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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/06/2013	.	
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The Committee on Education (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1007.012, Florida Statutes, is created
to read:

1007.012 Florida Accredited Courses and Tests Initiative
(FACTs) .-

(1) The Florida Accredited Courses and Tests Initiative
(FACTs) is created to expand student choices in selecting
multiple, high-quality public and nonpublic courses and
assessments toward satisfying course, assessment, or credit
requirements for promotion, graduation, or degree attainment.



14 The purpose of the initiative is to make available multiple
15 options to suit unique student interests, satisfy educational
16 requirements, and accelerate student accomplishment of goals in
17 a productive and effective manner.

18 (2) The Legislature intends that state and local rules,
19 policies, and administrative decisions are flexible in
20 interpreting and implementing the requirements in this section
21 in order to encourage creative, innovative, resourceful, and
22 forward-thinking practices that can be modeled throughout this
23 state and the country. The Legislature intends that the Florida
24 Accredited Courses and Tests Initiative generate sufficient
25 options for students to combine multiple instructional
26 experiences and build complete programs for attaining a standard
27 high school diploma and a postsecondary education degree which
28 are tailored to the unique interests of each student.

29 (3) The initiative allows students in this state to satisfy
30 public K-12 education promotion or high school graduation
31 course, assessment, or credit requirements, or to satisfy
32 requirements for public postsecondary credit or degree
33 attainment by successfully meeting the assessment requirements
34 of this subsection.

35 (a) As used in this section, the term "Florida-accredited
36 course" is a K-12 course or postsecondary education credit
37 course that:

38 1. Is created by individuals whose credentials and
39 documented knowledge of a specific science, technology,
40 engineering, or math field warrants consideration as a credible
41 and legitimate source of course content;

42 2. Is provided or distributed by individuals, institutions,



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43 entities, or organizations; and

44 3. Has fulfilled requirements under subsection (4) for
45 purposes of satisfying requirements for promotion, graduation,
46 or obtaining a degree. A massive, open online course and a
47 course associated with rigorous industry certifications are
48 eligible for consideration and approval as a Florida-accredited
49 course.

50 (b) Courses and assessments may be applied toward
51 requirements for promotion, graduation, or degree attainment in
52 whole, in subparts, or in a combination of whole and subparts.

53 1. A Florida-accredited course, a public K-12 course
54 identified on the course code directory, or a postsecondary
55 education course identified on the statewide course numbering
56 system, may be applied as one whole unit or as two or more
57 discrete subunits such that when combined, they are equivalent
58 to the whole unit. A student may not be required to repeat
59 subunits that are satisfactorily completed.

60 2. Assessments associated with a course must be established
61 by regionally accredited public institutions and must be
62 approved in accordance with subsection (4). The assessments may
63 be applied as one whole assessment or as two or more discrete
64 subassessments such that when combined, they are equivalent to
65 the whole assessment. A student may not be required to repeat
66 subassessments that are satisfactorily completed. Assessments
67 and subassessments shall be administered pursuant to s. 1008.24.

68 (4) A Florida-accredited course and its associated
69 assessments must be annually identified, approved, published,
70 and shared for consideration by interested students,
71 institutions, school districts, colleges, and universities.



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72 (a) Each Florida-accredited course and its associated
73 assessments must be:

74 1. Approved by the Commissioner of Education for
75 application in K-12 public schools and Florida College System
76 institutions in accordance with rules of the State Board of
77 Education.

78 2. Approved by the Chancellor of the State University
79 System for application in state universities in accordance with
80 rules of the Board of Governors.

81 (b) The Articulation Coordinating Committee established in
82 s. 1007.01 shall annually publish and share a consolidated list
83 of approved Florida-accredited courses and associated, approved
84 assessments in conjunction with the courses listed in the course
85 code directory and statewide course numbering system in a manner
86 that facilitates student and institutional knowledge of the
87 Florida-accredited courses as options available for credit.

88 Section 2. Section 1008.24, Florida Statutes, is amended to
89 read:

90 1008.24 Test administration and security.-

91 (1) A person may not ~~It is unlawful for anyone~~ knowingly
92 and willfully ~~to~~ violate test security rules adopted by the
93 State Board of Education for mandatory tests administered by or
94 through the State Board of Education or the Commissioner of
95 Education to students, educators, or applicants for
96 certification or administered by school districts pursuant to s.
97 1008.22, or, with respect to any such test, knowingly and
98 willfully to:

99 (a) Give examinees access to test questions prior to
100 testing;



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101 (b) Copy, reproduce, or use in any manner inconsistent with
102 test security rules all or any portion of any secure test
103 booklet;

104 (c) Coach examinees during testing or alter or interfere
105 with examinees' responses in any way;

106 (d) Make answer keys available to examinees;

107 (e) Fail to follow security rules for distribution and
108 return of secure test as directed, or fail to account for all
109 secure test materials before, during, and after testing;

110 (f) Fail to follow test administration directions specified
111 in the test administration manuals; or

112 (g) Participate in, direct, aid, counsel, assist in, or
113 encourage any of the acts prohibited in this section.

114 (2) A ~~Any~~ person who violates this section commits a
115 misdemeanor of the first degree, punishable as provided in s.
116 775.082 or s. 775.083.

117 (3) A school district, a Florida College System
118 institution, and a state university may contract with qualified
119 contractors to administer and proctor statewide, standardized
120 assessments required under s. 1008.22 or assessments associated
121 with Florida-accredited courses under s. 1007.012, as approved
122 by the Department of Education in accordance with rules of the
123 State Board of Education. The Department of Education may also
124 contract for these services on behalf of the state or any school
125 district, Florida College System institution, or state
126 university. Assessments may be administered or proctored by
127 qualified contractors at sites that meet criteria established by
128 rules of the State Board of Education and adopted pursuant to
129 ss. 120.536(1) and 120.54 to implement the contracting



130 requirements of this subsection.

131 ~~(4)~~(3)(a) A district school superintendent, a president of
132 a public postsecondary educational institution, or a president
133 of a nonpublic postsecondary educational institution shall
134 cooperate with the Commissioner of Education in any
135 investigation concerning the administration of a test
136 administered pursuant to state statute or rule.

137 (b) The identity of a school or postsecondary educational
138 institution, the personally identifiable information of any
139 personnel of any school district or postsecondary educational
140 institution, or any specific allegations of misconduct obtained
141 or reported pursuant to an investigation conducted by the
142 Department of Education of a testing impropriety are
143 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
144 s. 24(a), Art. I of the State Constitution until the conclusion
145 of the investigation or until such time as the investigation
146 ceases to be active. For the purpose of this paragraph, an
147 investigation shall be deemed concluded upon a finding that no
148 impropriety has occurred, upon the conclusion of any resulting
149 preliminary investigation pursuant to s. 1012.796, upon the
150 completion of any resulting investigation by a law enforcement
151 agency, or upon the referral of the matter to an employer who
152 has the authority to take disciplinary action against an
153 individual who is suspected of a testing impropriety. For the
154 purpose of this paragraph, an investigation shall be considered
155 active so long as it is ongoing and there is a reasonable, good
156 faith anticipation that an administrative finding will be made
157 in the foreseeable future. This paragraph is subject to the Open
158 Government Sunset Review Act in accordance with s. 119.15 and



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159 shall stand repealed on October 2, 2014, unless reviewed and
160 saved from repeal through reenactment by the Legislature.

161 Section 3. This act shall take effect July 1, 2013.

162
163 ===== T I T L E A M E N D M E N T =====

164 And the title is amended as follows:

165 Delete everything before the enacting clause
166 and insert:

167 A bill to be entitled
168 An act relating to education; creating s. 1007.012,
169 F.S.; creating the Florida Accredited Courses and
170 Tests Initiative (FACTs); providing the purpose of the
171 initiative; providing legislative intent; providing
172 that implementing the initiative allows students to
173 satisfy certain requirements; defining the term
174 "Florida-accredited course" as it relates to the
175 initiative; providing for application of certain
176 courses and assessments toward promotion, graduation,
177 and degree attainment; requiring that Florida-
178 accredited courses and their assessments be annually
179 identified, approved, published, and shared for
180 consideration by certain students and entities;
181 requiring the Commissioner of Education and the
182 Chancellor of the State University System to approve
183 each Florida-accredited course and its assessments;
184 requiring the Articulation Coordinating Committee to
185 annually publish and share a list of approved Florida-
186 accredited courses, their assessments, and other
187 courses; amending s. 1008.24, F.S.; authorizing a



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188 school district, a Florida College System institution,
189 and a state university to contract with qualified
190 contractors to administer and proctor statewide
191 standardized assessments or assessments associated
192 with Florida-accredited courses; authorizing the
193 Department of Education to contract for these services
194 on behalf of the state or a school district, Florida
195 College System institution, or state university;
196 providing that assessments may be administered or
197 proctored by qualified contractors at sites that meet
198 certain criteria; providing an effective date.