except, beginning with the 2010-2011 school year, the
759 administration of grade 9 FCAT Mathematics shall be
760 discontinued, and beginning with the 2011-2012 school year, the
761 administration of grade 10 FCAT Mathematics shall be
762 discontinued, except as required for students who have not
763 attained minimum performance expectations for graduation as
764 provided in paragraph (9) (c). FCAT Writing and FCAT Science
765 shall be administered at least once at the elementary, middle,
766 and high school levels except, beginning with the 2011-2012
767 school year, the administration of FCAT Science at the high
768 school level shall be discontinued.

769 2.a. End-of-course assessments for a subject shall be
770 administered in addition to the comprehensive assessments
771 required under subparagraph 1. End-of-course assessments must be
772 rigorous, statewide, standardized, and developed or approved by
773 the department. The content knowledge and skills assessed by
774 end-of-course assessments must be aligned to the core curricular
775 content established in the Next Generation Sunshine State
776 Standards.

777 (I) Statewide, standardized end-of-course assessments in
778 mathematics shall be administered according to this sub-sub-
779 subparagraph. Beginning with the 2010-2011 school year, all
780 students enrolled in Algebra I or an equivalent course must take
781 the Algebra I end-of-course assessment. For students entering
782 grade 9 during the 2010-2011 school year and who are enrolled in
783 Algebra I or an equivalent, each student's performance on the

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784 end-of-course assessment in Algebra I shall constitute 30
785 percent of the student's final course grade. Beginning with
786 students entering grade 9 in the 2011-2012 school year, a
787 student who is enrolled in Algebra I or an equivalent must earn
788 a passing score on the end-of-course assessment in Algebra I or
789 attain an equivalent score as described in subsection (11) in
790 order to earn course credit. Beginning with the 2011-2012 school
791 year, all students enrolled in geometry or an equivalent course
792 must take the geometry end-of-course assessment. For students
793 entering grade 9 during the 2011-2012 school year, each
794 student's performance on the end-of-course assessment in
795 geometry shall constitute 30 percent of the student's final
796 course grade. Beginning with students entering grade 9 during
797 the 2012-2013 school year, a student must earn a passing score
798 on the end-of-course assessment in geometry or attain an
799 equivalent score as described in subsection (11) in order to
800 earn course credit.

801 (II) Statewide, standardized end-of-course assessments in
802 science shall be administered according to this sub-sub-
803 subparagraph. Beginning with the 2011-2012 school year, all
804 students enrolled in Biology I or an equivalent course must take
805 the Biology I end-of-course assessment. For the 2011-2012 school
806 year, each student's performance on the end-of-course assessment
807 in Biology I shall constitute 30 percent of the student's final
808 course grade. Beginning with students entering grade 9 during
809 the 2012-2013 school year, a student must earn a passing score
810 on the end-of-course assessment in Biology I in order to earn
811 course credit.

812 b. During the 2012-2013 school year, an end-of-course

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813 assessment in civics education shall be administered as a field
814 test at the middle school level. During the 2013-2014 school
815 year, each student's performance on the statewide, standardized
816 end-of-course assessment in civics education shall constitute 30
817 percent of the student's final course grade. Beginning with the
818 2014-2015 school year, a student must earn a passing score on
819 the end-of-course assessment in civics education in order to
820 pass the course and be promoted from the middle grades. The
821 school principal of a middle school shall determine, in
822 accordance with State Board of Education rule, whether a student
823 who transfers to the middle school and who has successfully
824 completed a civics education course at the student's previous
825 school must take an end-of-course assessment in civics
826 education.

827 c. The commissioner may select one or more nationally
828 developed comprehensive examinations, which may include, but
829 need not be limited to, examinations for a College Board
830 Advanced Placement course, International Baccalaureate course,
831 or Advanced International Certificate of Education course, or
832 industry-approved examinations to earn national industry
833 certifications identified in the Industry Certification Funding
834 List, pursuant to rules adopted by the State Board of Education,
835 for use as end-of-course assessments under this paragraph, if
836 the commissioner determines that the content knowledge and
837 skills assessed by the examinations meet or exceed the grade
838 level expectations for the core curricular content established
839 for the course in the Next Generation Sunshine State Standards.
840 The commissioner may collaborate with the American Diploma
841 Project in the adoption or development of rigorous end-of-course

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842 assessments that are aligned to the Next Generation Sunshine
843 State Standards.

844 d. Contingent upon funding provided in the General
845 Appropriations Act, including the appropriation of funds
846 received through federal grants, the Commissioner of Education
847 shall establish an implementation schedule for the development
848 and administration of additional statewide, standardized end-of-
849 course assessments in English/Language Arts II, Algebra II,
850 chemistry, physics, earth/space science, United States history,
851 and world history. Priority shall be given to the development of
852 end-of-course assessments in English/Language Arts II. The
853 Commissioner of Education shall evaluate the feasibility and
854 effect of transitioning from the grade 9 and grade 10 FCAT
855 Reading and high school level FCAT Writing to an end-of-course
856 assessment in English/Language Arts II. The commissioner shall
857 report the results of the evaluation to the President of the
858 Senate and the Speaker of the House of Representatives no later
859 than July 1, 2011.

860 3. The testing program shall measure student content
861 knowledge and skills adopted by the State Board of Education as
862 specified in paragraph (a) and measure and report student
863 performance levels of all students assessed in reading, writing,
864 mathematics, and science. The commissioner shall provide for the
865 tests to be developed or obtained, as appropriate, through
866 contracts and project agreements with private vendors, public
867 vendors, public agencies, postsecondary educational
868 institutions, or school districts. The commissioner shall obtain
869 input with respect to the design and implementation of the
870 testing program from state educators, assistive technology

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871 experts, and the public.

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

877 5. FCAT Reading, Mathematics, and Science and all
878 statewide, standardized end-of-course assessments shall measure
879 the content knowledge and skills a student has attained on the
880 assessment by the use of scaled scores and achievement levels.
881 Achievement levels shall range from 1 through 5, with level 1
882 being the lowest achievement level, level 5 being the highest
883 achievement level, and level 3 indicating satisfactory
884 performance on an assessment. For purposes of FCAT Writing,
885 student achievement shall be scored using a scale of 1 through 6
886 and the score earned shall be used in calculating school grades.
887 A score shall be designated for each subject area tested, below
888 which score a student's performance is deemed inadequate. The
889 school districts shall provide appropriate remedial instruction
890 to students who score below these levels.

891 6. The State Board of Education shall, by rule, designate a
892 passing score for each part of the grade 10 assessment test and
893 end-of-course assessments. Any rule that has the effect of
894 raising the required passing scores may apply only to students
895 taking the assessment for the first time after the rule is
896 adopted by the State Board of Education. Except as otherwise
897 provided in this subparagraph and as provided in s.
898 1003.428(8)(b), s. 1003.4287(8)(b), or s. 1003.43(11)(b),
899 students must earn a passing score on grade 10 FCAT Reading and

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900 grade 10 FCAT Mathematics or attain concordant scores as
901 described in subsection (10) in order to qualify for a standard
902 or career technical high school diploma.

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

909 8. Participation in the testing program is mandatory for
910 all students attending public school, including students served
911 in Department of Juvenile Justice programs, except as otherwise
912 prescribed by the commissioner. A student who has not earned
913 passing scores on the grade 10 FCAT as provided in subparagraph
914 6. must participate in each retake of the assessment until the
915 student earns passing scores or achieves scores on a
916 standardized assessment which are concordant with passing scores
917 pursuant to subsection (10). If a student does not participate
918 in the statewide assessment, the district must notify the
919 student's parent and provide the parent with information
920 regarding the implications of such nonparticipation. A parent
921 must provide signed consent for a student to receive classroom
922 instructional accommodations that would not be available or
923 permitted on the statewide assessments and must acknowledge in
924 writing that he or she understands the implications of such
925 instructional accommodations. The State Board of Education shall
926 adopt rules, based upon recommendations of the commissioner, for
927 the provision of test accommodations for students in exceptional
928 education programs and for students who have limited English

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929 proficiency. Accommodations that negate the validity of a
930 statewide assessment are not allowable in the administration of
931 the FCAT or an end-of-course assessment. However, instructional
932 accommodations are allowable in the classroom if included in a
933 student's individual education plan. Students using
934 instructional accommodations in the classroom that are not
935 allowable as accommodations on the FCAT or an end-of-course
936 assessment may have the FCAT or an end-of-course assessment
937 requirement waived pursuant to the requirements of s.
938 1003.428(8)(b), s. 1003.4287(8)(b), or s. 1003.43(11)(b).

939 9. A student seeking an adult high school diploma must meet
940 the same testing requirements that a regular high school student
941 must meet.

942 10. District school boards must provide instruction to
943 prepare students in the core curricular content established in
944 the Next Generation Sunshine State Standards adopted under s.
945 1003.41, including the core content knowledge and skills
946 necessary for successful grade-to-grade progression and high
947 school graduation. If a student is provided with instructional
948 accommodations in the classroom that are not allowable as
949 accommodations in the statewide assessment program, as described
950 in the test manuals, the district must inform the parent in
951 writing and must provide the parent with information regarding
952 the impact on the student's ability to meet expected performance
953 levels in reading, writing, mathematics, and science. The
954 commissioner shall conduct studies as necessary to verify that
955 the required core curricular content is part of the district
956 instructional programs.

957 11. District school boards must provide opportunities for

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958 students to demonstrate an acceptable performance level on an
959 alternative standardized assessment approved by the State Board
960 of Education following enrollment in summer academies.

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

966 13. For students seeking a special diploma pursuant to s.
967 1003.438, the Department of Education must develop or select and
968 implement an alternate assessment tool that accurately measures
969 the core curricular content established in the Next Generation
970 Sunshine State Standards for students with disabilities under s.
971 1003.438.

972 14. The Commissioner of Education shall establish schedules
973 for the administration of statewide assessments and the
974 reporting of student test results. When establishing the
975 schedules for the administration of statewide assessments, the
976 commissioner shall consider the observance of religious and
977 school holidays. The commissioner shall, by August 1 of each
978 year, notify each school district in writing and publish on the
979 department's Internet website the testing and reporting
980 schedules for, at a minimum, the school year following the
981 upcoming school year. The testing and reporting schedules shall
982 require that:

983 a. There is the latest possible administration of statewide
984 assessments and the earliest possible reporting to the school
985 districts of student test results which is feasible within
986 available technology and specific appropriations; however, test

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987 results for the FCAT must be made available no later than the
988 week of June 8. Student results for end-of-course assessments
989 must be provided no later than 1 week after the school district
990 completes testing for each course. The commissioner may extend
991 the reporting schedule under exigent circumstances.

992 b. FCAT Writing may not be administered earlier than the
993 week of March 1, and a comprehensive statewide assessment of any
994 other subject may not be administered earlier than the week of
995 April 15.

996 c. A statewide, standardized end-of-course assessment is
997 administered at the end of the course. The commissioner shall
998 select an administration period for assessments that meets the
999 intent of end-of-course assessments and provides student results
1000 prior to the end of the course. School districts shall
1001 administer tests in accordance with the schedule determined by
1002 the commissioner. For an end-of-course assessment administered
1003 at the end of the first semester, the commissioner shall
1004 determine the most appropriate testing dates based on a review
1005 of each school district's academic calendar.

1006
1007 The commissioner may, based on collaboration and input from
1008 school districts, design and implement student testing programs,
1009 for any grade level and subject area, necessary to effectively
1010 monitor educational achievement in the state, including the
1011 measurement of educational achievement of the Next Generation
1012 Sunshine State Standards for students with disabilities.
1013 Development and refinement of assessments shall include
1014 universal design principles and accessibility standards that
1015 will prevent any unintended obstacles for students with

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1016 disabilities while ensuring the validity and reliability of the
1017 test. These principles should be applicable to all technology
1018 platforms and assistive devices available for the assessments.
1019 The field testing process and psychometric analyses for the
1020 statewide assessment program must include an appropriate
1021 percentage of students with disabilities and an evaluation or
1022 determination of the effect of test items on such students.

1023 (9) APPLICABILITY OF TESTING STANDARDS.—

1024 (b) A student must attain the passing scores on the
1025 statewide assessment required for a standard or career technical
1026 high school diploma or for high school course credits under sub-
1027 sub-subparagraphs (3)(c)2.a.(I) and (II) which are in effect at
1028 the time the student enters grade 9. If a student transfers into
1029 a high school, the school principal shall determine, in
1030 accordance with State Board of Education rule, whether the
1031 student must take an end-of-course assessment in a course for
1032 which the student has credit that was earned from the previous
1033 school.

1034 (c) If the commissioner revises a statewide assessment and
1035 the revisions require the State Board of Education to modify the
1036 passing scores required for a standard or career technical high
1037 school diploma or for high school course credits under sub-sub-
1038 subparagraphs (3)(c)2.a.(I) and (II), the commissioner may, with
1039 approval of the state board, discontinue administration of the
1040 former assessment upon the graduation, based on normal student
1041 progression, of students participating in the final regular
1042 administration of the former assessment. The state board shall
1043 adopt by rule passing scores for the revised assessment which
1044 are statistically equivalent to passing scores on the

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1045 discontinued assessment for a student required under paragraph
1046 (b) to attain passing scores on the discontinued assessment.
1047 Section 13. This act shall take effect July 1, 2013.