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Proposed Committee Substitute by the Committee on Education
Pre-K - 12

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A bill to be entitled
An act relating to student performance;
amending s. 1001.03, F.S.; specifying the
student performance standards that must be used
for civics education; creating s. 1004.65,
F.S.; establishing the Florida Joint Center for
Citizenship; providing purpose and location;
providing membership and for an advisory board;
authorizing the center to solicit and receive
funding; providing for an annual report;
amending s. 1008.22, F.S.; requiring the
Commissioner of Education to include social
studies as part of the Florida Comprehensive
Assessment Test; providing an effective date.

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

Section 1. Subsection (1) of section 1001.03, Florida
Statutes, is amended to read:

1001.03 Specific powers of State Board of Education.--
(1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The
State Board of Education shall approve the student performance
standards known as the Sunshine State Standards in key
academic subject areas and grade levels. The state board shall
establish a schedule to facilitate the periodic review of the
standards to ensure adequate rigor, relevance, logical student
progression, and the integration of reading, writing, and
mathematics across all subject areas. The ~~standards~~ review by
subject area must include participation of curriculum leaders
in other content areas, including the arts, to ensure valid
content area integration and to address the instructional

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1 requirements of different learners ~~learning styles~~. The 2007
2 revision of the curriculum standards for social studies must
3 include an emphasis on the integration of civics education at
4 all grade levels, based on the framework provided by the
5 National Standards for Civics and Government. The civics
6 standards must be included in all appropriate state testing
7 provisions and assessments as they are developed, with an
8 emphasis on student application, analysis, synthesis, and
9 evaluation. The process and schedule for review and the design
10 and implementation of the proposed revisions must include
11 leadership and input from the state's classroom teachers,
12 school administrators, and community colleges and
13 universities, and from representatives from business and
14 industry who are identified by local education foundations. A
15 report including proposed revisions must be submitted to the
16 Governor, the President of the Senate, and the Speaker of the
17 House of Representatives annually to coincide with the
18 established review schedule. The review schedule and an annual
19 status report must be submitted to the Governor, the President
20 of the Senate, and the Speaker of the House of Representatives
21 annually not later than January 1.

22 Section 2. Section 1004.65, Florida Statutes, is
23 created to read:

24 1004.65 The Florida Joint Center for Citizenship.--
25 (1) Subject to appropriation, the Florida Joint Center
26 for Citizenship is created at the Bob Graham Center for Public
27 Service at the University of Florida and the Lou Frey
28 Institute of Politics and Government at the University of
29 Central Florida. The center is established to promote civic
30 learning and engagement among the public especially young
31 people. To accomplish this purpose, the center shall:

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1 (a) Work in collaboration with the Department of
2 Education, colleges and universities, school districts, and
3 other public and private organizations to improve civic
4 learning and engagement;

5 (b) Serve as an information resource and clearinghouse
6 on activities and initiatives that promote civic learning and
7 engagement;

8 (c) Offer and support programs that encourage civic
9 and political engagement and leadership; and

10 (d) Undertake research on civic learning and
11 engagement.

12 (2) The center shall operate under the leadership of a
13 board of directors that meets at least two times per year.

14 Board membership must include:

15 (a) The Governor or his or her designee;

16 (b) The President of the Senate or his or her
17 designee;

18 (c) The Speaker of the House of Representatives or his
19 or her designee;

20 (d) The Commissioner of Education or his or her
21 designee;

22 (e) The President of the University of Florida or his
23 or her designee;

24 (f) The President of the University of Central Florida
25 or his or her designee;

26 (g) Former United States Senator Bob Graham or the
27 chair of the board of directors of the Bob Graham Center for
28 Public Service; and

29 (h) Former United States Congressman Louis Frey, Jr.
30 or the chair of the board of directors of the Lou Frey
31 Institute of Politics and Government.

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1 (3) The center shall solicit and may receive state,
 2 federal, and private funds for the purpose of promoting civic
 3 learning and engagement. Revenues and expenditures shall be
 4 reported to the board on a regular basis.

5 (4) The administrative headquarters of the center
 6 shall initially be located at the Lou Frey Institute of
 7 Politics and Government. The headquarters may subsequently be
 8 moved between the Lou Frey Institute and the Bob Graham Center
 9 for Public Service at the discretion of the board.

10 Administrative and management responsibility and support
 11 services for the center shall rest with the director of the
 12 unit where the center is headquartered and shall be provided
 13 as such services are normally provided to academic programs.

14 (5) A statewide advisory committee, whose members
 15 shall be annually appointed by the board, shall be convened to
 16 provide guidance and recommendations regarding initiatives to
 17 promote civic learning and engagement among members of the
 18 public.

19 (6) On or before January 31 of each year, the center
 20 shall provide a report of its activities to the Governor, the
 21 President of the Senate, and the Speaker of the House of
 22 Representatives.

23 Section 3. Paragraph (c) of subsection (3) of section
 24 1008.22, Florida Statutes, is amended to read:

25 1008.22 Student assessment program for public
 26 schools.--

27 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner
 28 shall design and implement a statewide program of educational
 29 assessment that provides information for the improvement of
 30 the operation and management of the public schools, including
 31 schools operating for the purpose of providing educational

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1 services to youth in Department of Juvenile Justice programs.
 2 The commissioner may enter into contracts for the continued
 3 administration of the assessment, testing, and evaluation
 4 programs authorized and funded by the Legislature. Contracts
 5 may be initiated in 1 fiscal year and continue into the next
 6 and may be paid from the appropriations of either or both
 7 fiscal years. The commissioner is authorized to negotiate for
 8 the sale or lease of tests, scoring protocols, test scoring
 9 services, and related materials developed pursuant to law.
 10 Pursuant to the statewide assessment program, the commissioner
 11 shall:

12 (c) Develop and implement a student achievement
 13 testing program known as the Florida Comprehensive Assessment
 14 Test (FCAT) as part of the statewide assessment program to
 15 measure reading, writing, science, and mathematics. The
 16 commissioner shall develop and administer a statewide
 17 assessment for social studies which includes an emphasis on
 18 the integration of civics education as required in s.
 19 1001.03(1). Other content areas may be included as directed by
 20 the commissioner. The assessment of reading and mathematics
 21 shall be administered annually in grades 3 through 10. The
 22 assessment of writing and science shall be administered at
 23 least once at the elementary, middle, and high school levels.
 24 The assessment of social studies shall be administered at
 25 least once at the elementary, middle, and high school levels
 26 beginning with the 2012-2013 school year. The commissioner
 27 must document the procedures used to ensure that the versions
 28 of the FCAT which are taken by students retaking the grade 10
 29 FCAT are equally as challenging and difficult as the tests
 30 taken by students in grade 10 which contain performance tasks.
 31 The testing program must be designed so that:

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1 1. The tests measure student skills and competencies
2 adopted by the State Board of Education as specified in
3 paragraph (a). The tests must measure and report student
4 proficiency levels ~~of all students assessed~~ in reading,
5 writing, mathematics, and science. The commissioner shall
6 provide for the tests to be developed or obtained, as
7 appropriate, through contracts and project agreements with
8 private vendors, public vendors, public agencies,
9 postsecondary educational institutions, or school districts.
10 The commissioner shall obtain input with respect to the design
11 and implementation of the testing program from state
12 educators, assistive technology experts, and the public.

13 2. The testing program will include a combination of
14 norm-referenced and criterion-referenced tests and include, to
15 the extent determined by the commissioner, questions that
16 require the student to produce information or perform tasks in
17 ~~such~~ a way that allows the skills and competencies he or she
18 uses to ~~can~~ be measured.

19 3. Each testing program, whether at the elementary,
20 middle, or high school level, must include a ~~includes a test~~
21 ~~of~~ writing test in which students are required to produce
22 writings that are ~~then~~ scored by appropriate and timely
23 methods.

24 4. A minimum score is designated for each subject area
25 tested, below which ~~score~~ a student's performance is deemed
26 inadequate. The school districts shall provide appropriate
27 remedial instruction to students who score below these levels.

28 5. Except as provided in s. 1003.428(8)(b) or s.
29 1003.43(11)(b), students must earn a passing score on the
30 grade 10 assessment test described in this paragraph or attain
31 concordant scores as described in subsection (9) in reading,

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1 writing, and mathematics to qualify for a standard high school
 2 diploma. The State Board of Education shall designate a
 3 passing score for each part of the grade 10 assessment test.
 4 In establishing passing scores, the state board shall consider
 5 any possible negative impact of the test on minority students.
 6 The State Board of Education shall adopt rules which specify
 7 the passing scores for the grade 10 FCAT. Any ~~such~~ rules,
 8 which have the effect of raising the required passing scores,
 9 shall only apply to students taking the grade 10 FCAT for the
 10 first time after such rules are adopted ~~by the State Board of~~
 11 ~~Education.~~

12 6. Participation in the testing program is mandatory
 13 for all students attending public school, including students
 14 served in Department of Juvenile Justice programs, except as
 15 otherwise prescribed by the commissioner. If a student does
 16 not participate in the statewide assessment, the district must
 17 notify the student's parent and provide the parent with
 18 information regarding the implications of such
 19 nonparticipation. A parent must provide signed consent for a
 20 student to receive classroom instructional accommodations that
 21 would not be available or permitted on the statewide
 22 assessments and must acknowledge in writing that he or she
 23 understands the implications of such instructional
 24 accommodations. The State Board of Education shall adopt
 25 rules, based upon recommendations of the commissioner, for the
 26 provision of test accommodations for students in exceptional
 27 education programs and for students who have limited English
 28 proficiency. Accommodations that negate the validity of a
 29 statewide assessment are not allowable in the administration
 30 of the FCAT. However, instructional accommodations are
 31 allowable in the classroom if included in a student's

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1 individual education plan. Students using instructional
2 accommodations in the classroom that are not allowable as
3 accommodations on the FCAT may have the FCAT requirement
4 waived pursuant to the requirements of s. 1003.428(8)(b) or s.
5 1003.43(11)(b).

6 7. A student seeking an adult high school diploma must
7 meet the same testing requirements that a regular high school
8 student must meet.

9 8. District school boards must provide instruction to
10 prepare students to demonstrate proficiency in the skills and
11 competencies necessary for successful grade-to-grade
12 progression and high school graduation. If a student is
13 provided with instructional accommodations in the classroom
14 that are not allowable as accommodations in the statewide
15 assessment program, as described in the test manuals, the
16 district must inform the parent in writing and must provide
17 the parent with information regarding the impact on the
18 student's ability to meet expected proficiency levels in
19 reading, writing, and math. The commissioner shall conduct
20 studies as necessary to verify that the required skills and
21 competencies are part of the district instructional programs.

22 9. District school boards must provide opportunities
23 for students to demonstrate an acceptable level of performance
24 on an alternative standardized assessment approved by the
25 State Board of Education following enrollment in summer
26 academies.

27 10. The Department of Education must develop, or
28 select, and implement a common battery of assessment tools
29 that will be used in all juvenile justice programs in the
30 state. These tools must accurately measure the skills and
31 competencies established in the Sunshine State Standards.

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1 11. For students seeking a special diploma pursuant to
2 s. 1003.438, the Department of Education must develop or
3 select and implement an alternate assessment tool that
4 accurately measures the skills and competencies established in
5 the Sunshine State Standards for students with disabilities
6 under s. 1003.438.

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8 The commissioner may, based on collaboration and input from
9 school districts, design and implement student testing
10 programs, for any grade level and subject area, necessary to
11 effectively monitor educational achievement in the state,
12 including the measurement of educational achievement of the
13 Sunshine State Standards for students with disabilities.
14 Development and refinement of assessments shall include
15 universal design principles and accessibility standards that
16 will prevent any unintended obstacles for students with
17 disabilities while ensuring the validity and reliability of
18 the test. These principles should be applicable to all
19 technology platforms and assistive devices available for the
20 assessments. The field testing process and psychometric
21 analyses for the statewide assessment program must include an
22 appropriate percentage of students with disabilities and an
23 evaluation or determination of the effect of test items on
24 such students.

25 Section 4. This act shall take effect upon becoming a
26 law.

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