

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/CS/HB 7053 PCB PT 10-01 Public School Assessments
SPONSOR(S): Full Appropriations Council on Education & Economic Development, PreK-12 Policy Committee and Legg
TIED BILLS: **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	PreK-12 Policy Committee	13 Y, 1 N	Duncan	Ahearn
1)	Full Appropriations Council on Education & Economic Development	15 Y, 0 N, As CS	Heflin	Voyles
2)	Education Policy Council	17 Y, 0 N, As CS	White	Lowell
3)				
4)				
5)				

SUMMARY ANALYSIS

The Proposed Committee Substitute for CS/HB 7053 (the bill) requires geometry and Algebra II as two of the four mathematics credits needed for graduation and Biology I, chemistry or physics, and an equally rigorous course as the three science credits needed for graduation. For students selecting the accelerated college preparatory or career preparatory graduation options, the bill increases the required mathematics credits from three to four credits.

The bill requires end-of-course (EOC) assessments to be administered in the following courses:

- Algebra I. Beginning with students entering grade 9 in the 2011-2012 school year, passage of the EOC assessment is required to earn course credit.
- Geometry. Beginning with students entering grade 9 in the 2012-2013 school year, passage of the EOC assessment is required to earn course credit.
- Biology I. Beginning with students entering grade 9 in the 2012-2013 school year, passage of the EOC assessment is required to earn course credit.

The bill directs the Commissioner of Education to develop an implementation schedule for the development and administration of additional EOC assessments in English/Language Arts II, Algebra II, chemistry, physics, Earth/Space science, United States history, and world history, subject to funding availability. A student's performance on these statewide, standardized EOC assessments must constitute at least 30 percent of the student's course grade.

If a student does not pass a statewide, standardized EOC assessment, the bill authorizes the use of equivalent scores through other nationally recognized high school achievement tests and industry certification tests in order to meet the assessment requirement. The State Board of Education is required to establish two cut scores for each EOC assessment: a passing score and a score indicating that a student is high achieving and has the potential to meet college-readiness standards. The bill creates the Credit Acceleration Program to allow a student to earn high school course credit without being enrolled in the course if the student attains a passing score on a statewide, standardized EOC assessment.

The bill eliminates grade 9 and grade 10 FCAT Mathematics and FCAT Science at the high school level. The bill eliminates requirements for a revised FCAT Writing beginning with the 2012-2013 school year. The current FCAT Writing will continue to be administered at least once at the elementary, middle, and high school levels as provided in current law.

The bill requires the use of achievement levels for all comprehensive and EOC assessments. Achievement levels range from 1 through 5, with level 1 being the lowest achievement level, level 5 being the highest achievement level, and level 3 indicating satisfactory performance on an assessment. The bill requires high schools to provide acceleration courses and advise students of such courses. The bill repeals the provisions relating to high school major and minor areas of interest.

The Office of Program Policy Analysis and Government Accountability is directed to conduct a study on the different types of diplomas offered in other states. The study must provide information regarding differentiated high school diploma options and endorsements that other states offer. The report must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2011.

See the FISCAL COMMENTS section of this analysis.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

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HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

Standards and Assessments

According to the Southern Regional Education Board, the purpose of high school is not only to graduate students, but to prepare them for responsible citizenship and their next step — a bachelor's or associate's degree, transfer study, a career/technical degree or certificate, a career program, employment, or the military.¹

Being college-ready means a high school graduate has the reading, writing, and math knowledge and skills to qualify for and succeed in entry-level, credit-bearing, college-degree courses without the need for remedial classes. Similarly, being career-ready — ready to enter and advance in a job or succeed in training for a good job — means that high school graduates can read, comprehend, interpret, and analyze complex technical materials, can use mathematics to solve problems in the workplace, and can pass a state-approved industry certification or licensure exam in their field.²

According to information received from the American Diploma Project (ADP), 55 percent of all students entering Florida's public postsecondary institutions require remediation in math, reading, and/or writing. In 2005-2006, the total cost of postsecondary remediation was \$129.8 million, with the state paying more than half of these costs (\$70 million). Also, employers estimate that 45 percent of recent high school graduates lack the skills to advance.³

To cover the content necessary to be college- and career-ready, students need to complete a rigorous sequence of courses, which, according to ADP, includes four courses in mathematics covering Algebra I and II, geometry, and a fourth course such as statistics or precalculus. Florida's graduation requirements do not currently meet these standards.

In addition, studies show that low-achieving students fail less often in rigorous courses;⁴ that if high schools had demanded more, graduates would have worked harder;⁵ and that a majority of graduates

¹ Southern Regional Education Board, *The Next Generation of School Accountability: A Blueprint for Raising High School Achievement and Graduation Rates in SREB States*, 2009, at 9.

² *Id.*

³ Michael Cohen, Achieve, Inc., American Diploma Project Network, *Creating a High School Diploma That Counts: Lessons from the American Diploma Project*, March 3, 2009.

⁴ Cooney, Sondra and Gene Bottoms, Southern Regional Education Board, *Middle Grades to High School: Mending a Weak Link*, 2002, at 9.

would have taken harder courses.⁶ Finally, research indicates that taking Algebra II is critical for both college and career.⁷

Over the past few years, more states are using end-of-course (EOC) assessments to measure student performance at the high school level. The results of EOC assessments can provide more specific information about student performance. Schools can use the results to determine more exactly what specific course content and skills students have mastered, and what they have not.⁸ Calling a course biology or Algebra I does not ensure a common level of content from one classroom to the next. Implementing statewide, standardized EOC assessments serves as a means of consistently evaluating the rigor of content in high school courses across a state.⁹

In testimony provided during the January 13, 2010, meeting of the Florida House of Representatives PreK-12 Policy Committee, the President of the Southern Regional Education Board stressed the importance of transitioning to EOC assessments methodically and over a period of time. He also emphasized the importance of introducing a small number of EOC assessments and limiting EOC assessments to courses such as Algebra I and Biology I.

Statewide Assessment Program

Florida Comprehensive Assessment Test (FCAT)

Current Law

The FCAT is a part of the statewide assessment program, which measures a student's content knowledge and skills and the achievement of the benchmarks contained in Florida's Next Generation Sunshine State Standards.¹⁰ The FCAT consists of criterion-referenced tests in reading, writing, mathematics, and science.¹¹

Comprehensive assessments of reading and mathematics must be administered annually in grades 3 through 10. Comprehensive assessments of writing and science are administered at least once at the elementary, middle, and high school levels.¹² Students are tested in writing in grades 4, 8, and 10; reading and mathematics in grades 3 through 10; and science in grades 5, 8, and 11.¹³

In addition to earning credits in the required high school courses, students must also pass the reading and mathematics portions of the Grade 10 FCAT or attain concordant scores on either the SAT or American College Test (ACT) to receive a standard high school diploma.¹⁴

Beginning with the 2012-2013 school year, FCAT Writing must be composed of a combination of selected-response test items, short-response performance tasks, and extended-response performance tasks, which must measure a student's content knowledge of writing, including but not limited to,

⁵ Peter D. Hart Research Associates/Public Opinion Strategies, *Rising to the Challenge: Are High School Graduates Prepared for College and Work?* Prepared for Achieve, Inc., 2005.

⁶ *Id.*

⁷ *Id.*; see also, *Achieve Report: Out of Many, One: Toward Rigorous Common Core Standards from the Ground Up*, July 2008, at 4.

⁸ Southern Regional Education Board, *The Changing Roles of Statewide High School Exams*, 2007, at p. 17. Available at http://www.sreb.org/page/1095/high_schools.html (last visited January 20, 2010).

⁹ Education Commission of the States, *High School Level STEM Initiatives*, 2008. Available at <http://mb2.ecs.org/reports/Report.aspx?id=1409> (last visited January 20, 2010).

¹⁰ s. 1008.22(3)(c), F.S.; See Florida Department of Education, FCAT Frequently Asked Questions. Available at <http://www.fldoe.org/faq/default.asp?Dept=179&Cat=95> (last visited January 20, 2010).

¹¹ s. 1008.22(3)(c), F.S.

¹² *Id.*

¹³ Florida Department of Education. FCAT Fact Sheet, 2008. Available at <http://fcats.fldoe.org/fcatpub3.asp> and Rule 6A-1.09422(3)(a), F.S.

¹⁴ s. 1003.428(4)(b) and s. 1003.429(5)(a), F.S.

paragraph and sentence structure, sentence construction, grammar and usage, punctuation, capitalization, spelling, and parts of speech.¹⁵

Florida, represented by the Department of Education (DOE), is partnering with the Common Core State Standards Initiative to develop a common core of state standards in English-language arts and mathematics for grades K-12.¹⁶ It is anticipated that the transition to the Common Core Standards for Writing will begin in the 2011-2012 school year and a common core assessment will be available by the 2014-2015 school year.¹⁷

Effect of Proposed Changes

The bill eliminates Grade 9 FCAT Mathematics, beginning with the 2010-2011 school year; Grade 10 FCAT Mathematics, beginning with the 2011-2012 school year; and FCAT Science administered at the high school level, beginning with the 2011-2012 school year.

The bill removes the multiple performance tasks required for FCAT Writing beginning with the 2012-2013 school year, thereby avoiding the significant costs associated with developing a new assessment.¹⁸ The current FCAT Writing will continue to be administered at least once at the elementary, middle, and high school levels as provided in current law.¹⁹ It is anticipated that the Common Core Standards for Writing will be adopted in 2010 and the Common Core writing assessment will be available in the 2014-2015 school year; accordingly, developing a new writing assessment prior to possibly implementing the Common Core writing assessment would appear fiscally imprudent.²⁰

End-Of-Course (EOC) Assessments

Current Law

Current law authorizes an EOC assessment for a subject to be administered in addition to the comprehensive assessments required for that subject. An EOC assessment must be rigorous, statewide, standardized, and developed or approved by the DOE. The content knowledge and skills assessed by comprehensive and EOC assessments must be aligned to the core curricular content established in the Sunshine State Standards.²¹

The Commissioner of Education (COE) may select one or more nationally developed comprehensive examinations for use as an EOC assessment, including but not limited to, examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course or industry-approved examinations to earn national industry certifications, if the COE determines that the content knowledge and skills assessed by the examinations meet or exceed the grade level expectations for the core curricular content established for the course in the Next Generation Sunshine State Standards.²² To date, the COE has not selected any examinations for use as an EOC assessment.

The COE is authorized to collaborate with the American Diploma Project in the adoption or development of rigorous EOC assessments that are aligned to the Next Generation Sunshine State Standards.²³

¹⁵ *Id.*

¹⁶ The Common Core State Standards Initiative is a state-led effort coordinated by the National Governors Association Center for Best Practices and the Council of Chief State School Officers. The Governors and commissioners of education from 48 states and 2 territories and the District of Columbia are participating in the initiative. See <http://www.corestandards.org/>.

¹⁷ Florida Department of Education, Office of Assessment, *Writing Assessment in Florida*, February 2010.

¹⁸ *Id.*

¹⁹ s. 1008.22(3)(c), F.S. and Rule 6A-1.09422, F.A.C.

²⁰ See *supra* text accompanying fn 18.

²¹ s. 1008.22(3)(c), F.S.

²² *Id.*

²³ *Id.*

The DOE is conducting field test²⁴ administrations of the Algebra I assessment during the current 2009-2010 school year and plans to field test a Biology I EOC assessment during the 2010-2011 school year.²⁵

Effect of Proposed Changes

The bill requires three EOC assessments, as follows:

Mathematics Courses

- Algebra I

Beginning with the 2010-2011 school year, all students enrolled in Algebra I or an equivalent course must take the Algebra I EOC assessment.

Students who earned high school credit in Algebra I while in grades 6 through 8 during the 2007-2008 through 2009-2010 school years and who have not taken Grade 10 Mathematics must take the Algebra I EOC assessment during the 2010-2011 school year.

For students entering grade 9 during the 2010-2011 school year and who are enrolled in Algebra I or an equivalent, a student's performance on the EOC assessment in Algebra I will constitute 30 percent of the student's final course grade.

Beginning with students entering grade 9 in the 2011-2012 school year, a student who is enrolled in Algebra I or an equivalent must earn a passing score on the EOC assessment in Algebra I or attain an equivalent score²⁶ in order to *earn course credit*.

- Geometry

Beginning with the 2011-2012 school year, all students enrolled in geometry or an equivalent course must take the geometry EOC assessment.

For students entering grade 9 during the 2011-2012 school year, a student's performance on the EOC assessment in geometry will constitute 30 percent of the student's final course grade.

Beginning with students entering grade 9 in the 2012-2013 school year, a student must earn a passing score on the EOC assessment in geometry or attain an equivalent score in order to *earn course credit*.

Science Course

- Biology I

Beginning with the 2011-2012 school year, all students enrolled in Biology I or an equivalent course must take the Biology I EOC assessment.

For students entering grade 9 during the 2011-2012 school year, a student's performance on the EOC assessment in Biology I will constitute 30 percent of the student's final course grade.

²⁴ Field-test questions are newly-developed questions that must be tested for at least one year before they are used to decide a student's score. If the data on the field-test questions are acceptable, the questions may be used on an actual test and count toward a student's score. <http://www.fldoe.org/faq/default.asp?Dept=202&ID=656> (last visited January 21, 2010).

²⁵ Florida Department of Education, Office of Assessment, *Transition to Next Generation and Computer-Based Tests in Florida: Plans Currently Included in the FCAT Contract*, January 2010. Field test administrations will occur in a sample of high schools.

²⁶ The bill directs the COE to analyze the content and equivalent data sets for high school achievement tests such as the grade 10 Mathematics retakes until such retakes are discontinued, the PSAT, the PLAN, the SAT, the ACT, and the College Placement Test, to assess if equivalent scores for EOC assessment scores can be determined. When content alignment and equivalent scores can be determined, the COE must adopt those scores as meeting the requirement to pass the EOC assessment and may adopt those scores as being sufficient to achieve additional purposes as determined by rule. *See* Discussion of Concordant and Equivalent Scores at p. 8.

Beginning with students entering grade 9 in the 2012-2013 school year, a student must earn a passing score on the EOC assessment in Biology I in order to *earn course credit*.

The bill directs the COE to establish an implementation schedule for the development and administration of statewide, standardized EOC assessments in English/Language Arts II, Algebra II, chemistry, physics, Earth/Space science, United States history, and world history, contingent upon funding provided in the General Appropriations Act, including appropriation of federal funds. The student's performance on these statewide, standardized EOC assessments must constitute at least 30 percent of a student's course grade.

Priority must be given to the development of an EOC assessment in English/Language Arts II. The COE is directed to evaluate the feasibility and effect of transitioning from the grade 9 and grade 10 FCAT Reading and high school level FCAT Writing to an EOC assessment in English/Language Arts II. The COE must report the results of the evaluation to the President of the Senate and the Speaker of the House of Representatives no later than July 1, 2011.

Achievement Levels

Current Law

FCAT Achievement Levels are based on both scale scores and developmental scale scores²⁷ and range from Level 1 (lowest) to Level 5 (highest).²⁸ Scores on FCAT Writing are reported on a score scale from 1 to 6 defined by the FCAT Writing holistic rubrics.²⁹

Effect of Proposed Changes

The bill requires (as is current practice) the use of achievement levels 1 through 5 for all comprehensive and EOC assessments. FCAT Reading, Mathematics, and Science and all statewide, standardized EOC assessments must measure the content knowledge and skills a student has attained by use of scaled scores and achievement levels. Achievement level 1 is the lowest achievement level, level 5 is the highest achievement level, and level 3 indicates satisfactory performance.³⁰

The bill also codifies the current practice of scoring FCAT Writing using the rubric scale ranging from 1 through 6 and incorporating scores earned in calculating school grades.

Passing Scores

Current Law

The State Board of Education (SBE), by rule, establishes the passing scores for statewide assessments. If the COE revises a statewide assessment and the revisions require the SBE to modify the assessment's proficiency levels or modify the passing scores required for a standard high school diploma, until the SBE adopts the modifications by rule, the COE must use calculations for scoring the assessment which adjust student scores on the revised assessment for statistical equivalence to student scores on the former assessment.³¹ A student must attain the passing scores on the statewide

²⁷ Scale scores are reported for all FCAT Sunshine State Standards (SSS) subjects, except FCAT Writing, and range from 100 (lowest) to 500 (highest). Developmental Scale Scores (DSS) are only reported for FCAT SSS Reading and Mathematics and range from 0 to 3000 across grades 3 through 10. DSS link two years of student FCAT data that track student progress over time. Students should receive higher scores as they move from grade to grade according to their increased achievement. *See* Rule 6A-1.09422(5), F.A.C. and <http://www.fcat.fldoe.org/pdf/fcAchievementLevels.pdf>, Florida Department of Education. FCAT Achievement Levels, July 2008.

²⁸ <http://www.fcat.fldoe.org/pdf/fcAchievementLevels.pdf>, Florida Department of Education. FCAT Achievement Levels, July 2008.

²⁹ Rule 6A-1.09422, F.A.C.

³⁰ Currently, student performance on FCAT Reading, Mathematics, and Science are evaluated using the five achievement levels; however, current law does not identify or define the five levels.

³¹ s. 1008.22(9)(a), F.S.

assessment required for a standard high school diploma which are in effect at the time the student enters grade 9 if the student's enrollment is continuous.³²

Should the COE revise a statewide assessment and the revisions require the SBE to modify the passing scores required for a standard high school diploma, the COE is authorized to, with approval of the SBE, discontinue administration of the former assessment upon the graduation, based on normal student progression, of students participating in the final regular administration of the former assessment. The SBE must adopt, by rule, passing scores for the revised assessment which are statistically equivalent to passing scores on the discontinued assessment for a student to attain passing scores on the discontinued assessment.³³

Effect of Proposed Changes

The bill requires the SBE to designate passing scores for EOC assessments.³⁴ In addition, the SBE must designate a score for each statewide, standardized EOC assessment which indicates that a student is high achieving and has the potential to meet college-readiness standards by the time the student graduates from high school.

Concordant Scores

Current Law

The SBE is required to analyze the content and concordant data sets for widely used high school achievement tests, including, but not limited to, the PSAT, PLAN, SAT, ACT and College Placement Test, to assess if concordant scores can be determined for high school graduation, college placement and scholarship awards.

If a student fails to attain passing scores on the Grade 10 FCAT, the student may attain concordant scores on either the SAT or ACT.³⁵ A student must take each subject area of the Grade 10 FCAT a total of three times without earning a passing score in order to use concordant scores from the SAT or ACT. A new student entering the Florida public school system in the 12th grade may use a concordant score without taking the FCAT.³⁶ Current law does not address whether students who take the SAT or ACT tests and achieve a concordant score *prior* to taking the Grade 10 FCAT are allowed to use that score to satisfy graduation requirements.

Effect of Proposed Changes

The bill revises the use of concordant scores for the FCAT as follows:

- Requires the COE, rather than the SBE, to analyze the content and concordant data sets for nationally recognized, rather than widely used, high school achievement tests and to assess if concordant scores for FCAT scores can be determined for high school graduation only, rather than, in addition to, college placement and scholarship awards.
- Provides that a student who has not earned a passing score on the grade 10 FCAT must participate in each retake of the assessment until the student earns a passing score on a concordant assessment.

³² s. 1008.22(9)(b), F.S.

³³ s. 1008.22(9)(c), F.S.

³⁴ An EOC assessment must be field-tested. In the following year, the EOC assessment is administered to establish baseline performance data. The SBE will not establish a passing score for the baseline administration of the assessment because no comparison can be made. The baseline exam should be scored 1 to 100. Therefore, the raw score a student receives, e.g., 70 points, will be used as 30 percent of the student's grade. The teacher will average the raw score received on the EOC assessment with other performance and/or participation data, such as quizzes, classroom and homework assignments, and projects in order to determine a student's grade. When the EOC assessment is administered in the year following the baseline assessment, the SBE will establish a passing score and the range of scores for each of the five achievement levels.

³⁵ s. 1008.22(10), F.S.

³⁶ s. 1008.22(10), F.S.

- Removes the requirement that a student must take the grade 10 FCAT a total of three times without earning a passing score before concordant scores can be used to satisfy the assessment requirement for a standard high school diploma. The DOE maintains that the requirement to take and fail the FCAT three times prior to using a concordant score is frustrating for students and particularly difficult for students transferring into a Florida school district toward the end of grade 11 and in grade 12. The FCAT summer retakes were eliminated due to budget cuts, making it more difficult to retake the test.³⁷

For EOC assessments, the bill directs the COE to analyze the content and equivalent data sets for high school achievement tests and industry certification tests under the Certification Funding List, such as the grade 10 Mathematics retakes until such retakes are discontinued, the PSAT, the PLAN, the SAT, the ACT, and the College Placement Test, to assess if equivalent scores for EOC assessment scores can be determined. When content alignment and equivalent scores can be determined, the COE must adopt those scores as meeting the requirement to pass the EOC assessment and may adopt those scores as being sufficient to achieve additional purposes as determined by rule.

New equivalent scores must be established each time that assessment content or scoring procedures change for an EOC assessment or for a high school achievement test or an industry certification test under the Certification Funding List for which an equivalent score is determined. Use of equivalent scores for purposes of grade adjustment, grade forgiveness, or credit recovery is contingent upon and subject to school board rule.

Assessment Testing Schedules

Current Law

The COE is required to establish schedules for the administration of statewide assessments and the reporting of student test results. By August 1 of each year, the COE must notify each school district in writing and publish on the DOE's Internet website the testing and reporting schedules for, at a minimum, the school year following the upcoming school year.³⁸

The testing and reporting schedules must require the latest possible administration of statewide assessments and the earliest possible reporting to the school districts of student test results which is feasible based on the available technology and funding; however, test results must be made available no later than the final day of the regular school year for students.³⁹

Beginning with the 2010-2011 school year, a comprehensive statewide assessment of writing cannot be administered earlier than the week of March 1 and a comprehensive statewide assessment of any other subject cannot be administered earlier than the week of April 15.⁴⁰

A statewide, standardized EOC assessment is required to be administered within the last two weeks of the course.⁴¹

Effect of Proposed Changes

The bill requires the COE to consider the observance of religious and school holidays when establishing the schedules for the administration of statewide assessments.

The bill changes the current requirement that FCAT test results must be made available no later than the final day of the regular school year to no later than the week of June 8.

The bill revises the EOC assessment testing schedule as follows:

³⁷ Conversation with the Department of Education staff concerning HB 7087 during the 2009 Legislative Session.

³⁸ s. 1008.22(3)(c)12., F.S.

³⁹ s. 1008.22(3)(c)12.a., F.S.

⁴⁰ s. 1008.22(3)(c)12.b., F.S.

⁴¹ s. 1008.22(3)(c)12.c., F.S.

- Changes the requirement that a statewide, standardized EOC assessment be administered within a two-week period by authorizing the EOC assessment to be administered during a three-week period at the end of a year-long course.
- Requires the COE to select a three-week period for the administration of the assessment in order to provide student results prior to the end of the course.
- Requires school districts to select one testing week within the three-week administration period for each EOC assessment.
- Requires the COE to determine the most appropriate testing dates, based on a school district's academic calendar, for EOC assessments administered at the end of the first semester.

The bill requires that EOC assessment results be provided no later than one week after the school district completes testing for each course.

Waiver of FCAT for Certain Students

Current Law

School districts are required to provide instruction to prepare students with disabilities to demonstrate proficiency in the core content knowledge and skills necessary for such students to progress from grade-to-grade and to graduate from high school.⁴²

For a student with a disability, if the individual education plan (IEP) committee determines that the FCAT cannot accurately measure a student's abilities, then the FCAT requirements must be waived for the purpose of receiving a standard high school diploma. In addition, in order for the FCAT requirement to be waived, the student must have completed the minimum number of credits and met the other requirements for high school graduation and must have taken FCAT reading and mathematics once in the 10th grade and once in the 11th grade.⁴³

The SBE is required to adopt rules, based upon recommendations of the COE, for the provision of test accommodations for students in exceptional education programs⁴⁴ and for students who have limited English proficiency.⁴⁵ Accommodations negating the validity of a statewide assessment are not permitted in the administration of the FCAT. However, instructional accommodations are permitted in the classroom if the accommodations are included in the student's IEP. Students in exceptional education programs using instructional accommodations in the classroom that are not permitted as accommodations on the FCAT may have the FCAT requirement waived for the purpose of receiving a standard high school diploma if other statutory requirements are met.⁴⁶

Effect of Proposed Changes

Like current law regarding the FCAT, the bill provides that if the individual education plan committee determines that an EOC assessment cannot accurately measure the abilities of a student with a disability, considering all allowable accommodations, then the results of the EOC assessment must be waived for the purpose of determining the student's course grade and credit.

⁴² s. 1003.428(8)(a), F.S.

⁴³ s. 1003.428(8)(b), F.S.

⁴⁴ District school boards are statutorily required to provide exceptional students in grades K-12 with special education services, also known as exceptional student education (ESE), which include related services such as transportation, appropriate diagnosis, evaluation, special instruction, facilities, and services such as physical and occupational therapy. s. 1003.01(3)(b), F.S.

⁴⁵ Instruction in the English language must be provided to limited English proficient students. The instruction must be designed to develop the student's mastery of the four language skills, including listening, speaking, reading, and writing, as rapidly as possible. s. 1003.56(1), F.S.

⁴⁶ s. 1008.22(3)(c)6., F.S.

Echoing current law with regard to the FCAT, the bill provides that accommodations for students in exceptional education programs and for students who have limited English proficiency that negate the validity of a statewide assessment are not allowable in the administration of EOC assessments. In addition, students in exceptional education programs using instructional accommodations in the classroom that are not allowable on the EOC assessment may have the EOC assessment waived for the purpose of receiving a standard high school diploma if other statutory requirements are met.

High School Credit Requirements

24-Credit Graduation Option

Current Law

To graduate from high school and receive a standard diploma, students must complete an accelerated college or career preparatory program,⁴⁷ an International Baccalaureate (IB) curriculum, an Advanced International Certificate of Education (AICE) curriculum, or earn 24 credits in required courses and pass the Grade 10 FCAT.⁴⁸ Of the 24 credits, 16 credits are core curriculum credits comprised of: four credits in English; four credits in mathematics; three credits in science; three credits in social studies; one credit in fine or performing arts, speech and debate, or a practical arts course; and one credit in physical education to include integration of health.⁴⁹

Mathematics Courses

Of the four credits required in mathematics, one must be Algebra I, a series of courses equivalent to Algebra I, or a higher-level mathematics course. School districts are encouraged to set specific goals to increase enrollments in, and successful completion of, geometry and Algebra II.

There are several options available for students to meet the mathematics credit requirements. Courses equivalent to Algebra I include Algebra Ia and Ib, Applied Math I and Math II and pre-AICE Math I. In addition, there are a series of integrated mathematics courses (Integrated Math I and II) that incorporate Algebra I and II and geometry. Courses equivalent to Algebra II are Integrated Math II and III. Courses equivalent to geometry include Informal Geometry, Analytical Geometry, and Analytical Geometry IB. Algebra I, geometry, and Algebra II all have equivalent honors level courses.⁵⁰

In 2008-2009, 59 percent of grade 9 students were enrolled in Algebra I or an equivalent and 27 percent of grade 8 students were enrolled in Algebra I or an equivalent. In 2008-2009, 47 percent of grade 10 students were enrolled in geometry or an equivalent and 21 percent of grade 9 students were enrolled in geometry or an equivalent.⁵¹

Science Courses

Of the three credits required in science, two must have a laboratory component. However, no specific science courses are identified.⁵²

Courses equivalent to Biology I include Integrated Science 3, AICE Biology I, Advance Placement (AP) Biology, and Biology I Pre-IB. There are also Biology I Honors and Integrated Science 3 Honors

⁴⁷ See text accompanying infra notes 64, 65, and 66.

⁴⁸ s. 1003.428(4)(b), F.S., and s. 1008.22(3)(c), F.S.

⁴⁹ s. 1003.428(1), F.S.

⁵⁰ Information provided by staff at the Department of Education to the House PreK-12 Policy Committee meeting on January 20, 2010.

⁵¹ *Id.*

⁵² s. 1003.428(2)(a), F.S.

courses.⁵³ In 2008-2009, 46 percent of grade 10 students were enrolled in biology or an equivalent and 33 percent of grade 9 students were enrolled in biology or an equivalent.⁵⁴

Courses equivalent to chemistry include a series of Integrated Science 1, 2, and 3; AICE Chemistry 1; and Chemistry 1 Pre-IB. There are also Chemistry 1 Honors and Integrated Science 1, 2, and 3 Honors courses. Courses equivalent to physics include Physics 1 Honors, AICE Physics, and Physics 3 IB.⁵⁵

In 2008-2009, 74 percent of the middle or high school students were enrolled in either a chemistry course *or* a physics course. In 2008-2009, 22 percent of the middle or high school students were enrolled in a chemistry course *and* a physics course.⁵⁶

Majors, Minors, and Elective Courses

Of the 8 credits in major, minors, or electives required for high school graduation, 4 credits must be in a major area of interest, such as sequential courses in a career and technical program, fine and performing arts, or academic content area, selected by a student as part of the student's electronic personal education plan.⁵⁷ District school boards are required to annually approve the major areas of interest and submit the list to the COE for approval. In addition, 4 credits in elective courses selected by the student as part of the electronic personal education plan are also required. These credits may be combined to allow for a second major of interest, a minor area of interest, elective courses, or intensive reading or mathematics intervention courses.⁵⁸

Effect of Proposed Changes

The bill modifies the 24-credit high school graduation requirements for receipt of a standard high school diploma by specifying the mathematics and science courses required. The number of credits required in both mathematics and science remain the same -- four credits and three credits, respectively.

The bill provides the following schedule for the requirement of specific courses:

Mathematics Courses

Beginning with students entering grade 9 in the 2010-2011 school year

- In addition to Algebra I, which is currently required by law, one credit must be geometry or a series of courses equivalent to geometry as approved by the SBE.⁵⁹

Beginning with students entering grade 9 in the 2012-2013 school year

- In addition to Algebra I and geometry, one credit must be Algebra II or a series of courses equivalent to Algebra II as approved by the SBE.⁶⁰

⁵³ Information provided by staff at the Department of Education to the House PreK-12 Policy Committee meeting on January 20, 2010.

⁵⁴ *Id.*

⁵⁵ Correspondence with the Department of Education concerning PCB PT 10-01, February 16, 2010.

⁵⁶ *Id.*

⁵⁷ Each grade 7 or grade 8 student is required to complete an electronic personal education plan using an online student advisory system known as Florida Academic Counseling and Tracking for Students. s. 1003.4156(1)5., F.S.

⁵⁸ s. 1003.428(2)(b), F.S.

⁵⁹ See discussion of End-of-Course (EOC) Assessments in this analysis at pp. 6-7.

⁶⁰ The number of mathematics credits required is not being increased. Therefore, the number of teachers required will not increase and there are no increased costs. Certification requirements are not specific to courses. Teachers certified to teach mathematics in grades 5 through 9 are eligible to teach Algebra I and geometry. Teachers certified to teach mathematics in grades 6 through 12 are eligible to teach all mathematics course requirements. Purchases of mathematics instructional materials are scheduled for 2010-2011. Correspondence with the Department of Education concerning PCB PT 10-01, February 16, 2010.

Science Courses

Beginning with students entering grade 9 in the 2011-2012 school year

- One of the three science credits must be Biology I or a series of courses equivalent to Biology I as approved by the SBE.⁶¹

Beginning with students entering grade 9 in the 2013-2014 school year

- In addition to Biology I, one credit must be chemistry or physics or a series of courses equivalent to chemistry or physics as approved by the SBE, and one credit must be an equally rigorous course, as determined by the SBE.⁶²

Majors, Minors, and Elective Courses

The bill deletes the requirement that students earn 4 credits in a major area of interest. In addition, the 4 credits in elective courses selected by the student as part of the electronic personal education plan that may be combined to allow for a second major of interest, a minor area of interest, elective courses, or intensive reading or mathematics intervention courses is also eliminated. The 8 credits in electives are still required and intensive courses in reading and mathematics are still available based on a student's needs.

Accelerated High School Graduation

Current Law

In addition to the traditional 24-credit/4-year option, students may choose an accelerated 18-credit/3-year College Preparatory Program option or an accelerated 18-credit/3-year Career Preparatory Program option. Students choosing one of these options must also pass the grade 10 FCAT in reading and mathematics or attain concordant scores on either the SAT or the ACT.⁶³

Students selecting an accelerated 18-credit/3-year College Preparatory Program must complete three credits in mathematics at the Algebra I level or higher that qualify for state university admission and three credits in electives.⁶⁴

Students selecting an accelerated 18-credit/3-year Career Preparatory Program must complete three credits in mathematics, one of which must be Algebra I and two credits in electives.⁶⁵

Effect of Proposed Changes

The bill modifies the 18-credit accelerated college preparatory and career preparatory high school graduation requirements for receipt of a standard high school diploma by specifying the mathematics and science courses required. The bill also increases the required mathematics credits from three to four.

⁶¹ See discussion of End-of-Course (EOC) Assessments in this analysis at pp. 6-7.

⁶² The number of science credits required is not being increased. Therefore, the number of teachers required to teach science will not increase and there are no increased costs. The certification requirements specific to science areas are: biology (grades 6 through 12), chemistry (grades 6 through 12), and physics (grades 6 through 12). In the next three years, Florida will need to produce and recruit teachers to teach chemistry or physics. Another option is to fulfill the science course requirements with equivalent integrated courses which allow more flexibility with required certification. Purchases of science instructional materials are scheduled for 2010-2011. Correspondence with the Department of Education concerning PCB PT 10-01, February 16, 2010.

⁶³ s. 1003.428, 1003.429 and s. 1003.43, F.S.

⁶⁴ s. 1003.429(1)(b)2.& 6., F.S.

⁶⁵ s. 1003.429(1)(c)2.& 6., F.S.

Mathematics Courses

Beginning with students entering grade 9 in the 2010-2011 school year

- In addition to Algebra I, which is currently required by law, one credit must be geometry or a series of courses equivalent to geometry as approved by the SBE.⁶⁶

Beginning with students entering grade 9 in the 2012-2013 school year

- In addition to Algebra I and geometry, one credit must be Algebra II or a series of courses equivalent to Algebra II as approved by the SBE.

Science Courses

Beginning with students entering grade 9 in the 2011-2012 school year

- One of the three science credits must be Biology I or a series of courses equivalent to Biology I as approved by the SBE.⁶⁷

Beginning with students entering grade 9 in the 2013-2014 school year

- In addition to Biology I, one credit must be chemistry or physics or a series of courses equivalent to chemistry or physics as approved by the SBE and one credit must be an equally rigorous course, as approved by the SBE.

For the accelerated college preparatory graduation option the bill reduces electives from three to two credits and for the career preparatory graduation option the bill reduces electives from two credits to one credit.

Course Credit

Current Law

For the purpose of meeting high school graduation requirements, “one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards.”⁶⁸ For a district school authorized to implement block scheduling by the district school board, one full credit means a minimum of 120 hours of actual instruction.⁶⁹

In awarding credit for high school graduation, each district school board must maintain a one-half credit earned system that must include courses provided on a full-year basis. “A student enrolled in a full-year course [must] receive one-half credit if the student successfully completes either the first half or the second half of a full-year course, but fails to successfully complete the other half of the course and the averaging of the grades obtained in each half would *not result in a passing grade*.”⁷⁰

A student enrolled in a full-year course must receive a full credit if the student successfully completes either the first half or the second half of a full-year course, but fails to successfully complete the other half of the course and the averaging of the grades obtained in each half would result in a *passing grade*, provided that such additional requirements specified in district school board policies, such as class attendance, homework, participation, and other indicators of performance, are successfully completed by the student.⁷¹

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ s 1003.436(1)(a), F.S.

⁶⁹ s. 1003.436(1), F.S.

⁷⁰ s. 1003.436(2), F.S. (emphasis added).

⁷¹ *Id.*

Effect of Proposed Changes

When, under the bill, a student is required to pass the EOC assessment to pass the course (i.e., Algebra I, geometry, and Biology I), a student who successfully completes the first half of a year long course, but fails the EOC assessment, may not earn a full credit in the course regardless of whether averaging the grades obtained in each would result in a passing grade. However, the student may earn a half credit as provided in current law.⁷²

Transfer of Credits and Grades Earned

Current Law

Each school principal is required to maintain a permanent cumulative record for each student enrolled in a public K-12 school.⁷³ The SBE, by rule, prescribes the procedures relating to transferring and maintaining records of students who transfer from school to school and procedures relating to the acceptance of transfer work and credit for students.⁷⁴ Credits and grades earned and offered for acceptance must be based on official transcripts and must be accepted at face value subject to validation if necessary.⁷⁵

Effect of Proposed Changes

For students who transfer into a Florida public high school, the principal is authorized to determine, in accordance with SBE rule, whether the student must take an EOC assessment in a course for which the student has credit that was earned from the previous school.

Middle Grades Students Enrolled in High School Level Courses

Current Law

Each middle school must offer at least one high school level mathematics course for which students may earn high school credit.⁷⁶ In 2008-2009, 63,178 grade 8 students were enrolled in Algebra I or an equivalent and 13,648 grade 7 students were enrolled in Algebra I or an equivalent.⁷⁷ In 2008-2009, 8,834 grade 8 students were enrolled in geometry or an equivalent and 87 grade 7 students were enrolled in geometry or an equivalent.⁷⁸

Effect of Proposed Changes

For purposes of a course grade or for middle grades promotion, a middle school student's successful completion of a high school level Algebra I, geometry, or Biology I course is not contingent upon the student's performance on the EOC assessment. However, the student is required to pass the EOC assessment in an Algebra I, geometry, or Biology I course in order to receive high school credit.

School Grades

Current Law

All public schools, including charter schools, which have at least 30 students with valid FCAT scores in reading for the current and prior years and at least 30 students with valid FCAT scores in mathematics for the current and prior years are assigned a school grade.⁷⁹ Student achievement data from the FCAT

⁷² s. 1003.436, F.S.

⁷³ s. 1003.25(1), F.S.

⁷⁴ s. 1003.25, F.S. See Rule 6A-1.09941(1), F.A.C., and Rule 6A-1.09942(1), F.A.C.

⁷⁵ Rule 6A-1.09941(1), F.A.C. and Rule 6A-1.09942(1), F.A.C.

⁷⁶ s. 1003.4156(1)(a)2., F.S.

⁷⁷ Information provided by staff at the Department of Education to the House PreK-12 Policy Committee meeting on January 20, 2010.

⁷⁸ *Id.*

⁷⁹ s. 1008.34(3)(a)1., F.S. and Rule 6A-1.09981(4), F.A.C.

are used to establish both proficiency levels and annual progress for individual students, schools, districts, and the state.⁸⁰

Currently, 50 percent of a high school's grade is based upon a combination of:

- Student achievement scores on FCAT, i.e., reading, writing, mathematics, and science;
- Student learning gains as measured by annual FCAT assessments in reading and mathematics; and
- "Improvement of the lowest 25th percentile of students in the school in reading, mathematics, or writing on the FCAT, unless these students are exhibiting satisfactory performance."⁸¹ Despite the statutory requirement, learning gains cannot be calculated for FCAT Writing because it is only administered once at the elementary, middle, and high school levels.

The remaining 50 percent is based upon the:

- High school's graduation rate;
- High school's graduation rate of at-risk students scoring at achievement Level 1 or 2 in reading and mathematics on the Grade 8 FCAT;
- Performance and participation of the school's students in AP, IB, dual enrollment, and AICE courses (as valid data becomes available);⁸²
- Achievement by the school's students of industry certification in a career and professional academy;⁸³
- Postsecondary readiness of the school's students, as measured by the SAT, ACT, or the Common Placement Test;⁸⁴
- Performance of the school's students on statewide, standardized EOC assessments approved by the DOE (as valid data becomes available); and
- Growth or decline in these components.⁸⁵

In addition, a high school may not receive an "A" unless its at-risk students (scoring at achievement Level 1 or 2 in reading and mathematics on the grade 8 FCAT) make adequate progress.⁸⁶

Effect of Proposed Changes

The bill includes student performance on EOC assessments as a component for determining a high school's grade. The bill provides that a high school's grade is based on:

⁸⁰ s. 1008.34, F.S.

⁸¹ s. 1008.34(3)(b)1.c., F.S.

⁸² See ss. 1007.27 & 1007.271, F.S. (articulated acceleration mechanisms, dual enrollment); College Board, *Advanced Placement Program*, <http://www.collegeboard.com/student/testing/ap/about.html> (last visited January 21, 2010); International Baccalaureate, <http://www.ibo.org> (last visited January 21, 2010); University of Cambridge, International Examinations, *Cambridge Advanced International Certificate of Education Diploma*, <http://www.cie.org.uk/qualifications/academic/uppersec/aice> (last visited January 21, 2010).

⁸³ See s. 1003.493, F.S.

⁸⁴ See s. 1008.30, F.S. (common placement test assesses the basic computation and communication skills of students who intend to enter a degree program at any public postsecondary educational institution); *College Board, About the SAT*, <http://www.collegeboard.com/student/testing/sat/about.html> (last visited January 21, 2010); ACT, Inc., *The ACT Test*, <http://www.act.org/aap> (last visited January 21, 2010).

⁸⁵ s. 1008.34(3)(b)2. & (c)4., F.S.

⁸⁶ s. 1008.34(3), F.S.

- Student achievement scores on FCAT Reading and Writing *and* adds performance on EOC assessments in Algebra I, geometry, and Biology I.⁸⁷
- Student learning gains as measured by FCAT Reading *and* adds performance on Algebra I and geometry EOC assessments.
- Improvement of the lowest 25th percentile of students in FCAT Reading *and* adds performance on Algebra I and geometry EOC assessments.
- Achievement by the school's students of national industry certifications identified in the Industry Certification Funding List pursuant to rules adopted by the SBE.⁸⁸

An integral component of Florida's school accountability system, student learning gains, including improvement of a school's lowest 25th percentile of students, can continue to be calculated, using EOC assessment data for Algebra I and geometry, in lieu of performance data from Grade 9 and Grade 10 FCAT Mathematics.⁸⁹

With respect to school grades, the requirement to include improvement of the school's lowest 25th percentile on FCAT Writing is removed because learning gains cannot be calculated since FCAT Writing is only administered once at the elementary, middle, and high school levels.

School Improvement Ratings

Current Law

An alternative school that provides dropout prevention and academic intervention services receives a school improvement rating which is based on the aggregate test scores of all students enrolled in the school who have been assessed on the FCAT and who have FCAT scores or comparable scores for the preceding school year and all students enrolled in the school who have scored in the lowest 25th percentile of students in the state on FCAT Reading.⁹⁰

Effect of Proposed Changes

The bill includes performance of students on statewide, standardized EOC assessments as a factor in determining school improvement ratings.

Acceleration Courses

Current Law

Current law authorizes a variety of articulated acceleration mechanisms for secondary⁹¹ and postsecondary students attending public educational institutions. Articulated acceleration mechanisms serve to reduce the time necessary for a student to complete the requirements associated with the

⁸⁷The bill authorizes additional statewide, standardized EOC assessments to be developed and administered, contingent upon the appropriation of funds, in English/Language Arts II, Algebra II, chemistry, physics, Earth/Space science, United States history, and World History. A student's performance on these EOC assessments constitutes at least 30 percent of a student's course grade. If these EOC assessments are developed and administered, then a high school's grade must be based upon the performance of a high school's students on statewide, standardized EOC assessments as part of the remaining 50 percent of the high school's total grade. *See* discussion of End-of-Course (EOC) Assessments in this analysis at pp. 6-7 and s. 1008.34(3)(b)4.h., F.S.

⁸⁸ The Industry Certification Funding List is incorporated by reference in Rule 6A-6.0573, F.A.C., and may be obtained from the Department of Education's website at <http://www.fldoe.org/workforce/fcpea/default.asp>. *See* s. 1003.493, F.S., Rule 6A-6.0573, F.A.C., and s. 1011.62(1)(o), F.S.

⁸⁹ Correspondence from staff of the Florida Department of Education and information provided by the Florida Department of Education, Division of Accountability, Research and Measurement, *Learning Gains Proposal for Florida EOC Assessments*, October 9, 2009.

⁹⁰ s. 1008.341, (2) and (3), F.S.

⁹¹ Secondary schools are schools that primarily serve students in grades 6 through 12. *See* s. 1003.413, F.S.

receipt of a high school diploma and a postsecondary degree, broaden the scope of curricular options available to students, or increase the depth of study available for a particular subject.⁹²

Acceleration courses through which a high school student can earn postsecondary course credit include dual enrollment, AP, IB, AICE, and industry certification.⁹³ Credit earned through the Florida Virtual School also provides additional opportunities for acceleration.⁹⁴

During the 2008-2009 school year, of the 474 schools with students in grades 9-12, 459, or 97 percent, had students enrolled in dual enrollment, AP, IB, or AICE.⁹⁵

Effect of Proposed Changes

Students choosing the 24-credit or the accelerated 18-credit college or career preparatory graduation options⁹⁶ must be advised of the availability of IB, AICE, AP, dual enrollment courses, career academy courses, and courses that lead to national industry certification courses, as well as the availability of course offerings through the virtual instruction.⁹⁷ Beginning with the 2011-2012 school year, each high school must offer an IB Program, AICE Program, or a combination of at least four courses in Advanced Placement or dual enrollment, including one course each in English, mathematics, science, and social studies. To meet this requirement school districts may provide courses through virtual instruction, if the virtual course significantly integrates postsecondary level content for which a student may earn college credit, as determined by DOE, and for which a standardized EOC assessment, as approved by the DOE, is administered.

The bill creates the Credit Acceleration Program (CAP). The CAP allows a middle school or high school student to earn high school course credit in a course that requires a statewide, standardized EOC assessment if the student attains a score indicating satisfactory performance on the corresponding statewide, standardized EOC assessment. A student who is not enrolled in the course or who has not completed the course may take the statewide, standardized EOC assessment during the regular administration of the assessment.

Middle Grades Students Career and Education Planning

Current Law

In addition to other courses required for middle grades promotion, middle grades students are required to complete a course in career education planning in the 7th or 8th grade. The course must include educational planning using the online student advising system Florida Academic Counseling and Tracking for Students and must result in the completion of a personalized academic and career plan.⁹⁸

Effect of Proposed Changes

The bill specifies that the personalized academic and career plan inform students of high school graduation requirements, high school assessment and college entrance test requirements, Florida Bright Futures Scholarship Program requirements, state university and Florida college admission requirements, and opportunities through which a high school student can earn college credit including

⁹² s. 1007.27(1), F.S.

⁹³ See supra note 83.

⁹⁴ s. 1007.27(1), F.S.

⁹⁵ Florida Department of Education, PK-20 Data Warehouse, *2008-2009 Acceleration*, February 4, 2010.

⁹⁶ s. 1003.429(1)(b) and (c), F.S.

⁹⁷ s. 1002.45, F.S., establishes the school district virtual instruction programs. Section 1002.37, F.S., establishes the Florida Virtual School (FLVS). The FLVS offers over 90 middle and high school courses, from general to honors courses, and 11 Advanced Placement classes. In addition, courses in foreign language, physical education, health, business, computer science, and FCAT and SAT prep are also offered by the virtual school. See s. 1002.37, F.S., and <http://www.fldoe.org/Schools/virtual-schools/faqs.asp>

⁹⁸ s. 1003.4156(1)(a)5., F.S.

the Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, career academy courses,⁹⁹ and programs that lead to national industry certification.

Florida School Recognition Program

Current Law

The Florida School Recognition Program provides public recognition and financial awards to schools sustaining high student performance by receiving a school grade of “A” or showing substantial improvement in student performance by improving a letter grade.¹⁰⁰ Selected schools receive financial awards depending on the availability of funds appropriated and the number and size of schools selected to receive an award. Funds must be distributed as determined jointly by the school’s staff and school advisory council. If school staff and the school advisory council cannot reach agreement by November 1, the awards must be equally distributed to all classroom teachers currently teaching in the school.¹⁰¹

Effect of Proposed Changes

The bill changes the date from November 1 to February 1 of each year by which school staff and the school advisory council must reach an agreement on how school recognition funds will be distributed. Because school grades for high schools are not reported until fall, this gives school advisory councils an additional three months to determine how to distribute award funds.¹⁰²

If a school selected to receive a school recognition award is no longer in existence at the time the award is paid, the district superintendent must distribute the funds to teachers who taught at the school in the previous year in the form of a bonus.¹⁰³

Other Bill Provisions

Office of Program Policy Analysis and Government Accountability (OPPAGA) Report

OPPAGA is directed to conduct a study on the different types of diplomas offered in other states. The study must provide information regarding differentiated high school diploma options and endorsements that other states offer, including criteria for awarding the diplomas or endorsements, the differences in courses required for college and career pathways, the advantages and disadvantages of offering a range of diploma options, and any barriers others states have encountered when implementing differentiated diploma options. The report must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2011.

B. SECTION DIRECTORY:

Section 1: Amends s. 1003.413, F.S., relating to secondary school design, to delete obsolete references and conform cross-references.

Section 2: Amends s. 1003.4156, F.S., relating to middle grades promotion.

Section 3: Amends s. 1003.428, F.S., relating to the revised general requirements for high school graduation.

Section 4: Amends s. 1003.429, F.S., relating to accelerated high school graduation requirements.

Section 5: Creates s. 1003.4295, relating to acceleration courses.

⁹⁹ A career and professional academy is a research-based program that integrates a rigorous academic curriculum with an industry-specific curriculum aligned directly to priority workforce needs established by a regional workforce board. See s. 1003.493, F.S.

¹⁰⁰ s. 1008.36(2), F.S.

¹⁰¹ s. 1008.36(4), F.S.

¹⁰² Department of Education Bill Analysis on Senate Bill 2482, March 2, 2009, at 5.

¹⁰³ To date, five schools and \$80,000 have been impacted. Conversation with Florida Department of Education Staff, January 2010.

Section 6: Amends s. 1003.493, F.S., relating to career and professional academies to conform to changes made by the act.

Section 7: Amends s. 1007.35, F.S., relating to the Florida Partnership for Minority and Underrepresented Student Achievement to conform changes made by the act.

Section 8: Amends s. 1008.22, F.S., relating to the statewide student achievement testing program.

Section 9: Amends s. 1008.25, F.S., relating to public school student progression, to conform to changes made by the act.

Section 10: Amends s. 1008.30, F.S., relating the common placement test, to conform to changes made by the act.

Section 11: Amends s. 1008.34, F.S., relating to school grading system; school report cards; and district grade.

Section 12: Amends s. 1008.341, F.S., relating to school improvement rating for alternative schools.

Section 13: Amends s. 1008.36, F.S., relating to the Florida School Recognition Program.

Section 14: Directs OPPAGA to conduct a study on the different types of high school diplomas offered in other states.

Section 15: Provides an effective date of July 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

This bill does not appear to have an impact on state government revenues.

2. Expenditures:

See FISCAL COMMENTS section.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

This bill does not appear to have an impact on local government revenues.

2. Expenditures:

This bill does not appear to have an impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The fiscal impact of this bill is indeterminate although not significant. Typically, the cost associated with administering a statewide, standardized assessment is approximately \$1 to \$1.5 million annually. However, based on the current budget proposal for the assessment and evaluation budget, DOE estimates the costs of the bill can be absorbed by existing resources. Additional costs will be offset by replacing the Grade 9 and Grade 10 Mathematics FCAT with Algebra I and geometry EOC assessments and replacing the high school Science FCAT with the Biology I EOC assessment.

There could be costs associated with transitioning from the Grade 9 and Grade 10 Mathematics FCAT and Grade 11 Science FCAT to Algebra I, geometry, and Biology I EOC assessments. The DOE is currently field-testing the Algebra I EOC assessments and plans for all EOC assessments to be computer-based tests. If this occurs, the administration of EOC assessments should result in a savings to the state over time.

By eliminating the requirement for a revised assessment in writing in 2012-2013, there should be a significant, yet indeterminate, amount of cost deferred. According to DOE staff, the savings resulting from not having to substantially revise FCAT Writing will help offset the cost associated with transitioning from the Grade 9 and Grade 10 FCAT Mathematics and the FCAT Science at the high school level to Algebra I, geometry, and Biology I EOC assessments.

All of the estimated costs and savings will be absorbed in the current assessment and evaluation budget plan.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not appear to require a city or county to expend funds or take any action requiring the expenditure of funds. The bill does not appear to reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not appear to reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill authorizes the State Board of Education to adopt rules for provisions relating to:

- Procedures for determining the EOC assessment requirements for students transferring into a Florida public high school.
- Statewide, standardized EOC assessments, including establishing passing scores and equivalent scores.

The existing SBE rule regarding the designation of school grades will need to be modified.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

N/A.