

1 A bill to be entitled
2 An act relating to assessments and accountability;
3 providing legislative intent; amending s. 1003.41,
4 F.S.; deleting the Next Generation Sunshine State
5 Standards and replacing them with district-selected
6 English Language Arts and mathematics standards;
7 requiring the Commissioner of Education to develop and
8 maintain a proposed list of certain English Language
9 Arts and mathematics standards; providing standards
10 that must be included on the list; requiring each
11 district school board to select and implement a set of
12 standards from among those on the list; providing for
13 review and revision of the list; prohibiting the
14 Department of Education or a district school board
15 from entering into certain agreements that cede or
16 limit state or district autonomy over academic content
17 standards and corresponding assessments; requiring the
18 department or district school board to amend or
19 terminate certain agreements; limiting rulemaking;
20 amending s. 1003.42, F.S.; revising required public K-
21 12 educational instruction; providing that parents
22 must give written consent for students to participate
23 in certain instruction; amending s. 1008.22, F.S.;
24 revising the student assessment program for public
25 schools; deleting the requirement for national and
26 international comparison of certain assessments;

27 deleting the requirement for statewide, standardized
28 assessments; requiring the commissioner to develop and
29 maintain a list of assessments from which a district
30 school board must select; requiring the commissioner
31 to determine percentile rankings from the listed
32 assessments to correspond to achievement levels;
33 requiring students in certain grades to take
34 assessments on specific subjects; providing for the
35 scheduling, administration, analysis, and reporting of
36 assessment results; providing that certain assessments
37 shall be administered at the discretion of the school
38 district; exempting certain students from
39 participation in the assessment program; providing
40 that student data must be aggregated, anonymized, and
41 de-identified for certain purposes; requiring the
42 commissioner to terminate a contract; limiting
43 rulemaking; amending s. 1008.34, F.S.; revising
44 definitions; providing an exception for schools to
45 assess a certain percentage of the school population;
46 revising the criteria and calculation for school
47 grades; revising the requirements of school and
48 district report cards; providing an effective date.

49
50 Be It Enacted by the Legislature of the State of Florida:

51
52 Section 1. Legislative intent.—It is the intent of the

53 Legislature to:

54 (1) Empower Florida's stakeholders in education.

55 (2) Reclaim the state's educational sovereignty under the
 56 United States Constitution and the State Constitution for the
 57 Legislature, the duly elected district school boards, and the
 58 citizens of the state.

59 (3) Allow teachers to spend more time helping their
 60 students thrive according to their knowledge and skills.

61 (4) Limit testing and allow students to reclaim classroom
 62 instruction time in order to have a broad-based academic
 63 education that will enable them to choose their own paths and to
 64 preserve our republic.

65 (5) Reaffirm inherent parental rights to raise and educate
 66 their children and unleash the creative potential of the
 67 children of the state.

68 Section 2. Section 1003.41, Florida Statutes, is amended
 69 to read:

70 1003.41 District-selected standards ~~Next Generation~~
 71 ~~Sunshine State Standards.~~—

72 (1) (a) The Commissioner of Education shall develop and
 73 maintain a list of English Language Arts and mathematics
 74 standards from the best available standards in place before
 75 January 1, 2009. The list of standards must include:

76 1. English Language Arts standards from California,
 77 Florida, Indiana, Massachusetts, and Texas.

78 2. Mathematics standards from California, Florida,

79 Indiana, Massachusetts, and Minnesota.

80 (b) Each district school board, after a broad, transparent
81 discussion and comment period with parents, teachers, and other
82 stakeholders, must select and implement a set of English
83 Language Arts and mathematics standards from among those on the
84 list provided by the commissioner pursuant to paragraph (a).

85 (2) The Commissioner of Education, with input from
86 parents, teachers, and other stakeholders, shall review,
87 develop, and submit to the Legislature for review and approval
88 proposed revisions to the list of English Language Arts and
89 mathematics standards. Any proposed revisions must be
90 implemented in rules in conjunction with the adoption of new
91 instructional materials.

92 (3) (a) The Department of Education or a district school
93 board may not enter into any agreement, memorandum of
94 understanding, or contract with a federal agency or private
95 entity that cedes or limits the state's or school district's
96 control over the development, adoption, or revision of academic
97 content standards or corresponding assessments, including, but
98 not limited to, agreements, memoranda, or contracts for funding
99 public schools and programs.

100 (b) If the department or a district school board entered
101 into an agreement, memorandum, or contract before the effective
102 date of this section, and such agreement, memorandum, or
103 contract would be prohibited under paragraph (a) if entered into
104 on or after the effective date of this section, the department

105 or district school board must amend or terminate the agreement,
106 memorandum, or contract to comply with the requirements of
107 paragraph (a) Next Generation Sunshine State Standards establish
108 the core content of the curricula to be taught in the state and
109 specify the core content knowledge and skills that K-12 public
110 school students are expected to acquire. Standards must be
111 rigorous and relevant and provide for the logical, sequential
112 progression of core curricular content that incrementally
113 increases a student's core content knowledge and skills over
114 time. Curricular content for all subjects must integrate
115 critical-thinking, problem-solving, and workforce-literacy
116 skills; communication, reading, and writing skills; mathematics
117 skills; collaboration skills; contextual and applied-learning
118 skills; technology-literacy skills; information and media-
119 literacy skills; and civic-engagement skills. The standards must
120 include distinct grade-level expectations for the core content
121 knowledge and skills that a student is expected to have acquired
122 by each individual grade level from kindergarten through grade
123 8. The standards for grades 9 through 12 may be organized by
124 grade clusters of more than one grade level except as otherwise
125 provided for visual and performing arts, physical education,
126 health, and foreign language standards.

127 ~~(2) Next Generation Sunshine State Standards must meet the~~
128 ~~following requirements:~~

129 ~~(a) English Language Arts standards must establish~~
130 ~~specific curricular content for, at a minimum, reading, writing,~~

131 ~~speaking and listening, and language.~~

132 ~~(b) Science standards must establish specific curricular~~
133 ~~content for, at a minimum, the nature of science, earth and~~
134 ~~space science, physical science, and life science.~~

135 ~~(c) Mathematics standards must establish specific~~
136 ~~curricular content for, at a minimum, algebra, geometry,~~
137 ~~statistics and probability, number and quantity, functions, and~~
138 ~~modeling.~~

139 ~~(d) Social Studies standards must establish specific~~
140 ~~curricular content for, at a minimum, geography, United States~~
141 ~~and world history, government, civics, humanities, and~~
142 ~~economics, including financial literacy. Financial literacy~~
143 ~~includes the knowledge, understanding, skills, behaviors,~~
144 ~~attitudes, and values that will enable a student to make~~
145 ~~responsible and effective financial decisions on a daily basis.~~
146 ~~Financial literacy instruction shall be an integral part of~~
147 ~~instruction throughout the entire economics course and include~~
148 ~~information regarding earning income; buying goods and services;~~
149 ~~saving and financial investing; taxes; the use of credit and~~
150 ~~credit cards; budgeting and debt management, including student~~
151 ~~loans and secured loans; banking and financial services;~~
152 ~~planning for one's financial future, including higher education~~
153 ~~and career planning; credit reports and scores; and fraud and~~
154 ~~identity theft prevention.~~

155 ~~(e) Visual and performing arts, physical education,~~
156 ~~health, and foreign language standards must establish specific~~

157 ~~curricular content and include distinct grade level expectations~~
158 ~~for the core content knowledge and skills that a student is~~
159 ~~expected to have acquired by each individual grade level from~~
160 ~~kindergarten through grade 5. The standards for grades 6 through~~
161 ~~12 may be organized by grade clusters of more than one grade~~
162 ~~level.~~

163 ~~(3) The Commissioner of Education, as needed, shall~~
164 ~~develop and submit proposed revisions to the standards for~~
165 ~~review and comment by Florida educators, school administrators,~~
166 ~~representatives of the Florida College System institutions and~~
167 ~~state universities who have expertise in the content knowledge~~
168 ~~and skills necessary to prepare a student for postsecondary~~
169 ~~education and careers, business and industry leaders, and the~~
170 ~~public. The commissioner, after considering reviews and~~
171 ~~comments, shall submit the proposed revisions to the State Board~~
172 ~~of Education for adoption.~~

173 (4) The State Board of Education shall adopt rules to
174 administer this section.

175 Section 3. Section 1003.42, Florida Statutes, is amended
176 to read:

177 1003.42 Required instruction.—

178 (1) Each district school board shall provide all courses
179 required for middle grades promotion, high school graduation,
180 and appropriate instruction designed to ensure that students
181 meet ~~State Board of Education~~ adopted standards in the following
182 subject areas: English Language Arts, including reading, and

183 ~~other language arts, mathematics, science, social studies,~~
184 ~~foreign languages, health and physical education, and the arts.~~
185 The state board must remove an English Language Arts or
186 mathematics a middle grades course in the Course Code Directory
187 that does not fully integrate all appropriate curricular content
188 required by s. 1003.41 and may approve a new English Language
189 Arts or mathematics course only if it meets the required
190 curricular content.

191 (2) Members of the instructional staff of the public
192 schools, ~~subject to the rules of the State Board of Education~~
193 ~~and the district school board,~~ shall use ~~teach~~ efficiently and
194 ~~faithfully,~~ using the books and materials required that meet the
195 highest standards for professionalism and historic accuracy, the
196 district school board's standards regarding the prohibition of
197 sexually explicit content, and the criteria established in s.
198 1006.34(2)(b)., ~~following the prescribed courses of study, and~~
199 ~~employing approved methods of Instruction~~ must include, the
200 following:

201 (a) The history and content of the Declaration of
202 Independence, including national and state sovereignty, natural
203 law, self-evident truth, equality of all persons, limited
204 government, popular sovereignty, and inalienable rights of life,
205 liberty, and property, and how they form the philosophical
206 foundation of our government.

207 (b) The history, meaning, significance, and effect of the
208 provisions of the Constitution of the United States and

209 amendments thereto, with emphasis on each of the 10 amendments
210 that make up the Bill of Rights and how the constitution
211 provides the structure of our government.

212 (c) The arguments in support of adopting our republican
213 form of government, as they are embodied in the most important
214 of the Federalist Papers.

215 (d) Flag education, including proper flag display and flag
216 salute.

217 (e) The elements of civil government, including the
218 primary functions of and interrelationships between the Federal
219 Government, the state, and its counties, municipalities, school
220 districts, and special districts.

221 (f) The history of the United States, including the period
222 of discovery, early colonies, the War for Independence, the
223 Civil War, the expansion of the United States to its present
224 boundaries, the world wars, and the civil rights movement to the
225 present. American history shall be viewed as factual, not as
226 constructed, shall be viewed as knowable, teachable, and
227 testable, and shall be defined as the creation of a new nation
228 based largely on the universal principles stated in the
229 Declaration of Independence.

230 (g) The history of the Holocaust (1933-1945), the
231 systematic, planned annihilation of European Jews and other
232 groups by Nazi Germany, a watershed event in the history of
233 humanity, to be taught in a manner that leads to an
234 investigation of human behavior, an understanding of the

235 ramifications of prejudice, racism, and stereotyping, and an
236 examination of what it means to be a responsible and respectful
237 person, for the purposes of encouraging tolerance of diversity
238 in a pluralistic society and for nurturing and protecting
239 democratic values and institutions.

240 (h) The history of African Americans, including the
241 history of African peoples before the political conflicts that
242 led to the development of slavery, the passage to America, the
243 enslavement experience, abolition, and the contributions of
244 African Americans to society. Instructional materials shall
245 include the contributions of African Americans to American
246 society.

247 (i) The elementary principles of agriculture, including
248 its importance to food security in the United States and its
249 impact on the state's economy.

250 (j) The true effects of all alcoholic and intoxicating
251 liquors and beverages and narcotics upon the human body and
252 mind.

253 (k) Kindness to animals.

254 (l) The history of the state.

255 (m) The conservation and stewardship of natural resources.

256 (n) Comprehensive health education that addresses concepts
257 of community health; consumer health; environmental health;
258 family life, including an awareness of the benefits of sexual
259 abstinence as the expected standard and the consequences of
260 teenage pregnancy; mental and emotional health; injury

261 prevention and safety; Internet safety; nutrition; personal
 262 health; prevention and control of disease; and substance use and
 263 abuse. The health education curriculum for students in grades 7
 264 through 12 shall include a teen dating violence and abuse
 265 component that includes, but is not limited to, the definition
 266 of dating violence and abuse, the warning signs of dating
 267 violence and abusive behavior, the characteristics of healthy
 268 relationships, measures to prevent and stop dating violence and
 269 abuse, and community resources available to victims of dating
 270 violence and abuse.

271 (o) Such additional materials, subjects, courses, or
 272 fields in such grades as are prescribed by law ~~or by rules of~~
 273 ~~the State Board of Education~~ and the district school board in
 274 fulfilling the requirements of law.

275 (p) The study of Hispanic contributions to the United
 276 States.

277 (q) The study of women's contributions to the United
 278 States.

279 (r) The nature and importance of free enterprise to the
 280 United States economy.

281 (s) A character-development program in the elementary
 282 schools, similar to Character First or Character Counts, which
 283 is secular in nature. Beginning in school year 2004-2005, the
 284 character-development program shall be required in kindergarten
 285 through grade 12. Each district school board shall develop or
 286 adopt a curriculum for the character-development program ~~that~~

287 ~~shall be submitted to the department for approval.~~ The
 288 character-development curriculum shall stress the qualities of
 289 patriotism; responsibility; citizenship; kindness; respect for
 290 authority, life, liberty, and personal property; honesty;
 291 charity; self-control; racial, ethnic, and religious tolerance;
 292 and cooperation.

293 (t) In order to encourage patriotism, the sacrifices that
 294 veterans have made in serving our country and protecting
 295 democratic values worldwide. Such instruction must occur on or
 296 before Veterans' Day and Memorial Day. Members of the
 297 instructional staff must ~~are encouraged to~~ use the assistance of
 298 local veterans when practicable.

299
 300 Each school district ~~The State Board of Education~~ is encouraged
 301 to adopt standards and pursue assessment of the requirements of
 302 this subsection.

303 (3) A parent must give written consent for his or her
 304 child to participate in ~~Any student whose parent makes written~~
 305 ~~request to the school principal shall be exempted from the~~
 306 teaching of family definition, family values, reproductive
 307 methods, health, or sexually transmitted diseases ~~any disease,~~
 308 including HIV/AIDS, and their ~~its~~ symptoms, development, and
 309 treatments ~~treatment~~. A student ~~se~~ exempted may not be penalized
 310 by reason of that exemption. Course descriptions for
 311 comprehensive health education shall not interfere with the
 312 local determination of age-appropriate ~~appropriate~~ curriculum

313 which reflects local values and concerns.

314 Section 4. Section 1008.22, Florida Statutes, is amended
315 to read:

316 1008.22 Student assessment program for public schools.—

317 (1) PURPOSE.—The primary purpose of the student assessment
318 program is to provide student academic achievement and learning
319 gains data to students, parents, teachers, school
320 administrators, and school district staff. This data is to be
321 used by districts to improve instruction; by students, parents,
322 and teachers to guide learning objectives; by education
323 researchers to assess state, national, and international
324 education comparison data; and by the public to assess the cost
325 benefit of the expenditure of taxpayer dollars. Before student
326 data may be used for education research, parental consent must
327 be given and the student data must be anonymized, de-identified,
328 and aggregated. The program must be designed to:

329 (a) Assess the achievement level and annual learning gains
330 of each student in English Language Arts and mathematics ~~and the~~
331 ~~achievement level in all other subjects assessed.~~

332 (b) Provide data for making decisions regarding school
333 accountability, recognition, and improvement of operations and
334 management, including schools operating for the purpose of
335 providing educational services to youth in Department of
336 Juvenile Justice programs.

337 ~~(c) Identify the educational strengths and needs of~~
338 ~~students and the readiness of students to be promoted to the~~

339 ~~next grade level or to graduate from high school.~~

340 (c)~~(d)~~ Assess how well educational goals and curricular
 341 standards are met at the school, district, and state,~~national,~~
 342 ~~and international~~ levels.

343 (d)~~(e)~~ Provide information to aid in the evaluation and
 344 development of educational programs and policies at the local
 345 and state level.

346 ~~(2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—~~
 347 ~~Florida school districts shall participate in the administration~~
 348 ~~of the National Assessment of Educational Progress, or similar~~
 349 ~~national or international assessments, both for the national~~
 350 ~~sample and for any state-by-state comparison programs that may~~
 351 ~~be initiated, as directed by the commissioner. The assessments~~
 352 ~~must be conducted using the data collection procedures, student~~
 353 ~~surveys, educator surveys, and other instruments included in the~~
 354 ~~National Assessment of Educational Progress or similar national~~
 355 ~~or international assessments being administered in Florida. The~~
 356 ~~administration of such assessments shall be in addition to and~~
 357 ~~separate from the administration of the statewide, standardized~~
 358 ~~assessments.~~

359 (2)~~(3)~~ STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—

360 (a) The Commissioner of Education shall require an English
 361 Language Arts and mathematics national norm-referenced
 362 assessment to be administered annually in grades 3 through 8 and
 363 an English Language Arts and mathematics national norm-
 364 referenced assessment to be administered once at the high school

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365 level. The assessments are to be administered with paper and
366 pencil.

367 (b) The Commissioner of Education shall develop and
368 maintain a list of pre-2009, national norm-referenced
369 assessments from which each district school board must choose.
370 District school boards shall have discretion regarding the use,
371 development, and implementation of end-of-course assessments and
372 additional assessments ~~design and implement a statewide,~~
373 ~~standardized assessment program aligned to the core curricular~~
374 ~~content established in the Next Generation Sunshine State~~
375 ~~Standards.~~ The commissioner also must also ~~develop or~~ select and
376 implement a common battery of assessment tools from the list of
377 national norm-referenced assessments that will be used in all
378 juvenile justice education programs in the state. These tools
379 must accurately measure the district-selected English Language
380 Arts and mathematics standards pursuant to ss. 1003.41 and
381 1003.42 ~~core curricular content established in the Next~~
382 ~~Generation Sunshine State Standards.~~ Participation in the
383 district-selected, national norm-referenced assessment program
384 is mandatory for all school districts. ~~and~~ All students
385 attending public schools, including adult students seeking a
386 standard high school diploma under s. 1003.4282 and students in
387 Department of Juvenile Justice education programs, except as
388 otherwise provided by law, are expected to participate. However,
389 a student is not required to participate in the assessment
390 program if the student:

391 1. Has a medically certified severe cognitive impairment;
392 2. Has a certified medical complexity; or
393 3. Has been exempted by written request of his or her
394 parent or, if the student is an adult student, by written
395 request of himself or herself. ~~If a student does not participate~~
396 ~~in the assessment program, the school district must notify the~~
397 ~~student's parent and provide the parent with information~~
398 ~~regarding the implications of such nonparticipation. The~~
399 ~~statewide, standardized assessment program shall be designed and~~
400 ~~implemented as follows:~~

401 ~~(a) Statewide, standardized comprehensive assessments. The~~
402 ~~statewide, standardized Reading assessment shall be administered~~
403 ~~annually in grades 3 through 10. The statewide, standardized~~
404 ~~Writing assessment shall be administered annually at least once~~
405 ~~at the elementary, middle, and high school levels. When the~~
406 ~~Reading and Writing assessments are replaced by English Language~~
407 ~~Arts (ELA) assessments, ELA assessments shall be administered to~~
408 ~~students in grades 3 through 11. Retake opportunities for the~~
409 ~~grade 10 Reading assessment or, upon implementation, the grade~~
410 ~~10 ELA assessment must be provided. Students taking the ELA~~
411 ~~assessments shall not take the statewide, standardized~~
412 ~~assessments in Reading or Writing. ELA assessments shall be~~
413 ~~administered online. The statewide, standardized Mathematics~~
414 ~~assessments shall be administered annually in grades 3 through~~
415 ~~8. Students taking a revised Mathematics assessment shall not~~
416 ~~take the discontinued assessment. The statewide, standardized~~

417 ~~Science assessment shall be administered annually at least once~~
418 ~~at the elementary and middle grades levels. In order to earn a~~
419 ~~standard high school diploma, a student who has not earned a~~
420 ~~passing score on the grade 10 Reading assessment or, upon~~
421 ~~implementation, the grade 10 ELA assessment must earn a passing~~
422 ~~score on the assessment retake or earn a concordant score as~~
423 ~~authorized under subsection (7).~~

424 ~~(b) End of course (EOC) assessments. EOC assessments must~~
425 ~~be statewide, standardized, and developed or approved by the~~
426 ~~Department of Education as follows:~~

427 ~~1. Statewide, standardized EOC assessments in mathematics~~
428 ~~shall be administered according to this subparagraph. Beginning~~
429 ~~with the 2010-2011 school year, all students enrolled in Algebra~~
430 ~~I must take the Algebra I EOC assessment. Except as otherwise~~
431 ~~provided in paragraph (c), beginning with students entering~~
432 ~~grade 9 in the 2011-2012 school year, a student who is enrolled~~
433 ~~in Algebra I must earn a passing score on the Algebra I EOC~~
434 ~~assessment or attain a comparative score as authorized under~~
435 ~~subsection (8) in order to earn a standard high school diploma.~~
436 ~~In order to earn a standard high school diploma, a student who~~
437 ~~has not earned a passing score on the Algebra I EOC assessment~~
438 ~~must earn a passing score on the assessment retake or a~~
439 ~~comparative score as authorized under subsection (8). Beginning~~
440 ~~with the 2011-2012 school year, all students enrolled in~~
441 ~~Geometry must take the Geometry EOC assessment. Middle grades~~
442 ~~students enrolled in Algebra I, Geometry, or Biology I must take~~

443 ~~the statewide, standardized EOC assessment for those courses and~~
444 ~~shall not take the corresponding subject and grade level~~
445 ~~statewide, standardized assessment. When a statewide,~~
446 ~~standardized EOC assessment in Algebra II is administered, all~~
447 ~~students enrolled in Algebra II must take the EOC assessment.~~
448 ~~Pursuant to the commissioner's implementation schedule, student~~
449 ~~performance on the Algebra II EOC assessment constitutes 30~~
450 ~~percent of a student's final course grade.~~

451 ~~2. Statewide, standardized EOC assessments in science~~
452 ~~shall be administered according to this subparagraph. Beginning~~
453 ~~with the 2011-2012 school year, all students enrolled in Biology~~
454 ~~I must take the Biology I EOC assessment. Beginning with~~
455 ~~students entering grade 9 in the 2013-2014 school year,~~
456 ~~performance on the Biology I EOC assessment constitutes 30~~
457 ~~percent of the student's final course grade.~~

458 ~~3. Beginning with the 2013-2014 school year, each~~
459 ~~student's performance on the statewide, standardized middle~~
460 ~~grades Civics EOC assessment constitutes 30 percent of the~~
461 ~~student's final course grade in civics education.~~

462 ~~4. The commissioner may select one or more nationally~~
463 ~~developed comprehensive examinations, which may include~~
464 ~~examinations for a College Board Advanced Placement course,~~
465 ~~International Baccalaureate course, or Advanced International~~
466 ~~Certificate of Education course, or industry-approved~~
467 ~~examinations to earn national industry certifications identified~~
468 ~~in the Industry Certification Funding List, for use as EOC~~

469 ~~assessments under this paragraph if the commissioner determines~~
470 ~~that the content knowledge and skills assessed by the~~
471 ~~examinations meet or exceed the grade-level expectations for the~~
472 ~~core curricular content established for the course in the Next~~
473 ~~Generation Sunshine State Standards. Use of any such examination~~
474 ~~as an EOC assessment must be approved by the state board in~~
475 ~~rule.~~

476 ~~5. Contingent upon funding provided in the General~~
477 ~~Appropriations Act, including the appropriation of funds~~
478 ~~received through federal grants, the commissioner may establish~~
479 ~~an implementation schedule for the development and~~
480 ~~administration of additional statewide, standardized EOC~~
481 ~~assessments that must be approved by the state board in rule. If~~
482 ~~approved by the state board, student performance on such~~
483 ~~assessments constitutes 30 percent of a student's final course~~
484 ~~grade.~~

485 ~~6. All statewide, standardized EOC assessments must be~~
486 ~~administered online except as otherwise provided in paragraph~~
487 ~~(e).~~

488 ~~(c) Students with disabilities; Florida Alternate~~
489 ~~Assessment.—~~

490 1. Each district school board must provide instruction to
491 prepare students with disabilities in the core content knowledge
492 and skills necessary for successful grade-to-grade progression
493 and high school graduation.

494 2. A student with a disability, as defined in s. 1007.02,

495 for whom the individual education plan (IEP) team determines
496 that the district-selected, national norm-referenced ~~statewide,~~
497 ~~standardized~~ assessments under this section cannot accurately
498 measure the student's abilities, taking into consideration all
499 allowable accommodations, shall have assessment results waived
500 for the purpose of receiving a course grade and a standard high
501 school diploma. Such waiver shall be designated on the student's
502 transcript. The statement of waiver shall be limited to a
503 statement that performance on an assessment was waived for the
504 purpose of receiving a course grade or a standard high school
505 diploma, as applicable.

506 3. The State Board of Education shall adopt rules, based
507 upon recommendations of the commissioner, for the provision of
508 assessment accommodations for students with disabilities. A
509 district may not administer assessments to ~~and for~~ students who
510 have limited English proficiency.

511 a. ~~Accommodations that negate the validity of a statewide,~~
512 ~~standardized assessment are not allowed during the~~
513 ~~administration of the assessment. However,~~ Instructional
514 accommodations are allowed in the classroom if identified in a
515 student's IEP. Students using instructional accommodations in
516 the classroom that are not allowed on a district-selected,
517 national norm-referenced ~~statewide, standardized~~ assessment may
518 have assessment results waived if the IEP team determines that
519 the assessment cannot accurately measure the student's
520 abilities.

521 b. If a student is provided with instructional
522 accommodations in the classroom that are not allowed as
523 accommodations for a district-selected, national norm-referenced
524 English Language Arts or mathematics assessment statewide,
525 ~~standardized assessments,~~ the district must inform the parent in
526 writing and provide the parent with information regarding the
527 impact on the student's ability to meet expected performance
528 levels. A parent must provide signed consent for a student to
529 receive classroom instructional accommodations that would not be
530 available or permitted on a district-selected, national norm-
531 referenced English Language Arts or mathematics statewide,
532 ~~standardized~~ assessment and acknowledge in writing that he or
533 she understands the implications of such instructional
534 accommodations.

535 ~~e. If a student's IEP states that online administration of~~
536 ~~a statewide, standardized assessment will significantly impair~~
537 ~~the student's ability to perform, the assessment shall be~~
538 ~~administered in hard copy.~~

539 ~~4. For students with significant cognitive disabilities,~~
540 ~~the Department of Education shall provide for implementation of~~
541 ~~the Florida Alternate Assessment to accurately measure the core~~
542 ~~curricular content established in the Next Generation Sunshine~~
543 ~~State Standards.~~

544 ~~(d) Implementation schedule.—~~

545 ~~1. The Commissioner of Education shall establish and~~
546 ~~publish on the department's website an implementation schedule~~

547 ~~to transition from the statewide, standardized Reading and~~
548 ~~Writing assessments to the ELA assessments and to the revised~~
549 ~~Mathematics assessments, including the Algebra I and Geometry~~
550 ~~EOC assessments. The schedule must take into consideration~~
551 ~~funding, sufficient field and baseline data, access to~~
552 ~~assessments, instructional alignment, and school district~~
553 ~~readiness to administer the assessments online.~~

554 ~~2. The Department of Education shall publish minimum and~~
555 ~~recommended technology requirements that include specifications~~
556 ~~for hardware, software, networking, security, and broadband~~
557 ~~capacity to facilitate school district compliance with the~~
558 ~~requirement that assessments be administered online.~~

559 ~~(d)-(e) Assessment scores and achievement levels.~~ District-
560 selected, national norm-referenced

561 ~~1. All statewide, standardized EOC assessments and~~
562 ~~Reading, Writing, and Science assessments shall use scaled~~
563 ~~scores and achievement levels. Achievement levels shall range~~
564 ~~from 1 through 5, with level 1 being the lowest achievement~~
565 ~~level, level 5 being the highest achievement level, and level 3~~
566 ~~indicating satisfactory performance on an assessment. The~~
567 Commissioner of Education shall determine percentile scores that
568 correspond to each of the five achievement levels for each of
569 the national norm-referenced assessments from which a district
570 school board must choose. For purposes of the statewide,
571 ~~standardized Writing assessment, student achievement shall be~~
572 ~~scored using a scale of 1 through 6.~~

573 ~~2. The state board shall designate by rule a passing score~~
574 ~~for each statewide, standardized assessment.~~

575 ~~3. If the commissioner seeks to revise a statewide,~~
576 ~~standardized assessment and the revisions require the state~~
577 ~~board to modify performance level scores, including the passing~~
578 ~~score, the commissioner shall provide a copy of the proposed~~
579 ~~scores and implementation plan to the President of the Senate~~
580 ~~and the Speaker of the House of Representatives at least 90 days~~
581 ~~before submission to the state board for review. Until the state~~
582 ~~board adopts the modifications by rule, the commissioner shall~~
583 ~~use calculations for scoring the assessment that adjust student~~
584 ~~scores on the revised assessment for statistical equivalence to~~
585 ~~student scores on the former assessment. The state board shall~~
586 ~~adopt by rule the passing score for the revised assessment that~~
587 ~~is statistically equivalent to the passing score on the~~
588 ~~discontinued assessment for a student who is required to attain~~
589 ~~a passing score on the discontinued assessment. The commissioner~~
590 ~~may, with approval of the state board, discontinue~~
591 ~~administration of the former assessment upon the graduation,~~
592 ~~based on normal student progression, of students participating~~
593 ~~in the final regular administration of the former assessment. If~~
594 ~~the commissioner revises a statewide, standardized assessment~~
595 ~~and the revisions require the state board to modify the passing~~
596 ~~score, only students taking the assessment for the first time~~
597 ~~after the rule is adopted are affected.~~

598 (e) ~~(f)~~ Assessment schedules and reporting of results.—The

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599 Commissioner of Education shall establish schedules for the
600 administration of the district-selected, national norm-
601 referenced assessments and the reporting of student assessment
602 results. The commissioner shall consider the observance of
603 religious and school holidays when developing the schedule. By
604 August 1 of each year, the commissioner shall notify each school
605 district in writing and publish on the department's website the
606 assessment and reporting schedules for, at a minimum, the school
607 year following the upcoming school year. The assessment and
608 reporting schedules must provide the earliest possible reporting
609 of student assessment results to the school districts.
610 Assessment results for the district-selected, national norm-
611 referenced ~~statewide, standardized Reading assessments, or upon~~
612 ~~implementation the ELA assessments, and Mathematics assessments,~~
613 ~~including the EOC assessments in Algebra I and Geometry,~~ must be
614 made available no later than the week of June 8. ~~The~~
615 ~~administration of the statewide, standardized Writing assessment~~
616 ~~and the Florida Alternate Assessment may be no earlier than the~~
617 ~~week of March 1.~~ School districts shall administer assessments
618 in accordance with the schedule established by the commissioner.
619 (f) ~~(g)~~ Prohibited activities.—A district school board
620 shall prohibit each public school from suspending a regular
621 program of curricula for purposes of administering practice
622 assessments or engaging in other assessment-preparation
623 activities for a district-selected, national norm-referenced
624 ~~statewide, standardized~~ assessment. However, a district school

625 board may authorize a public school to engage in the following
626 assessment-preparation activities:

627 ~~1. Distributing to students sample assessment books and~~
628 ~~answer keys published by the Department of Education.~~

629 1.2. Providing voluntary individualized instruction in
630 assessment-taking strategies, without suspending the school's
631 regular program of curricula, for a student who scores Level 1
632 or Level 2 on the ~~a~~ prior year's administration of an
633 assessment.

634 ~~2.3.~~ Providing voluntary individualized instruction in the
635 content knowledge and skills assessed, without suspending the
636 school's regular program of curricula, for a student who scores
637 Level 1 or Level 2 on the ~~a~~ prior year's administration of an
638 assessment or a student who, through a diagnostic assessment
639 administered by the school district, is identified as having a
640 deficiency in the content knowledge and skills assessed.

641 ~~4. Administering a practice assessment or engaging in~~
642 ~~other assessment preparation activities that are determined~~
643 ~~necessary to familiarize students with the organization of the~~
644 ~~assessment, the format of assessment items, and the assessment~~
645 ~~directions or that are otherwise necessary for the valid and~~
646 ~~reliable administration of the assessment, as set forth in rules~~
647 ~~adopted by the State Board of Education with specific reference~~
648 ~~to this paragraph.~~

649 (g) (h) Contracts for assessments.—The commissioner shall
650 provide for the pre-2009, national norm-referenced assessments

651 to be purchased from providers ~~developed or obtained, as~~
652 ~~appropriate, through contracts and project agreements with~~
653 ~~private vendors, public vendors, public agencies, postsecondary~~
654 ~~educational institutions, or school districts. The commissioner~~
655 ~~may enter into contracts for the continued administration of the~~
656 ~~assessments authorized and funded by the Legislature. The~~
657 ~~Commissioner of Education is instructed to terminate the~~
658 ~~department's contract with the American Institutes for Research~~
659 ~~for statewide, standardized assessments in English Language Arts~~
660 ~~and mathematics. Upon the effective date of this act, the~~
661 ~~department is to cease testing development, the lease of tests~~
662 ~~or test items from Utah, and all payments to the American~~
663 ~~Institutes for Research. Contracts may be initiated in 1 fiscal~~
664 ~~year and continue into the next fiscal year and may be paid from~~
665 ~~the appropriations of either or both fiscal years. The~~
666 ~~commissioner may negotiate for the sale or lease of tests,~~
667 ~~scoring protocols, test scoring services, and related materials~~
668 ~~developed pursuant to law.~~

669 (3)(4) SCHOOL ASSESSMENT PROGRAMS.—Each public school
670 shall administer ~~participate in the~~ district-selected, national
671 norm-referenced assessments ~~statewide, standardized assessment~~
672 ~~program~~ in accordance with the assessment and reporting
673 schedules ~~and the minimum and recommended technology~~
674 ~~requirements~~ published by the Commissioner of Education.
675 District school boards shall not establish school calendars that
676 conflict with or jeopardize implementation of the assessment

677 | program. Assessment results must be reported to the commissioner
678 | and the district school superintendent. Assessment data reported
679 | to the commissioner must be aggregated, anonymized, and de-
680 | identified. The district school board shall determine a policy
681 | for the release of student performance data to other appropriate
682 | district personnel. All district school boards shall report
683 | ~~assessment results as required by the state management~~
684 | ~~information system.~~ Performance data shall be analyzed and
685 | reported to parents, the community, and the state. Performance
686 | data reported to the community and the state shall be
687 | aggregated, anonymized, and de-identified. Student performance
688 | data shall be used by districts in determining student academic
689 | achievement in developing objectives for the school improvement
690 | ~~plan, evaluating instructional personnel and administrative~~
691 | ~~personnel,~~ assigning staff, allocating resources, acquiring
692 | instructional materials and technology, ~~implementing~~
693 | ~~performance-based budgeting,~~ and as one factor in promoting and
694 | assigning students to educational programs. The analysis of
695 | student performance data must also identify strengths and needs
696 | in the educational program and trends over time. The analysis
697 | must be used in ~~conjunction with the budgetary planning~~
698 | ~~processes developed pursuant to s. 1008.385 and the development~~
699 | of remediation programs.

700 | (4)-(5) REQUIRED ANALYSES.—The commissioner shall provide,
701 | at a minimum, ~~statewide,~~ standardized assessment data analysis
702 | showing aggregated, anonymized, and de-identified student

703 achievement levels and learning gains by ~~teacher,~~ school, and
704 school district.

705 (5)~~(6)~~ LOCAL ASSESSMENTS.—

706 ~~(a)~~ Measurement of student performance in all subjects and
707 grade levels, ~~except those subjects and grade levels measured~~
708 ~~under the statewide, standardized assessment program described~~
709 ~~in this section,~~ is the responsibility of the school districts.

710 ~~(b)~~ ~~Except for those subjects and grade levels measured~~
711 ~~under the statewide, standardized assessment program, beginning~~
712 ~~with the 2014-2015 school year, each school district shall~~
713 ~~administer for each course offered in the district a local~~
714 ~~assessment that measures student mastery of course content at~~
715 ~~the necessary level of rigor for the course. As adopted pursuant~~
716 ~~to State Board of Education rule, course content is set forth in~~
717 ~~the state standards required by s. 1003.41 and in the course~~
718 ~~description. Local assessments may include:~~

719 ~~1. Statewide assessments.~~

720 ~~2. Other standardized assessments, including nationally~~
721 ~~recognized standardized assessments.~~

722 ~~3. Industry certification assessments.~~

723 ~~4. District-developed or district-selected end-of-course~~
724 ~~assessments.~~

725 ~~5. Teacher-selected or principal-selected assessments.~~

726 ~~(c)~~ ~~Each district school board must adopt policies for~~
727 ~~selection, development, administration, and scoring of local~~
728 ~~assessments and for collection of assessment results. Local~~

729 ~~assessments implemented under subparagraphs (b)4. and 5. may~~
730 ~~include a variety of assessment formats, including, but not~~
731 ~~limited to, project-based assessments, adjudicated performances,~~
732 ~~and practical application assignments. For all English Language~~
733 ~~Arts, mathematics, science, and social studies courses offered~~
734 ~~in the district that are used to meet graduation requirements~~
735 ~~under s. 1002.3105, s. 1003.4281, or s. 1003.4282 and that are~~
736 ~~not otherwise assessed by statewide, standardized assessments,~~
737 ~~the district school board must select the assessments described~~
738 ~~in subparagraphs (b)1.-4.~~

739 ~~(d) The Commissioner of Education shall identify methods~~
740 ~~to assist and support districts in the development and~~
741 ~~acquisition of assessments required under this subsection.~~
742 ~~Methods may include developing item banks, facilitating the~~
743 ~~sharing of developed tests among school districts, acquiring~~
744 ~~assessments from state and national curriculum-area~~
745 ~~organizations, and providing technical assistance in best~~
746 ~~professional practices of test development based upon state-~~
747 ~~adopted curriculum standards, administration, and security.~~

748 ~~(e) Each school district shall establish schedules for the~~
749 ~~administration of any district-mandated assessment and approve~~
750 ~~the schedules as an agenda item at a district school board~~
751 ~~meeting. The school district shall publish the testing schedules~~
752 ~~on its website, clearly specifying the district-mandated~~
753 ~~assessments, and report the schedules to the Department of~~
754 ~~Education by October 1 of each year.~~

755 ~~(7) CONCORDANT SCORES.~~ The Commissioner of Education must
756 identify scores on the SAT and ACT that if achieved satisfy the
757 graduation requirement that a student pass the grade 10
758 statewide, standardized Reading assessment or, upon
759 implementation, the grade 10 ELA assessment. The commissioner
760 may identify concordant scores on assessments other than the SAT
761 and ACT. If the content or scoring procedures change for the
762 grade 10 Reading assessment or, upon implementation, the grade
763 10 ELA assessment, new concordant scores must be determined. If
764 new concordant scores are not timely adopted, the last adopted
765 concordant scores remain in effect until such time as new scores
766 are adopted. The state board shall adopt concordant scores in
767 rule.

768 ~~(8) COMPARATIVE SCORES FOR END-OF-COURSE (EOC)~~
769 ~~ASSESSMENT.~~ The Commissioner of Education must identify one or
770 more comparative scores for the Algebra I EOC assessment. If the
771 content or scoring procedures change for the EOC assessment, new
772 comparative scores must be determined. If new comparative scores
773 are not timely adopted, the last adopted comparative scores
774 remain in effect until such time as new scores are adopted. The
775 state board shall adopt comparative scores in rule.

776 (6)~~(9)~~ CHILD WITH MEDICAL COMPLEXITY.—In addition to the
777 exemption option provided for under s. 1008.212, effective July
778 1, 2015 ~~2014~~, a child with a medical complexity may be exempt
779 from participating in statewide, standardized assessments,
780 including the Florida Alternate Assessment (FAA), pursuant to

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781 the provisions of this subsection.

782 (a) Definition of child with medical complexity.—A child
783 with a medical complexity means a child who, based upon medical
784 documentation from a physician licensed under chapter 458 or
785 chapter 459 is medically fragile and needs intensive care due to
786 a condition such as congenital or acquired multisystem disease;
787 has a severe neurological or cognitive disorder with marked
788 functional impairment; or is technology dependent for activities
789 of daily living; and lacks the capacity to take or perform on an
790 assessment.

791 (b) Exemption options.—If the parent consents in writing,
792 and the IEP team determines that the child should not be
793 assessed based upon medical documentation that the child meets
794 the definition of a child with medical complexity, then the
795 parent may choose one of the following three assessment
796 exemption options.

797 1. One-year exemption approved by the district school
798 superintendent. If the superintendent is provided written
799 documentation of parental consent and appropriate medical
800 documentation to support the IEP team's determination that the
801 child is a child with medical complexity, then the
802 superintendent may approve a 1-year ~~one-year~~ exemption from all
803 ~~statewide, standardized assessments, including the FAA.~~ The
804 superintendent shall report annually to the district school
805 board ~~and the Commissioner of Education~~ the number of students
806 who are identified as a child with medical complexity who are

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807 not participating in the assessment program.

808 2. One- to three-year exemption approved by the district
809 school superintendent ~~Commissioner of Education~~. If the
810 superintendent ~~commissioner~~ is provided written documentation of
811 parental consent, ~~district school superintendent approval~~, the
812 IEP team's determination that the child is a child with medical
813 complexity based upon appropriate medical documentation, ~~and~~
814 all medical documentation, then the superintendent ~~commissioner~~
815 may exempt the child from all ~~statewide, standardized~~
816 ~~assessments, including the FAA~~, for up to 3 years. The State
817 Board of Education shall adopt rules to administer this
818 subparagraph which must expedite the process by which exemptions
819 are reviewed and approved and which demonstrate the utmost
820 compassion and consideration for meeting the parent's and
821 child's needs.

822 3. Permanent exemption approved by the district school
823 superintendent ~~Commissioner of Education~~. If the superintendent
824 ~~commissioner~~ is provided written documentation of parental
825 consent, ~~district school superintendent approval of a permanent~~
826 ~~exemption~~, the IEP team's determination that the child is a
827 child with medical complexity based upon appropriate medical
828 documentation and that a permanent exemption is appropriate, ~~and~~
829 and all medical documentation, then the superintendent
830 ~~commissioner~~ may approve a permanent exemption from all
831 ~~statewide, standardized assessments, including the FAA~~. The
832 State Board of Education shall adopt rules to administer this

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833 subparagraph which must expedite the process by which exemptions
834 are reviewed and approved and which demonstrate the utmost
835 compassion and consideration for meeting the parent's and
836 child's needs.

837 (c) Reporting requirements.—The Commissioner of Education
838 shall annually report to the Legislature data, by district,
839 related to the implementation of this subsection at the same
840 time as results are reported regarding student performance on
841 district-selected, national norm-referenced statewide,
842 standardized assessments.

843 ~~(10) REPORTS.—The Department of Education shall annually~~
844 ~~provide a report to the Governor, the President of the Senate,~~
845 ~~and the Speaker of the House of Representatives which shall~~
846 ~~include the following:~~

847 ~~(a) Longitudinal performance of students in reading and~~
848 ~~mathematics.~~

849 ~~(b) Longitudinal performance of students by grade level in~~
850 ~~reading and mathematics.~~

851 ~~(c) Longitudinal performance regarding efforts to close~~
852 ~~the achievement gap.~~

853 ~~(d) Other student performance data based on national norm-~~
854 ~~referenced and criterion-referenced tests, if available;~~
855 ~~national assessments, such as the National Assessment of~~
856 ~~Educational Progress; and international assessments.~~

857 ~~(e) The number of students who after 8th grade enroll in~~
858 ~~adult education rather than other secondary education.~~

859 ~~(f) Any plan or intent to establish or implement new~~
 860 ~~statewide, standardized assessments.~~

861 (7) (11) RULES.—The State Board of Education shall adopt
 862 rules to implement this section; however, the rules may not
 863 undermine the authority of district school boards.

864 Section 5. Section 1008.34, Florida Statutes, is amended
 865 to read:

866 1008.34 School grading system; school report cards;
 867 district grade.—

868 (1) DEFINITIONS.—For purposes of the ~~statewide,~~
 869 ~~standardized~~ assessment program and school grading system, the
 870 following terms are defined:

871 (a) "Achievement level," "student achievement," or
 872 "achievement" describes the level of content mastery a student
 873 has acquired in a particular subject as measured by the
 874 district-selected, national norm-referenced ~~a statewide,~~
 875 ~~standardized~~ assessment administered pursuant to s.
 876 1008.22 ~~(3) (a) and (b)~~. There are five achievement levels. Level
 877 1 is the lowest achievement level, level 5 is the highest
 878 achievement level, and level 3 indicates satisfactory
 879 performance. A student passes an assessment if the student
 880 achieves a level 3, level 4, or level 5. The Commissioner of
 881 Education shall determine percentile scores that correspond to
 882 each of the five achievement levels for each of the national
 883 norm-referenced assessments from which a district school board
 884 must choose pursuant to s. 1008.22. ~~For purposes of the Florida~~

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885 ~~Alternate Assessment administered pursuant to s. 1008.22(3)(c),~~
886 ~~the state board shall provide, in rule, the number of~~
887 ~~achievement levels and identify the achievement levels that are~~
888 ~~considered passing.~~

889 (b) "Learning Gains," "annual learning gains," or "student
890 learning gains" means the degree of student learning growth
891 occurring from one school year to the next as required by state
892 board rule for purposes of calculating school grades under this
893 section.

894 (c) "Student performance," "student academic performance,"
895 or "academic performance" includes, but is not limited to,
896 student learning growth, achievement levels, and Learning Gains
897 on district-selected, national norm-referenced statewide,
898 ~~standardized~~ assessments administered pursuant to s. 1008.22.

899 (2) SCHOOL GRADES.—Schools shall be graded using one of
900 the following grades, defined according to rules of the State
901 Board of Education:

- 902 (a) "A," schools making excellent progress.
903 (b) "B," schools making above average progress.
904 (c) "C," schools making satisfactory progress.
905 (d) "D," schools making less than satisfactory progress.
906 (e) "F," schools failing to make adequate progress.

907
908 Each school that earns a grade of "A" or improves at least two
909 letter grades may have greater authority over the allocation of
910 the school's total budget generated from the FEFP, state

911 categoricals, lottery funds, grants, and local funds.

912 (3) DESIGNATION OF SCHOOL GRADES.—

913 (a) Each school must assess at least 95 percent of its
914 eligible students, except as provided under s. 1008.341 for
915 alternative schools and under s. 1008.22(2)(b) for all other
916 schools. Each school shall receive a school grade based on the
917 school's performance on the components listed in subparagraphs
918 (b)1. and 2. If a school does not have at least 10 students with
919 complete data for one or more of the components listed in
920 subparagraphs (b)1. and 2., those components may not be used in
921 calculating the school's grade.

922 1. An alternative school may choose to receive a school
923 grade under this section or a school improvement rating under s.
924 1008.341. For charter schools that meet the definition of an
925 alternative school pursuant to State Board of Education rule,
926 the decision to receive a school grade is the decision of the
927 charter school governing board.

928 2. A school that serves any combination of students in
929 kindergarten through grade 3 that does not receive a school
930 grade because its students are not tested and included in the
931 school grading system shall receive the school grade designation
932 of a K-3 feeder pattern school identified by the Department of
933 Education and verified by the school district. A school feeder
934 pattern exists if at least 60 percent of the students in the
935 school serving a combination of students in kindergarten through
936 grade 3 are scheduled to be assigned to the graded school.

937 3. If a collocated school does not earn a school grade or
 938 school improvement rating for the performance of its students,
 939 the student performance data of all schools operating at the
 940 same facility must be aggregated to develop a school grade that
 941 will be assigned to all schools at that location. A collocated
 942 school is a school that has its own unique master school
 943 identification number, provides for the education of each of its
 944 enrolled students, and operates at the same facility as another
 945 school that has its own unique master school identification
 946 number and provides for the education of each of its enrolled
 947 students.

948 (b)1. Beginning with the 2015-2016 ~~2014-2015~~ school year,
 949 a school's grade shall be based on the following components,
 950 which shall cumulatively equal one-half of the total school
 951 grade each worth 100 points:

952 a. The percentage of eligible students passing the
 953 district-selected, national norm-referenced ~~statewide,~~
 954 ~~standardized~~ assessments in English Language Arts under s.
 955 1008.22(2) ~~1008.22(3)~~.

956 b. The percentage of eligible students passing the
 957 district-selected, national norm-referenced ~~statewide,~~
 958 ~~standardized~~ assessments in mathematics under s. 1008.22(2)
 959 ~~1008.22(3)~~.

960 ~~c. The percentage of eligible students passing statewide,~~
 961 ~~standardized assessments in science under s. 1008.22(3).~~

962 ~~d. The percentage of eligible students passing statewide,~~

963 ~~standardized assessments in social studies under s. 1008.22(3).~~

964 c.e. The percentage of eligible students who make Learning
965 Gains in English Language Arts as measured by the district-
966 selected, national norm-referenced statewide, ~~standardized~~
967 assessments administered under s. 1008.22(2) ~~1008.22(3)~~.

968 d.f. The percentage of eligible students who make Learning
969 Gains in mathematics as measured by the district-selected,
970 national norm-referenced statewide, ~~standardized~~ assessments
971 administered under s. 1008.22(2) ~~1008.22(3)~~.

972 e.g. Beginning with the 2015-2016 school year, the
973 percentage of eligible students in grades 3 through 8 in the
974 lowest 25 percent in English Language Arts, as identified by
975 prior year performance on district-selected, national norm-
976 referenced statewide, ~~standardized~~ assessments, who make
977 Learning Gains in English Language Arts as measured by the
978 district-selected, national norm-referenced statewide,
979 ~~standardized English Language Arts~~ assessments administered
980 under s. 1008.22(2) ~~1008.22(3)~~.

981 f.h. Beginning with the 2015-2016 school year, the
982 percentage of eligible students in grades 3 through 8 in the
983 lowest 25 percent in mathematics, as identified by prior year
984 performance on district-selected, national norm-referenced
985 ~~statewide, standardized~~ assessments, who make Learning Gains in
986 mathematics as measured by the district-selected, national norm-
987 referenced statewide, ~~standardized mathematics~~ assessments
988 administered under s. 1008.22(2) ~~1008.22(3)~~.

989 ~~i. For schools comprised of middle grades 6 through 8 or~~
 990 ~~grades 7 and 8, the percentage of eligible students passing high~~
 991 ~~school level statewide, standardized end-of-course assessments~~
 992 ~~or attaining national industry certifications identified in the~~
 993 ~~Industry Certification Funding List pursuant to rules adopted by~~
 994 ~~the State Board of Education.~~

995
 996 In calculating Learning Gains for the components listed in sub-
 997 subparagraphs c.-f. ~~e.-h.~~, the State Board of Education shall
 998 require that learning growth toward achievement levels 3, 4, and
 999 5 is demonstrated by students who scored below each of those
 1000 levels in the prior year. In calculating the components in sub-
 1001 subparagraphs a. and b. ~~a.-d.~~, the state board shall include the
 1002 performance of English language learners only if they have been
 1003 enrolled in a school in the United States for more than 2 years.

1004 2. For a school comprised of grades 9, 10, 11, and 12, or
 1005 grades 10, 11, and 12, the school's grade shall also be based on
 1006 the following components, which, cumulatively, and with all
 1007 factors being equally weighted, shall account for one-half of
 1008 the school's grade ~~each worth 100 points:~~

1009 a. The 4-year high school graduation rate of the school as
 1010 defined by state board rule.

1011 b. The percentage of students who were eligible to earn
 1012 college and career credit through College Board Advanced
 1013 Placement examinations, International Baccalaureate
 1014 examinations, dual enrollment courses, or Advanced International

1015 Certificate of Education examinations; or who, at any time
1016 during high school, earned national industry certification
1017 identified in the Industry Certification Funding List, pursuant
1018 to rules adopted by the state board. Data from industry
1019 certification examinations must not require any curriculum,
1020 instruction, or employment-related activity that obligates a
1021 student to involuntarily select a career, career interest,
1022 employment goal, or related job training that results in career
1023 tracking, as defined in s. 1003.41.

1024 c. Teacher turnover rates.

1025 d. The percentage of teachers using an authentic portfolio
1026 assessment.

1027 e. The number of enrichment classes offered at the school.

1028 f. The number of extracurricular activities offered at the
1029 school.

1030 3. For a school comprised of kindergarten and grades 1, 2,
1031 3, 4, and 5 or grades 6, 7, and 8, the school's grade shall also
1032 be based on the following components, which, cumulatively, with
1033 all factors being equally weighted, shall account for one-half
1034 of the school's grade:

1035 a. Teacher and student attendance rates.

1036 b. Teacher turnover rates.

1037 c. The percentage of teachers using an authentic portfolio
1038 assessment.

1039 d. The number of enrichment classes offered at the school.

1040 e. The number of extracurricular activities offered at the

1041 school.

1042 (c)1. The calculation of a school grade shall be based on
1043 the ~~percentage of points earned from the~~ components listed in
1044 subparagraphs (b)1. and 2. ~~subparagraph (b)1. and~~, if
1045 ~~applicable, subparagraph (b)2.~~ The State Board of Education
1046 shall adopt in rule a school grading scale that sets the
1047 percentage of points needed to earn each of the school grades
1048 listed in subsection (2). There shall be at least five
1049 percentage points separating the percentage thresholds needed to
1050 earn each of the school grades. The state board shall
1051 periodically review the school grading scale to determine if the
1052 scale should be adjusted upward to meet raised expectations and
1053 encourage increased student performance. If the state board
1054 adjusts the grading scale upward, the state board must inform
1055 the public and the school districts of the reasons for and
1056 degree of the adjustment and its anticipated impact on school
1057 grades.

1058 2. The calculation of school grades may not include any
1059 provision that would raise or lower the school's grade beyond
1060 the percentage of points earned. Extra weight may not be added
1061 in the calculation of any components.

1062 (d) The performance of students attending alternative
1063 schools and students designated as hospital or homebound shall
1064 be factored into a school grade as follows:

1065 1. The student performance data for eligible students
1066 attending alternative schools that provide dropout prevention

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1067 and academic intervention services pursuant to s. 1003.53 shall
1068 be included in the calculation of the home school's grade. The
1069 term "eligible students" in this subparagraph does not include
1070 students attending an alternative school who are subject to
1071 district school board policies for expulsion for repeated or
1072 serious offenses, who are in dropout retrieval programs serving
1073 students who have officially been designated as dropouts, or who
1074 are in programs operated or contracted by the Department of
1075 Juvenile Justice. As used in this subparagraph and s. 1008.341,
1076 the term "home school" means the school to which the student
1077 would be assigned if the student were not assigned to an
1078 alternative school. If an alternative school chooses to be
1079 graded under this section, student performance data for eligible
1080 students identified in this subparagraph shall not be included
1081 in the home school's grade but shall be included only in the
1082 calculation of the alternative school's grade. ~~A school district~~
1083 ~~that fails to assign statewide, standardized end-of-course~~
1084 ~~assessment scores of each of its students to his or her home~~
1085 ~~school or to the alternative school that receives a grade shall~~
1086 ~~forfeit Florida School Recognition Program funds for one fiscal~~
1087 ~~year.~~ School districts must require collaboration between the
1088 home school and the alternative school in order to promote
1089 student success. This collaboration must include an annual
1090 discussion between the principal of the alternative school and
1091 the principal of each student's home school concerning the most
1092 appropriate school assignment of the student.

1093 2. Student performance data for students designated as
 1094 hospital or homebound shall be assigned to their home school for
 1095 the purposes of school grades. As used in this subparagraph, the
 1096 term "home school" means the school to which a student would be
 1097 assigned if the student were not assigned to a hospital or
 1098 homebound program.

1099 (4) SCHOOL REPORT CARD.—The Department of Education shall
 1100 annually develop, in collaboration with the school districts, a
 1101 school report card to be provided by the school district to
 1102 parents within the district. The report card shall include the
 1103 school's grade; student performance in English Language Arts and
 1104 ~~, mathematics, science, and social studies;~~ information
 1105 regarding school improvement; ~~an explanation of school~~
 1106 ~~performance as evaluated by the federal Elementary and Secondary~~
 1107 ~~Education Act (ESEA), 20 U.S.C. ss. 6301 et seq.;~~ and indicators
 1108 of return on investment. Each school's report card shall be
 1109 published annually by the department on its website based upon
 1110 the most recent data available.

1111 (5) DISTRICT GRADE.—Beginning with the 2015-2016 ~~2014-2015~~
 1112 school year, a school district's grade shall include a district-
 1113 level calculation of the components under paragraph (3) (b). This
 1114 calculation methodology captures each eligible student in the
 1115 district who may have transferred among schools within the
 1116 district or is enrolled in a school that does not receive a
 1117 grade. The department shall develop a district report card that
 1118 includes the district grade; the information required under s.

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1119 | 1008.345(5); ~~measures of the district's progress in closing the~~
1120 | ~~achievement gap between higher performing student subgroups and~~
1121 | ~~lower performing student subgroups;~~ measures of the district's
1122 | progress in demonstrating Learning Gains of its highest-
1123 | performing students; measures of the district's success in
1124 | improving student attendance; the district's grade-level
1125 | promotion of students scoring achievement levels 1 and 2 on
1126 | district-selected, national norm-referenced statewide,
1127 | ~~standardized~~ English Language Arts and mathematics assessments;
1128 | and measures of the district's performance in preparing students
1129 | for the transition from elementary to middle school, middle to
1130 | high school, and high school to postsecondary institutions and
1131 | careers.

1132 | (6) RULES.—The State Board of Education shall adopt rules
1133 | under ss. 120.536(1) and 120.54 to administer this section;
1134 | however, the rules may not undermine the authority of district
1135 | school boards.

1136 | ~~(7) TRANSITION. School grades and school improvement~~
1137 | ~~ratings pursuant to s. 1008.341 for the 2013-2014 school year~~
1138 | ~~shall be calculated based on statutes and rules in effect on~~
1139 | ~~June 30, 2014. To assist in the transition to 2014-2015 school~~
1140 | ~~grades, calculated based on new statewide, standardized~~
1141 | ~~assessments administered pursuant to s. 1008.22, the 2014-2015~~
1142 | ~~school grades shall serve as an informational baseline for~~
1143 | ~~schools to work toward improved performance in future years.~~
1144 | ~~Accordingly, notwithstanding any other provision of law:~~

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1145 ~~(a) A school may not be required to select and implement a~~
1146 ~~turnaround option pursuant to s. 1008.33 in the 2015-2016 school~~
1147 ~~year based on the school's 2014-2015 grade or school improvement~~
1148 ~~rating under s. 1008.341, as applicable.~~

1149 ~~(b)1. A school or approved provider under s. 1002.45 that~~
1150 ~~receives the same or a lower school grade or school improvement~~
1151 ~~rating for the 2014-2015 school year compared to the 2013-2014~~
1152 ~~school year is not subject to sanctions or penalties that would~~
1153 ~~otherwise occur as a result of the 2014-2015 school grade or~~
1154 ~~rating. A charter school system or a school district designated~~
1155 ~~as high performing may not lose the designation based on the~~
1156 ~~2014-2015 school grades of any of the schools within the charter~~
1157 ~~school system or school district, as applicable.~~

1158 ~~2. The Florida School Recognition Program established~~
1159 ~~under s. 1008.36 shall continue to be implemented as otherwise~~
1160 ~~provided in the General Appropriations Act.~~

1161 ~~(c) For purposes of determining grade 3 retention pursuant~~
1162 ~~to s. 1008.25(5) and high school graduation pursuant to s.~~
1163 ~~1003.4282, student performance on the 2014-2015 statewide,~~
1164 ~~standardized assessments shall be linked to 2013-2014 student~~
1165 ~~performance expectations.~~

1166
1167 ~~This subsection is repealed July 1, 2017.~~

1168 Section 6. The Legislature recognizes that there is a need
1169 to conform the Florida Statutes to the policy decisions
1170 reflected in this act and that there is a need to resolve

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1171 apparent conflicts between any other legislation that has been
1172 or may be enacted during the 2015 Regular Session of the
1173 Legislature and the transfer of duties made by this act.
1174 Therefore, in the interim between this act becoming law and the
1175 2016 Regular Session of the Legislature or an earlier special
1176 session addressing this issue, the Division of Law Revision and
1177 Information shall provide the relevant substantive committees of
1178 the Senate and the House of Representatives with assistance,
1179 upon request, to enable such committees to prepare draft
1180 legislation to conform the Florida Statutes and any legislation
1181 enacted during 2015 to the provisions of this act.

1182 Section 7. This act shall take effect July 1, 2015.