

By Senator Montford

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1 A bill to be entitled
2 An act relating to alternative high school graduation
3 requirements; amending s. 1003.4282, F.S.; conforming
4 a cross-reference; authorizing certain students to be
5 eligible for an alternative pathway to a standard high
6 school diploma; specifying student eligibility
7 requirements for the alternative pathway; specifying
8 documentation the student must provide; requiring a
9 school district to establish an Alternative Pathway to
10 Graduation Review Committee for certain students;
11 providing the membership and duties of the committee;
12 providing that a principal has the final decision on a
13 student's completion of specified graduation
14 requirements; prohibiting a student or the student's
15 parent or guardian from appealing the principal's
16 decision; requiring certain waivers to be approved by
17 the parent or guardian; requiring each district school
18 board to adopt rules and to incorporate certain
19 provisions in the student progression plan; amending
20 s. 1008.22, F.S.; requiring each district school board
21 to ensure certain instruction, to waive certain
22 assessment results, and to administer a hard copy of
23 the grade 10 ELA assessment or the statewide,
24 standardized Algebra I EOC assessment for certain
25 students; amending ss. 1008.212, 1008.34, and
26 1008.3415, F.S.; conforming cross-references;
27 providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:

30
31 Section 1. Paragraph (e) of subsection (10) of section
32 1003.4282, Florida Statutes, is amended, present subsection (11)

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33 of that section is redesignated as subsection (12), and a new
34 subsection (11) is added to that section, to read:

35 1003.4282 Requirements for a standard high school diploma.—

36 (10) STUDENTS WITH DISABILITIES.—Beginning with students
37 entering grade 9 in the 2014-2015 school year, this subsection
38 applies to a student with a disability.

39 (e) Any waiver of the statewide, standardized assessment
40 requirements by the individual education plan team, pursuant to
41 s. 1008.22(3)(d) ~~s. 1008.22(3)(e)~~, must be approved by the
42 parent and is subject to verification for appropriateness by an
43 independent reviewer selected by the parent as provided for in
44 s. 1003.572.

45
46 The State Board of Education shall adopt rules under ss.
47 120.536(1) and 120.54 to implement this subsection, including
48 rules that establish the minimum requirements for students
49 described in this subsection to earn a standard high school
50 diploma. The State Board of Education shall adopt emergency
51 rules pursuant to ss. 120.536(1) and 120.54.

52 (11) ALTERNATIVE PATHWAY TO A STANDARD HIGH SCHOOL
53 DIPLOMA.—

54 (a) Beginning with students entering grade 9 in the 2016-
55 2017 school year, a student who meets the qualifications of this
56 subsection may be eligible for an alternative pathway to a
57 standard high school diploma.

58 (b) To be eligible for an alternative pathway to a standard
59 high school diploma, a student must not have passed the grade 10
60 ELA assessment or the statewide, standardized Algebra I EOC
61 assessment.

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62 (c) A student may satisfy the requirements for a standard
63 high school diploma through the alternative pathway option by
64 documenting all of the following:

65 1. Completion of the minimum high school graduation course
66 credit requirements established by rule of the State Board of
67 Education.

68 2. Attainment of the applicable industry certifications,
69 occupational completion points, and postsecondary credits as
70 provided in the alternative pathway graduation plan under
71 paragraph (d).

72 3. A mastery of the academic standards or competencies that
73 had not previously been met, as indicated by the student not
74 passing the applicable grade 10 ELA assessment or the statewide,
75 standardized Algebra I EOC assessment, in a portfolio containing
76 quantifiable evidence of such mastery. The portfolio may
77 include, but is not limited to, evidence that a required
78 assessment was taken in a hard-copy format, evidence of any
79 additional coursework, segmented assessments, industry
80 certifications, occupational completion points, and
81 postsecondary credits.

82 (d) A school district must establish an Alternative Pathway
83 to Graduation Review Committee for each student who chooses to
84 obtain a standard high school diploma through the alternative
85 pathway established under this subsection.

86 1. The review committee shall be composed of the principal
87 or his or her designee, the eligible student's guidance
88 counselor, the teacher of the course for which the student
89 received a failing grade, and at least one teacher of a course
90 in which the student received a grade of "C" or better. The

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91 principal may appoint an alternative member if a required
92 participant cannot serve on the review committee. The student
93 and the student's parent or guardian may attend a review
94 committee meeting.

95 2. The review committee shall develop an alternative
96 pathway graduation plan that incorporates the requirements for a
97 standard high school diploma pursuant to this subsection. The
98 alternative pathway graduation plan must be signed by the
99 student, the student's parent or guardian, and the principal and
100 must include:

101 a. The expected academic standards or competencies,
102 industry certifications, occupational completion points, or
103 postsecondary credits that the student will master or complete,
104 as applicable.

105 b. The criteria for determining and certifying mastery of
106 the academic standards or competencies.

107 c. An evaluation by the committee which specifies whether
108 administering the grade 10 ELA assessment or the statewide,
109 standardized Algebra I EOC assessment, or both, online will
110 significantly impair the student's ability to perform.

111 d. A description of the monitoring that the school will
112 provide.

113 (e) A student shall be awarded a standard high school
114 diploma upon completion of the requirements of the alternative
115 pathway graduation plan and documentation of the completion of
116 the requirements provided in paragraph (c). Documentation must
117 be verified by the Alternative Pathway to Graduation Review
118 Committee and approved by the principal. The decision by the
119 principal is final and may not be appealed by the student or the

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120 student's parent or guardian.

121 (f) Any waiver of the grade 10 ELA assessment or the
122 statewide, standardized Algebra I EOC assessment results by the
123 district school board upon a determination by the Alternative
124 Pathway to Graduation Review Committee authorized pursuant to s.
125 1008.22(3)(c) must be approved by a student's parent or
126 guardian. The parent or guardian may select an independent
127 reviewer approved by the review committee to verify the
128 appropriateness of the waiver.

129 (g) Each district school board shall adopt rules to
130 administer this subsection and shall incorporate this subsection
131 in the student progression plan required pursuant to s. 1008.25.

132 Section 2. Present paragraph (b) of subsection (3) of
133 section 1008.22, Florida Statutes, is amended, present
134 paragraphs (c) through (g) of that subsection are redesignated
135 as paragraphs (d) through (h), respectively, a new paragraph (c)
136 is added to that subsection, and paragraph (a) of subsection (7)
137 is amended, to read:

138 1008.22 Student assessment program for public schools.—

139 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
140 Commissioner of Education shall design and implement a
141 statewide, standardized assessment program aligned to the core
142 curricular content established in the Next Generation Sunshine
143 State Standards. The commissioner also must develop or select
144 and implement a common battery of assessment tools that will be
145 used in all juvenile justice education programs in the state.
146 These tools must accurately measure the core curricular content
147 established in the Next Generation Sunshine State Standards.
148 Participation in the assessment program is mandatory for all

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149 school districts and all students attending public schools,
150 including adult students seeking a standard high school diploma
151 under s. 1003.4282 and students in Department of Juvenile
152 Justice education programs, except as otherwise provided by law.
153 If a student does not participate in the assessment program, the
154 school district must notify the student's parent and provide the
155 parent with information regarding the implications of such
156 nonparticipation. The statewide, standardized assessment program
157 shall be designed and implemented as follows:

158 (b) *End-of-course (EOC) assessments.*—EOC assessments must
159 be statewide, standardized, and developed or approved by the
160 Department of Education as follows:

161 1. EOC assessments for Algebra I, Geometry, Algebra II,
162 Biology I, United States History, and Civics shall be
163 administered to students enrolled in such courses as specified
164 in the course code directory.

165 2. Students enrolled in a course, as specified in the
166 course code directory, with an associated statewide,
167 standardized EOC assessment must take the EOC assessment for
168 such course and may not take the corresponding subject or grade-
169 level statewide, standardized assessment pursuant to paragraph
170 (a). Sections 1003.4156 and 1003.4282 govern the use of
171 statewide, standardized EOC assessment results for students.

172 3. The commissioner may select one or more nationally
173 developed comprehensive examinations, which may include
174 examinations for a College Board Advanced Placement course,
175 International Baccalaureate course, or Advanced International
176 Certificate of Education course, or industry-approved
177 examinations to earn national industry certifications identified

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178 in the CAPE Industry Certification Funding List, for use as EOC
179 assessments under this paragraph if the commissioner determines
180 that the content knowledge and skills assessed by the
181 examinations meet or exceed the grade-level expectations for the
182 core curricular content established for the course in the Next
183 Generation Sunshine State Standards. Use of any such examination
184 as an EOC assessment must be approved by the state board in
185 rule.

186 4. Contingent upon funding provided in the General
187 Appropriations Act, including the appropriation of funds
188 received through federal grants, the commissioner may establish
189 an implementation schedule for the development and
190 administration of additional statewide, standardized EOC
191 assessments that must be approved by the state board in rule. If
192 approved by the state board, student performance on such
193 assessments constitutes 30 percent of a student's final course
194 grade.

195 5. All statewide, standardized EOC assessments must be
196 administered online except as otherwise provided in paragraph
197 (d) ~~(e)~~.

198 (c) Alternative pathway to graduation.—Each district school
199 board shall:

200 1. Ensure that each school in the district provides
201 instruction to students in the core content knowledge and skills
202 necessary for successful high school graduation.

203 2. Waive a student's assessment results if the student
204 meets the eligibility requirements for an alternative pathway to
205 a standard high school diploma under s. 1003.4282(11) and if the
206 Alternative Pathway to Graduation Review Committee determines

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207 that the grade 10 ELA assessment or the statewide, standardized
208 Algebra I EOC assessment, or both, do not accurately measure the
209 student's abilities. The waiver shall be designated on the
210 student's transcript and shall be limited to a statement that
211 performance on an assessment was waived for the student to
212 receive a standard high school diploma.

213 3. Administer the grade 10 ELA assessment or the statewide,
214 standardized Algebra I EOC assessment, or both, in a hard-copy
215 format for a student if the Alternative Pathway to Graduation
216 Review Committee states that administering the assessments
217 online will significantly impair the student's ability to
218 perform.

219 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

220 (a) The Commissioner of Education shall establish schedules
221 for the administration of statewide, standardized assessments
222 and the reporting of student assessment results. The
223 commissioner shall consider the observance of religious and
224 school holidays when developing the schedules. The assessment
225 and reporting schedules must provide the earliest possible
226 reporting of student assessment results to the school districts,
227 consistent with the requirements of paragraph (3)(h) ~~(3)(g)~~.
228 Assessment results for the statewide, standardized ELA and
229 mathematics assessments and all statewide, standardized EOC
230 assessments must be made available no later than the week of
231 June 8, except for results of assessments administered in the
232 2014-2015 school year. School districts shall administer
233 statewide, standardized assessments in accordance with the
234 schedule established by the commissioner.

235 Section 3. Paragraph (a) of subsection (1) and subsection

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236 (2) of section 1008.212, Florida Statutes, is amended to read:

237 1008.212 Students with disabilities; extraordinary
238 exemption.—

239 (1) As used in this section, the term:

240 (a) "Circumstance" means a situation in which
241 accommodations allowable for use on the statewide standardized
242 assessment, a statewide standardized end-of-course assessment,
243 or an alternate assessment pursuant to s. 1008.22(3)(d) ~~s.~~
244 ~~1008.22(3)(e)~~ are not offered to a student during the current
245 year's assessment administration due to technological
246 limitations in the testing administration program which lead to
247 results that reflect the student's impaired sensory, manual, or
248 speaking skills rather than the student's achievement of the
249 benchmarks assessed by the statewide standardized assessment, a
250 statewide standardized end-of-course assessment, or an alternate
251 assessment.

252 (2) A student with a disability for whom the individual
253 education plan (IEP) team determines is prevented by a
254 circumstance or condition from physically demonstrating the
255 mastery of skills that have been acquired and are measured by
256 the statewide standardized assessment, a statewide standardized
257 end-of-course assessment, or an alternate assessment pursuant to
258 s. 1008.22(3)(d) ~~s. 1008.22(3)(e)~~ shall be granted an
259 extraordinary exemption from the administration of the
260 assessment. A learning, emotional, behavioral, or significant
261 cognitive disability, or the receipt of services through the
262 homebound or hospitalized program in accordance with rule 6A-
263 6.03020, Florida Administrative Code, is not, in and of itself,
264 an adequate criterion for the granting of an extraordinary

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265 exemption.

266 Section 4. Paragraph (a) of subsection (1) of section
267 1008.34, Florida Statutes, is amended to read:

268 1008.34 School grading system; school report cards;
269 district grade.—

270 (1) DEFINITIONS.—For purposes of the statewide,
271 standardized assessment program and school grading system, the
272 following terms are defined:

273 (a) "Achievement level," "student achievement," or
274 "achievement" describes the level of content mastery a student
275 has acquired in a particular subject as measured by a statewide,
276 standardized assessment administered pursuant to s.
277 1008.22(3)(a) and (b). There are five achievement levels. Level
278 1 is the lowest achievement level, level 5 is the highest
279 achievement level, and level 3 indicates satisfactory
280 performance. A student passes an assessment if the student
281 achieves a level 3, level 4, or level 5. For purposes of the
282 Florida Alternate Assessment administered pursuant to s.
283 1008.22(3)(d) ~~s. 1008.22(3)(c)~~, the state board shall provide,
284 in rule, the number of achievement levels and identify the
285 achievement levels that are considered passing.

286 Section 5. Subsection (2) of section 1008.3415, Florida
287 Statutes, is amended to read:

288 1008.3415 School grade or school improvement rating for
289 exceptional student education centers.—

290 (2) Notwithstanding s. 1008.34, the achievement levels and
291 Learning Gains of a student with a disability who attends an
292 exceptional student education center and has not been enrolled
293 in or attended a public school other than an exceptional student

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294 education center for grades K-12 within the school district
295 shall not be included in the calculation of the home school's
296 grade if the student is identified as an emergent student on the
297 alternate assessment described in s. 1008.22(3)(d) ~~s.~~
298 ~~1008.22(3)(e)~~.

299 Section 6. This act shall take effect upon becoming a law.