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CS/HB 105

2010 Legislature

1 A bill to be entitled
2 An act relating to civics education; providing a short
3 title; amending s. 1003.41, F.S., relating to the Next
4 Generation Sunshine State Standards; providing a
5 requirement that the reading portion of the language arts
6 curriculum include civics education content for all grade
7 levels; amending s. 1003.4156, F.S.; providing
8 requirements for a civics education course that a student
9 must successfully complete for middle grades promotion
10 beginning with students entering grade 6 in the 2012-2013
11 school year; amending s. 1008.22, F.S.; requiring the
12 administration of an end-of-course assessment in civics
13 education as a field test at the middle school level
14 during the 2012-2013 school year; providing requirements
15 for course grade and course credit for subsequent school
16 years; amending s. 1008.34, F.S.; requiring the inclusion
17 of civics education end-of-course assessment data in
18 determining school grades beginning with the 2013-2014
19 school year; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. This act may be cited as the "Justice Sandra
24 Day O'Connor Civics Education Act."

25 Section 2. Paragraph (a) of subsection (1) of section
26 1003.41, Florida Statutes, is amended to read:

27 1003.41 Sunshine State Standards.—

28 (1) Public K-12 educational instruction in Florida is

ENROLLED

CS/HB 105

2010 Legislature

29 | based on the "Sunshine State Standards." The State Board of
30 | Education shall review the Sunshine State Standards and replace
31 | them with the Next Generation Sunshine State Standards that
32 | establish the core content of the curricula to be taught in this
33 | state and that specify the core content knowledge and skills
34 | that K-12 public school students are expected to acquire. The
35 | Next Generation Sunshine State Standards must, at a minimum:

36 | (a) Establish the core curricular content for language
37 | arts, science, mathematics, and social studies, as follows:

38 | 1. Language arts standards must establish specific
39 | curricular content for, at a minimum, the reading process,
40 | literary analysis, the writing process, writing applications,
41 | communication, and information and media literacy. The standards
42 | must include distinct grade level expectations for the core
43 | content knowledge and skills that a student is expected to have
44 | acquired by each individual grade level from kindergarten
45 | through grade 8. The language arts standards for grades 9
46 | through 12 may be organized by grade clusters of more than one
47 | grade level. The language arts standards must also identify
48 | significant literary genres and authors that encompass a
49 | comprehensive range of historical periods. Beginning with the
50 | 2011-2012 school year, the reading portion of the language arts
51 | curriculum shall include civics education content for all grade
52 | levels. The State Board of Education shall, in accordance with
53 | the expedited schedule established under subsection (2), review
54 | and replace the language arts standards adopted by the state
55 | board in 2007 with Next Generation Sunshine State Standards that
56 | comply with this subparagraph.

ENROLLED

CS/HB 105

2010 Legislature

57 2. Science standards must establish specific curricular
58 content for, at a minimum, the nature of science, earth and
59 space science, physical science, and life science. The standards
60 must include distinct grade level expectations for the core
61 content knowledge and skills that a student is expected to have
62 acquired by each individual grade level from kindergarten
63 through grade 8. The science standards for grades 9 through 12
64 may be organized by grade clusters of more than one grade level.

65 3. Mathematics standards must establish specific
66 curricular content for, at a minimum, algebra, geometry,
67 probability, statistics, calculus, discrete mathematics,
68 financial literacy, and trigonometry. The standards must include
69 distinct grade level expectations for the core content knowledge
70 and skills that a student is expected to have acquired by each
71 individual grade level from kindergarten through grade 8. The
72 mathematics standards for grades 9 through 12 may be organized
73 by grade clusters of more than one grade level.

74 4. Social studies standards must establish specific
75 curricular content for, at a minimum, geography, United States
76 and world history, government, civics, economics, and
77 humanities. The standards must include distinct grade level
78 expectations for the core content knowledge and skills that a
79 student is expected to have acquired by each individual grade
80 level from kindergarten through grade 8. The social studies
81 standards for grades 9 through 12 may be organized by grade
82 clusters of more than one grade level.

83 Section 3. Paragraph (a) of subsection (1) of section
84 1003.4156, Florida Statutes, is amended to read:

ENROLLED

CS/HB 105

2010 Legislature

85 1003.4156 General requirements for middle grades
 86 promotion.—

87 (1) Beginning with students entering grade 6 in the 2006-
 88 2007 school year, promotion from a school composed of middle
 89 grades 6, 7, and 8 requires that:

90 (a) The student must successfully complete academic
 91 courses as follows:

92 1. Three middle school or higher courses in English. These
 93 courses shall emphasize literature, composition, and technical
 94 text.

95 2. Three middle school or higher courses in mathematics.
 96 Each middle school must offer at least one high school level
 97 mathematics course for which students may earn high school
 98 credit.

99 3. Three middle school or higher courses in social
 100 studies, one semester of which must include the study of state
 101 and federal government and civics education. Beginning with
 102 students entering grade 6 in the 2012-2013 school year, one of
 103 these courses must be at least a one-semester civics education
 104 course that a student successfully completes in accordance with
 105 s. 1008.22(3)(c) and that includes the roles and
 106 responsibilities of federal, state, and local governments; the
 107 structures and functions of the legislative, executive, and
 108 judicial branches of government; and the meaning and
 109 significance of historic documents, such as the Articles of
 110 Confederation, the Declaration of Independence, and the
 111 Constitution of the United States.

112 4. Three middle school or higher courses in science.

ENROLLED

CS/HB 105

2010 Legislature

113 5. One course in career and education planning to be
 114 completed in 7th or 8th grade. The course may be taught by any
 115 member of the instructional staff; must include career
 116 exploration using CHOICES for the 21st Century or a comparable
 117 cost-effective program; must include educational planning using
 118 the online student advising system known as Florida Academic
 119 Counseling and Tracking for Students at the Internet website
 120 FACTS.org; and shall result in the completion of a personalized
 121 academic and career plan.

122
 123 Each school must hold a parent meeting either in the evening or
 124 on a weekend to inform parents about the course curriculum and
 125 activities. Each student shall complete an electronic personal
 126 education plan that must be signed by the student; the student's
 127 instructor, guidance counselor, or academic advisor; and the
 128 student's parent. By January 1, 2007, the Department of
 129 Education shall develop course frameworks and professional
 130 development materials for the career exploration and education
 131 planning course. The course may be implemented as a stand-alone
 132 course or integrated into another course or courses. The
 133 Commissioner of Education shall collect longitudinal high school
 134 course enrollment data by student ethnicity in order to analyze
 135 course-taking patterns.

136 Section 4. Paragraph (c) of subsection (3) of section
 137 1008.22, Florida Statutes, is amended to read:

138 1008.22 Student assessment program for public schools.—

139 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
 140 design and implement a statewide program of educational

ENROLLED

CS/HB 105

2010 Legislature

141 assessment that provides information for the improvement of the
142 operation and management of the public schools, including
143 schools operating for the purpose of providing educational
144 services to youth in Department of Juvenile Justice programs.
145 The commissioner may enter into contracts for the continued
146 administration of the assessment, testing, and evaluation
147 programs authorized and funded by the Legislature. Contracts may
148 be initiated in 1 fiscal year and continue into the next and may
149 be paid from the appropriations of either or both fiscal years.
150 The commissioner is authorized to negotiate for the sale or
151 lease of tests, scoring protocols, test scoring services, and
152 related materials developed pursuant to law. Pursuant to the
153 statewide assessment program, the commissioner shall:

154 (c) Develop and implement a student achievement testing
155 program known as the Florida Comprehensive Assessment Test
156 (FCAT) as part of the statewide assessment program to measure a
157 student's content knowledge and skills in reading, writing,
158 science, and mathematics. Other content areas may be included as
159 directed by the commissioner. Comprehensive assessments of
160 reading and mathematics shall be administered annually in grades
161 3 through 10. Comprehensive assessments of writing and science
162 shall be administered at least once at the elementary, middle,
163 and high school levels. End-of-course assessments for a subject
164 may be administered in addition to the comprehensive assessments
165 required for that subject under this paragraph. An end-of-course
166 assessment must be rigorous, statewide, standardized, and
167 developed or approved by the department. The content knowledge
168 and skills assessed by comprehensive and end-of-course

ENROLLED

CS/HB 105

2010 Legislature

169 assessments must be aligned to the core curricular content
170 established in the Sunshine State Standards. During the 2012-
171 2013 school year, an end-of-course assessment in civics
172 education shall be administered as a field test at the middle
173 school level. During the 2013-2014 school year, each student's
174 performance on the statewide, standardized end-of-course
175 assessment in civics education shall constitute 30 percent of
176 the student's final course grade. Beginning with the 2014-2015-
177 school year, a student must earn a passing score on the end-of-
178 course assessment in civics education in order to pass the
179 course and receive course credit.¹The commissioner may select
180 one or more nationally developed comprehensive examinations,
181 which may include, but need not be limited to, examinations for
182 a College Board Advanced Placement course, International
183 Baccalaureate course, or Advanced International Certificate of
184 Education course or industry-approved examinations to earn
185 national industry certifications as defined in s. 1003.492, for
186 use as end-of-course assessments under this paragraph, if the
187 commissioner determines that the content knowledge and skills
188 assessed by the examinations meet or exceed the grade level
189 expectations for the core curricular content established for the
190 course in the Next Generation Sunshine State Standards. The
191 commissioner may collaborate with the American Diploma Project
192 in the adoption or development of rigorous end-of-course
193 assessments that are aligned to the Next Generation Sunshine
194 State Standards. The testing program must be designed as
195 follows:

¹ The following change was made in 2013 upon the passage of Senate Bill 1076 which states that, "During the 2012-2013 school year, an EOC assessment in civics education shall be administered as a field test at the middle grades level. Beginning with the 2013-2014 school year, each student's performance on the statewide, standardized EOC assessment in civics education constitutes 30 percent of the student's final course grade."

ENROLLED

CS/HB 105

2010 Legislature

196 1. The tests shall measure student skills and competencies
197 adopted by the State Board of Education as specified in
198 paragraph (a). The tests must measure and report student
199 proficiency levels of all students assessed in reading, writing,
200 mathematics, and science. The commissioner shall provide for the
201 tests to be developed or obtained, as appropriate, through
202 contracts and project agreements with private vendors, public
203 vendors, public agencies, postsecondary educational
204 institutions, or school districts. The commissioner shall obtain
205 input with respect to the design and implementation of the
206 testing program from state educators, assistive technology
207 experts, and the public.

208 2. The testing program shall be composed of criterion-
209 referenced tests that shall, to the extent determined by the
210 commissioner, include test items that require the student to
211 produce information or perform tasks in such a way that the core
212 content knowledge and skills he or she uses can be measured.

213 3. Beginning with the 2008-2009 school year, the
214 commissioner shall discontinue administration of the selected-
215 response test items on the comprehensive assessments of writing.
216 Beginning with the 2012-2013 school year, the comprehensive
217 assessments of writing shall be composed of a combination of
218 selected-response test items, short-response performance tasks,
219 and extended-response performance tasks, which shall measure a
220 student's content knowledge of writing, including, but not
221 limited to, paragraph and sentence structure, sentence
222 construction, grammar and usage, punctuation, capitalization,

ENROLLED

CS/HB 105

2010 Legislature

223 spelling, parts of speech, verb tense, irregular verbs, subject-
224 verb agreement, and noun-pronoun agreement.

225 4. A score shall be designated for each subject area
226 tested, below which score a student's performance is deemed
227 inadequate. The school districts shall provide appropriate
228 remedial instruction to students who score below these levels.

229 5. Except as provided in s. 1003.428(8)(b) or s.
230 1003.43(11)(b), students must earn a passing score on the grade
231 10 assessment test described in this paragraph or attain
232 concordant scores as described in subsection (10) in reading,
233 writing, and mathematics to qualify for a standard high school
234 diploma. The State Board of Education shall designate a passing
235 score for each part of the grade 10 assessment test. In
236 establishing passing scores, the state board shall consider any
237 possible negative impact of the test on minority students. The
238 State Board of Education shall adopt rules which specify the
239 passing scores for the grade 10 FCAT. Any such rules, which have
240 the effect of raising the required passing scores, shall apply
241 only to students taking the grade 10 FCAT for the first time
242 after such rules are adopted by the State Board of Education.

243 6. Participation in the testing program is mandatory for
244 all students attending public school, including students served
245 in Department of Juvenile Justice programs, except as otherwise
246 prescribed by the commissioner. If a student does not
247 participate in the statewide assessment, the district must
248 notify the student's parent and provide the parent with
249 information regarding the implications of such nonparticipation.
250 A parent must provide signed consent for a student to receive

ENROLLED

CS/HB 105

2010 Legislature

251 | classroom instructional accommodations that would not be
252 | available or permitted on the statewide assessments and must
253 | acknowledge in writing that he or she understands the
254 | implications of such instructional accommodations. The State
255 | Board of Education shall adopt rules, based upon recommendations
256 | of the commissioner, for the provision of test accommodations
257 | for students in exceptional education programs and for students
258 | who have limited English proficiency. Accommodations that negate
259 | the validity of a statewide assessment are not allowable in the
260 | administration of the FCAT. However, instructional
261 | accommodations are allowable in the classroom if included in a
262 | student's individual education plan. Students using
263 | instructional accommodations in the classroom that are not
264 | allowable as accommodations on the FCAT may have the FCAT
265 | requirement waived pursuant to the requirements of s.
266 | 1003.428(8) (b) or s. 1003.43(11) (b).

267 | 7. A student seeking an adult high school diploma must
268 | meet the same testing requirements that a regular high school
269 | student must meet.

270 | 8. District school boards must provide instruction to
271 | prepare students to demonstrate proficiency in the core
272 | curricular content established in the Next Generation Sunshine
273 | State Standards adopted under s. 1003.41, including the core
274 | content knowledge and skills necessary for successful grade-to-
275 | grade progression and high school graduation. If a student is
276 | provided with instructional accommodations in the classroom that
277 | are not allowable as accommodations in the statewide assessment
278 | program, as described in the test manuals, the district must

ENROLLED

CS/HB 105

2010 Legislature

279 | inform the parent in writing and must provide the parent with
280 | information regarding the impact on the student's ability to
281 | meet expected proficiency levels in reading, writing, and
282 | mathematics. The commissioner shall conduct studies as necessary
283 | to verify that the required core curricular content is part of
284 | the district instructional programs.

285 | 9. District school boards must provide opportunities for
286 | students to demonstrate an acceptable level of performance on an
287 | alternative standardized assessment approved by the State Board
288 | of Education following enrollment in summer academies.

289 | 10. The Department of Education must develop, or select,
290 | and implement a common battery of assessment tools that will be
291 | used in all juvenile justice programs in the state. These tools
292 | must accurately measure the core curricular content established
293 | in the Sunshine State Standards.

294 | 11. For students seeking a special diploma pursuant to s.
295 | 1003.438, the Department of Education must develop or select and
296 | implement an alternate assessment tool that accurately measures
297 | the core curricular content established in the Sunshine State
298 | Standards for students with disabilities under s. 1003.438.

299 | 12. The Commissioner of Education shall establish
300 | schedules for the administration of statewide assessments and
301 | the reporting of student test results. The commissioner shall,
302 | by August 1 of each year, notify each school district in writing
303 | and publish on the department's Internet website the testing and
304 | reporting schedules for, at a minimum, the school year following
305 | the upcoming school year. The testing and reporting schedules
306 | shall require that:

ENROLLED

CS/HB 105

2010 Legislature

307 a. There is the latest possible administration of
308 statewide assessments and the earliest possible reporting to the
309 school districts of student test results which is feasible
310 within available technology and specific appropriations;
311 however, test results must be made available no later than the
312 final day of the regular school year for students.

313 b. Beginning with the 2010-2011 school year, a
314 comprehensive statewide assessment of writing is not
315 administered earlier than the week of March 1 and a
316 comprehensive statewide assessment of any other subject is not
317 administered earlier than the week of April 15.

318 c. A statewide standardized end-of-course assessment is
319 administered within the last 2 weeks of the course.

320

321 The commissioner may, based on collaboration and input from
322 school districts, design and implement student testing programs,
323 for any grade level and subject area, necessary to effectively
324 monitor educational achievement in the state, including the
325 measurement of educational achievement of the Sunshine State
326 Standards for students with disabilities. Development and
327 refinement of assessments shall include universal design
328 principles and accessibility standards that will prevent any
329 unintended obstacles for students with disabilities while
330 ensuring the validity and reliability of the test. These
331 principles should be applicable to all technology platforms and
332 assistive devices available for the assessments. The field
333 testing process and psychometric analyses for the statewide
334 assessment program must include an appropriate percentage of

ENROLLED

CS/HB 105

2010 Legislature

335 students with disabilities and an evaluation or determination of
336 the effect of test items on such students.

337 Section 5. Paragraph (c) of subsection (3) of section
338 1008.34, Florida Statutes, is amended to read:

339 1008.34 School grading system; school report cards;
340 district grade.—

341 (3) DESIGNATION OF SCHOOL GRADES.—

342 (c) Student assessment data used in determining school
343 grades shall include:

344 1. The aggregate scores of all eligible students enrolled
345 in the school who have been assessed on the FCAT and, beginning
346 with the 2013-2014 school year, on the statewide, standardized
347 end-of-course assessment in civics education at the middle
348 school level.

349 2. The aggregate scores of all eligible students enrolled
350 in the school who have been assessed on the FCAT and who have
351 scored at or in the lowest 25th percentile of students in the
352 school in reading, mathematics, or writing, unless these
353 students are exhibiting satisfactory performance.

354 3. Effective with the 2005-2006 school year, the
355 achievement scores and learning gains of eligible students
356 attending alternative schools that provide dropout prevention
357 and academic intervention services pursuant to s. 1003.53. The
358 term "eligible students" in this subparagraph does not include
359 students attending an alternative school who are subject to
360 district school board policies for expulsion for repeated or
361 serious offenses, who are in dropout retrieval programs serving
362 students who have officially been designated as dropouts, or who

ENROLLED

CS/HB 105

2010 Legislature

363 are in programs operated or contracted by the Department of
364 Juvenile Justice. The student performance data for eligible
365 students identified in this subparagraph shall be included in
366 the calculation of the home school's grade. As used in this
367 section and s. 1008.341, the term "home school" means the school
368 to which the student would be assigned if the student were not
369 assigned to an alternative school. If an alternative school
370 chooses to be graded under this section, student performance
371 data for eligible students identified in this subparagraph shall
372 not be included in the home school's grade but shall be included
373 only in the calculation of the alternative school's grade. A
374 school district that fails to assign the FCAT scores of each of
375 its students to his or her home school or to the alternative
376 school that receives a grade shall forfeit Florida School
377 Recognition Program funds for 1 fiscal year. School districts
378 must require collaboration between the home school and the
379 alternative school in order to promote student success. This
380 collaboration must include an annual discussion between the
381 principal of the alternative school and the principal of each
382 student's home school concerning the most appropriate school
383 assignment of the student.

384 4. Beginning with the 2009-2010 school year for schools
385 comprised of high school grades 9, 10, 11, and 12, or grades 10,
386 11, and 12, the data listed in subparagraphs 1.-3. and the
387 following data as the Department of Education determines such
388 data are valid and available:

389 a. The high school graduation rate of the school as
390 calculated by the Department of Education;

ENROLLED

CS/HB 105

2010 Legislature

391 b. The participation rate of all eligible students
392 enrolled in the school and enrolled in College Board Advanced
393 Placement courses; International Baccalaureate courses; dual
394 enrollment courses; Advanced International Certificate of
395 Education courses; and courses or sequence of courses leading to
396 industry certification, as determined by the Agency for
397 Workforce Innovation under s. 1003.492(2) in a career and
398 professional academy, as described in s. 1003.493;

399 c. The aggregate scores of all eligible students enrolled
400 in the school in College Board Advanced Placement courses,
401 International Baccalaureate courses, and Advanced International
402 Certificate of Education courses;

403 d. Earning of college credit by all eligible students
404 enrolled in the school in dual enrollment programs under s.
405 1007.271;

406 e. Earning of an industry certification, as determined by
407 the Agency for Workforce Innovation under s. 1003.492(2) in a
408 career and professional academy, as described in s. 1003.493;

409 f. The aggregate scores of all eligible students enrolled
410 in the school in reading, mathematics, and other subjects as
411 measured by the SAT, the ACT, and the common placement test for
412 postsecondary readiness;

413 g. The high school graduation rate of all eligible at-risk
414 students enrolled in the school who scored at Level 2 or lower
415 on the grade 8 FCAT Reading and Mathematics examinations;

416 h. The performance of the school's students on statewide
417 standardized end-of-course assessments administered under s.
418 1008.22; and

ENROLLED

CS/HB 105

2010 Legislature

419 i. The growth or decline in the data components listed in
420 sub-subparagraphs a.-h. from year to year.

421

422 The State Board of Education shall adopt appropriate criteria
423 for each school grade. The criteria must also give added weight
424 to student achievement in reading. Schools designated with a
425 grade of "C," making satisfactory progress, shall be required to
426 demonstrate that adequate progress has been made by students in
427 the school who are in the lowest 25th percentile in reading,
428 mathematics, or writing on the FCAT, unless these students are
429 exhibiting satisfactory performance. Beginning with the 2009-
430 2010 school year for schools comprised of high school grades 9,
431 10, 11, and 12, or grades 10, 11, and 12, the criteria for
432 school grades must also give added weight to the graduation rate
433 of all eligible at-risk students, as defined in this paragraph.
434 Beginning in the 2009-2010 school year, in order for a high
435 school to be designated as having a grade of "A," making
436 excellent progress, the school must demonstrate that at-risk
437 students, as defined in this paragraph, in the school are making
438 adequate progress.

439 Section 6. This act shall take effect July 1, 2010.