

By Senator Evers

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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

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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.

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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 to
69 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, Indiana,
79 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, with input from parents, teachers,
86 and other stakeholders, shall review, develop, and submit to the
87 Legislature for review and approval proposed revisions to the

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88 list of English Language Arts and mathematics standards. Any
89 proposed revisions must be implemented in rules in conjunction
90 with the adoption of new instructional materials.

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

99 (b) If the department or a district school board entered
100 into an agreement, memorandum, or contract before the effective
101 date of this section, and such agreement, memorandum, or
102 contract would be prohibited under paragraph (a) if entered into
103 on or after the effective date of this section, the department
104 or district school board must amend or terminate the agreement,
105 memorandum, or contract to comply with the requirements of
106 paragraph (a). ~~Next Generation Sunshine State Standards~~
107 ~~establish the core content of the curricula to be taught in the~~
108 ~~state and specify the core content knowledge and skills that K-~~
109 ~~12 public school students are expected to acquire. Standards~~
110 ~~must be rigorous and relevant and provide for the logical,~~
111 ~~sequential progression of core curricular content that~~
112 ~~incrementally increases a student's core content knowledge and~~
113 ~~skills over time. Curricular content for all subjects must~~
114 ~~integrate critical thinking, problem-solving, and workforce-~~
115 ~~literacy skills; communication, reading, and writing skills;~~
116 ~~mathematics skills; collaboration skills; contextual and~~

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117 ~~applied learning skills; technology literacy skills; information~~
118 ~~and media literacy skills; and civic engagement skills. The~~
119 ~~standards must include distinct grade-level expectations for the~~
120 ~~core content knowledge and skills that a student is expected to~~
121 ~~have acquired by each individual grade level from kindergarten~~
122 ~~through grade 8. The standards for grades 9 through 12 may be~~
123 ~~organized by grade clusters of more than one grade level except~~
124 ~~as otherwise provided for visual and performing arts, physical~~
125 ~~education, health, and foreign language standards.~~

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

128 ~~(a) English Language Arts standards must establish specific~~
129 ~~curricular content for, at a minimum, reading, writing, speaking~~
130 ~~and listening, and language.~~

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

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

138 ~~(d) Social Studies standards must establish specific~~
139 ~~curricular content for, at a minimum, geography, United States~~
140 ~~and world history, government, civics, humanities, and~~
141 ~~economics, including financial literacy. Financial literacy~~
142 ~~includes the knowledge, understanding, skills, behaviors,~~
143 ~~attitudes, and values that will enable a student to make~~
144 ~~responsible and effective financial decisions on a daily basis.~~
145 ~~Financial literacy instruction shall be an integral part of~~

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146 ~~instruction throughout the entire economics course and include~~
147 ~~information regarding earning income; buying goods and services;~~
148 ~~saving and financial investing; taxes; the use of credit and~~
149 ~~credit cards; budgeting and debt management, including student~~
150 ~~loans and secured loans; banking and financial services;~~
151 ~~planning for one's financial future, including higher education~~
152 ~~and career planning; credit reports and scores; and fraud and~~
153 ~~identity theft prevention.~~

154 ~~(e) Visual and performing arts, physical education, health,~~
155 ~~and foreign language standards must establish specific~~
156 ~~curricular content and include distinct grade level expectations~~
157 ~~for the core content knowledge and skills that a student is~~
158 ~~expected to have acquired by each individual grade level from~~
159 ~~kindergarten through grade 5. The standards for grades 6 through~~
160 ~~12 may be organized by grade clusters of more than one grade~~
161 ~~level.~~

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

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

174 Section 3. Section 1003.42, Florida Statutes, is amended to

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175 read:

176 1003.42 Required instruction.—

177 (1) Each district school board shall provide all courses
178 required for middle grades promotion, high school graduation,
179 and appropriate instruction designed to ensure that students
180 meet ~~State Board of Education~~ adopted standards in the following
181 subject areas: English Language Arts, including reading, and
182 ~~other language arts, mathematics, science, social studies,~~
183 ~~foreign languages, health and physical education, and the arts.~~
184 The state board must remove an English Language Arts or
185 mathematics a middle grades course in the Course Code Directory
186 that does not fully integrate all appropriate curricular content
187 required by s. 1003.41 and may approve a new English Language
188 Arts or mathematics course only if it meets the required
189 curricular content.

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

200 (a) The history and content of the Declaration of
201 Independence, including national and state sovereignty, natural
202 law, self-evident truth, equality of all persons, limited
203 government, popular sovereignty, and inalienable rights of life,

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204 liberty, and property, and how they form the philosophical
205 foundation of our government.

206 (b) The history, meaning, significance, and effect of the
207 provisions of the Constitution of the United States and
208 amendments thereto, with emphasis on each of the 10 amendments
209 that make up the Bill of Rights and how the constitution
210 provides the structure of our government.

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

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

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

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

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

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

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

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

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

252 (k) Kindness to animals.

253 (l) The history of the state.

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

255 (n) Comprehensive health education that addresses concepts
256 of community health; consumer health; environmental health;
257 family life, including an awareness of the benefits of sexual
258 abstinence as the expected standard and the consequences of
259 teenage pregnancy; mental and emotional health; injury
260 prevention and safety; Internet safety; nutrition; personal
261 health; prevention and control of disease; and substance use and

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

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

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

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

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

280 (s) A character-development program in the elementary
281 schools, similar to Character First or Character Counts, which
282 is secular in nature. Beginning in school year 2004-2005, the
283 character-development program shall be required in kindergarten
284 through grade 12. Each district school board shall develop or
285 adopt a curriculum for the character-development program ~~that~~
286 ~~shall be submitted to the department for approval.~~ The
287 character-development curriculum shall stress the qualities of
288 patriotism; responsibility; citizenship; kindness; respect for
289 authority, life, liberty, and personal property; honesty;
290 charity; self-control; racial, ethnic, and religious tolerance;

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291 and cooperation.

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

298
299 Each school district ~~The State Board of Education~~ is encouraged
300 to adopt standards and pursue assessment of the requirements of
301 this subsection.

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

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

315 1008.22 Student assessment program for public schools.—

316 (1) PURPOSE.—The primary purpose of the student assessment
317 program is to provide student academic achievement and learning
318 gains data to students, parents, teachers, school
319 administrators, and school district staff. This data is to be

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320 used by districts to improve instruction; by students, parents,
 321 and teachers to guide learning objectives; by education
 322 researchers to assess state, national, and international
 323 education comparison data; and by the public to assess the cost
 324 benefit of the expenditure of taxpayer dollars. Before student
 325 data may be used for education research, parental consent must
 326 be given and the student data must be anonymized, de-identified,
 327 and aggregated. The program must be designed to:

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

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

336 ~~(c) Identify the educational strengths and needs of~~
 337 ~~students and the readiness of students to be promoted to the~~
 338 ~~next grade level or to graduate from high school.~~

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

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

345 ~~(2) NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.~~
 346 ~~Florida school districts shall participate in the administration~~
 347 ~~of the National Assessment of Educational Progress, or similar~~
 348 ~~national or international assessments, both for the national~~

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349 ~~sample and for any state by state comparison programs that may~~
350 ~~be initiated, as directed by the commissioner. The assessments~~
351 ~~must be conducted using the data collection procedures, student~~
352 ~~surveys, educator surveys, and other instruments included in the~~
353 ~~National Assessment of Educational Progress or similar national~~
354 ~~or international assessments being administered in Florida. The~~
355 ~~administration of such assessments shall be in addition to and~~
356 ~~separate from the administration of the statewide, standardized~~
357 ~~assessments.~~

358 ~~(2)(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—~~

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

366 (b) The Commissioner of Education shall develop and
367 maintain a list of pre-2009, national norm-referenced
368 assessments from which each district school board must choose.
369 District school boards shall have discretion regarding the use,
370 development, and implementation of end-of-course assessments and
371 additional assessments ~~design and implement a statewide,~~
372 ~~standardized assessment program aligned to the core curricular~~
373 ~~content established in the Next Generation Sunshine State~~
374 ~~Standards. The commissioner also must also develop or select and~~
375 ~~implement a common battery of assessment tools~~ from the list of
376 national norm-referenced assessments that will be used in all
377 juvenile justice education programs in the state. These tools

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378 must accurately measure the district-selected English Language
379 Arts and mathematics standards pursuant to ss. 1003.41 and
380 1003.42 core-curricular content established in the Next
381 Generation Sunshine State Standards. Participation in the
382 district-selected, national norm-referenced assessment program
383 is mandatory for all school districts. ~~and~~ All students
384 attending public schools, including adult students seeking a
385 standard high school diploma under s. 1003.4282 and students in
386 Department of Juvenile Justice education programs, except as
387 otherwise provided by law, are expected to participate. However,
388 a student is not required to participate in the assessment
389 program if the student:

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

400 ~~(a) Statewide, standardized comprehensive assessments. The~~
401 ~~statewide, standardized Reading assessment shall be administered~~
402 ~~annually in grades 3 through 10. The statewide, standardized~~
403 ~~Writing assessment shall be administered annually at least once~~
404 ~~at the elementary, middle, and high school levels. When the~~
405 ~~Reading and Writing assessments are replaced by English Language~~
406 ~~Arts (ELA) assessments, ELA assessments shall be administered to~~

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407 ~~students in grades 3 through 11. Retake opportunities for the~~
408 ~~grade 10 Reading assessment or, upon implementation, the grade~~
409 ~~10 ELA assessment must be provided. Students taking the ELA~~
410 ~~assessments shall not take the statewide, standardized~~
411 ~~assessments in Reading or Writing. ELA assessments shall be~~
412 ~~administered online. The statewide, standardized Mathematics~~
413 ~~assessments shall be administered annually in grades 3 through~~
414 ~~8. Students taking a revised Mathematics assessment shall not~~
415 ~~take the discontinued assessment. The statewide, standardized~~
416 ~~Science assessment shall be administered annually at least once~~
417 ~~at the elementary and middle grades levels. In order to earn a~~
418 ~~standard high school diploma, a student who has not earned a~~
419 ~~passing score on the grade 10 Reading assessment or, upon~~
420 ~~implementation, the grade 10 ELA assessment must earn a passing~~
421 ~~score on the assessment retake or earn a concordant score as~~
422 ~~authorized under subsection (7).~~

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

426 ~~1. Statewide, standardized EOC assessments in mathematics~~
427 ~~shall be administered according to this subparagraph. Beginning~~
428 ~~with the 2010-2011 school year, all students enrolled in Algebra~~
429 ~~I must take the Algebra I EOC assessment. Except as otherwise~~
430 ~~provided in paragraph (c), beginning with students entering~~
431 ~~grade 9 in the 2011-2012 school year, a student who is enrolled~~
432 ~~in Algebra I must earn a passing score on the Algebra I EOC~~
433 ~~assessment or attain a comparative score as authorized under~~
434 ~~subsection (8) in order to earn a standard high school diploma.~~
435 ~~In order to earn a standard high school diploma, a student who~~

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436 ~~has not earned a passing score on the Algebra I EOC assessment~~
437 ~~must earn a passing score on the assessment retake or a~~
438 ~~comparative score as authorized under subsection (8). Beginning~~
439 ~~with the 2011-2012 school year, all students enrolled in~~
440 ~~Geometry must take the Geometry EOC assessment. Middle grades~~
441 ~~students enrolled in Algebra I, Geometry, or Biology I must take~~
442 ~~the statewide, standardized EOC assessment for those courses and~~
443 ~~shall not take the corresponding subject and grade-level~~
444 ~~statewide, standardized assessment. When a statewide,~~
445 ~~standardized EOC assessment in Algebra II is administered, all~~
446 ~~students enrolled in Algebra II must take the EOC assessment.~~
447 ~~Pursuant to the commissioner's implementation schedule, student~~
448 ~~performance on the Algebra II EOC assessment constitutes 30~~
449 ~~percent of a student's final course grade.~~

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

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

461 ~~4. The commissioner may select one or more nationally~~
462 ~~developed comprehensive examinations, which may include~~
463 ~~examinations for a College Board Advanced Placement course,~~
464 ~~International Baccalaureate course, or Advanced International~~

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465 ~~Certificate of Education course, or industry approved~~
466 ~~examinations to earn national industry certifications identified~~
467 ~~in the Industry Certification Funding List, for use as EOC~~
468 ~~assessments under this paragraph if the commissioner determines~~
469 ~~that the content knowledge and skills assessed by the~~
470 ~~examinations meet or exceed the grade-level expectations for the~~
471 ~~core curricular content established for the course in the Next~~
472 ~~Generation Sunshine State Standards. Use of any such examination~~
473 ~~as an EOC assessment must be approved by the state board in~~
474 ~~rule.~~

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

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

487 ~~(c) *Students with disabilities; Florida Alternate*~~
488 ~~*Assessment.*~~

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

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

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

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

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

520 b. If a student is provided with instructional
521 accommodations in the classroom that are not allowed as
522 accommodations for a district-selected, national norm-referenced

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

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

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

543 ~~(d) Implementation schedule.—~~

544 ~~1. The Commissioner of Education shall establish and~~
545 ~~publish on the department's website an implementation schedule~~
546 ~~to transition from the statewide, standardized Reading and~~
547 ~~Writing assessments to the ELA assessments and to the revised~~
548 ~~Mathematics assessments, including the Algebra I and Geometry~~
549 ~~EOC assessments. The schedule must take into consideration~~
550 ~~funding, sufficient field and baseline data, access to~~
551 ~~assessments, instructional alignment, and school district~~

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552 ~~readiness to administer the assessments online.~~

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

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

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

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

574 ~~3. If the commissioner seeks to revise a statewide,~~
575 ~~standardized assessment and the revisions require the state~~
576 ~~board to modify performance level scores, including the passing~~
577 ~~score, the commissioner shall provide a copy of the proposed~~
578 ~~scores and implementation plan to the President of the Senate~~
579 ~~and the Speaker of the House of Representatives at least 90 days~~
580 ~~before submission to the state board for review. Until the state~~

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581 ~~board adopts the modifications by rule, the commissioner shall~~
582 ~~use calculations for scoring the assessment that adjust student~~
583 ~~scores on the revised assessment for statistical equivalence to~~
584 ~~student scores on the former assessment. The state board shall~~
585 ~~adopt by rule the passing score for the revised assessment that~~
586 ~~is statistically equivalent to the passing score on the~~
587 ~~discontinued assessment for a student who is required to attain~~
588 ~~a passing score on the discontinued assessment. The commissioner~~
589 ~~may, with approval of the state board, discontinue~~
590 ~~administration of the former assessment upon the graduation,~~
591 ~~based on normal student progression, of students participating~~
592 ~~in the final regular administration of the former assessment. If~~
593 ~~the commissioner revises a statewide, standardized assessment~~
594 ~~and the revisions require the state board to modify the passing~~
595 ~~score, only students taking the assessment for the first time~~
596 ~~after the rule is adopted are affected.~~

597 (e) ~~(f)~~ *Assessment schedules and reporting of results.*—The
598 Commissioner of Education shall establish schedules for the
599 administration of the district-selected, national norm-
600 referenced assessments and the reporting of student assessment
601 results. The commissioner shall consider the observance of
602 religious and school holidays when developing the schedule. By
603 August 1 of each year, the commissioner shall notify each school
604 district in writing and publish on the department's website the
605 assessment and reporting schedules for, at a minimum, the school
606 year following the upcoming school year. The assessment and
607 reporting schedules must provide the earliest possible reporting
608 of student assessment results to the school districts.
609 Assessment results for the district-selected, national norm-

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610 ~~referenced statewide, standardized Reading assessments, or upon~~
 611 ~~implementation the ELA assessments, and Mathematics assessments,~~
 612 ~~including the EOC assessments in Algebra I and Geometry,~~ must be
 613 made available no later than the week of June 8. ~~The~~
 614 ~~administration of the statewide, standardized Writing assessment~~
 615 ~~and the Florida Alternate Assessment may be no earlier than the~~
 616 ~~week of March 1.~~ School districts shall administer assessments
 617 in accordance with the schedule established by the commissioner.

618 ~~(f)(g)~~ *Prohibited activities.*—A district school board shall
 619 prohibit each public school from suspending a regular program of
 620 curricula for purposes of administering practice assessments or
 621 engaging in other assessment-preparation activities for a
 622 district-selected, national norm-referenced statewide,
 623 ~~standardized~~ assessment. However, a district school board may
 624 authorize a public school to engage in the following assessment-
 625 preparation activities:

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

628 ~~1.2.~~ Providing voluntary individualized instruction in
 629 assessment-taking strategies, without suspending the school's
 630 regular program of curricula, for a student who scores Level 1
 631 or Level 2 on the a prior year's administration of an
 632 assessment.

633 ~~2.3.~~ Providing voluntary individualized instruction in the
 634 content knowledge and skills assessed, without suspending the
 635 school's regular program of curricula, for a student who scores
 636 Level 1 or Level 2 on the a prior year's administration of an
 637 assessment or a student who, through a diagnostic assessment
 638 administered by the school district, is identified as having a

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639 deficiency in the content knowledge and skills assessed.

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

648 (g)(h) Contracts for assessments.—The commissioner shall
649 provide for the pre-2009, national norm-referenced assessments
650 to be purchased from providers developed or obtained, as
651 appropriate, through contracts and project agreements with
652 private vendors, public vendors, public agencies, postsecondary
653 educational institutions, or school districts. The commissioner
654 may enter into contracts for the continued administration of the
655 assessments authorized and funded by the Legislature. The
656 Commissioner of Education is instructed to terminate the
657 department's contract with the American Institutes for Research
658 for statewide, standardized assessments in English Language Arts
659 and mathematics. Upon the effective date of this act, the
660 department is to cease testing development, the lease of tests
661 or test items from Utah, and all payments to the American
662 Institutes for Research. Contracts may be initiated in 1 fiscal
663 year and continue into the next fiscal year and may be paid from
664 the appropriations of either or both fiscal years. The
665 commissioner may negotiate for the sale or lease of tests,
666 scoring protocols, test scoring services, and related materials
667 developed pursuant to law.

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668 (3)~~(4)~~ SCHOOL ASSESSMENT PROGRAMS.—Each public school shall
669 administer ~~participate in the~~ district-selected, national norm-
670 referenced assessments statewide, ~~standardized assessment~~
671 ~~program~~ in accordance with the assessment and reporting
672 schedules ~~and the minimum and recommended technology~~
673 ~~requirements~~ published by the Commissioner of Education.
674 District school boards shall not establish school calendars that
675 conflict with or jeopardize implementation of the assessment
676 program. Assessment results must be reported to the commissioner
677 and the district school superintendent. Assessment data reported
678 to the commissioner must be aggregated, anonymized, and de-
679 identified. The district school board shall determine a policy
680 for the release of student performance data to other appropriate
681 district personnel. ~~All district school boards shall report~~
682 ~~assessment results as required by the state management~~
683 ~~information system.~~ Performance data shall be analyzed and
684 reported to parents, the community, and the state. Performance
685 data reported to the community and the state shall be
686 aggregated, anonymized, and de-identified. Student performance
687 data shall be used by districts in determining student academic
688 achievement ~~in developing objectives for the school improvement~~
689 ~~plan, evaluating instructional personnel and administrative~~
690 ~~personnel,~~ assigning staff, allocating resources, acquiring
691 instructional materials and technology, ~~implementing~~
692 ~~performance-based budgeting,~~ and as one factor in promoting and
693 assigning students to educational programs. The analysis of
694 student performance data must also identify strengths and needs
695 in the educational program and trends over time. The analysis
696 must be used in ~~conjunction with the budgetary planning~~

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697 ~~processes developed pursuant to s. 1008.385 and the development~~
698 ~~of remediation programs.~~

699 (4)~~(5)~~ REQUIRED ANALYSES.—The commissioner shall provide,
700 at a minimum, ~~statewide,~~ standardized assessment data analysis
701 showing aggregated, anonymized, and de-identified student
702 achievement levels and learning gains by teacher, ~~school,~~ and
703 ~~school district.~~

704 (5)~~(6)~~ LOCAL ASSESSMENTS.—

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

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

718 ~~1. Statewide assessments.~~

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

721 ~~3. Industry certification assessments.~~

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

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

725 ~~(c) Each district school board must adopt policies for~~

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

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

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

754 ~~(7) CONCORDANT SCORES. The Commissioner of Education must~~

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

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

775 ~~(6)~~(9) CHILD WITH MEDICAL COMPLEXITY.-In addition to the
776 exemption option provided for under s. 1008.212, effective July
777 1, 2015 ~~2014~~, a child with a medical complexity may be exempt
778 from participating in ~~statewide, standardized~~ assessments,
779 including the ~~Florida Alternate Assessment (FAA)~~, pursuant to
780 the provisions of this subsection.

781 (a) *Definition of child with medical complexity.*-A child
782 with a medical complexity means a child who, based upon medical
783 documentation from a physician licensed under chapter 458 or

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784 chapter 459 is medically fragile and needs intensive care due to
 785 a condition such as congenital or acquired multisystem disease;
 786 has a severe neurological or cognitive disorder with marked
 787 functional impairment; or is technology dependent for activities
 788 of daily living; and lacks the capacity to take or perform on an
 789 assessment.

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

796 1. One-year exemption approved by the district school
 797 superintendent. If the superintendent is provided written
 798 documentation of parental consent and appropriate medical
 799 documentation to support the IEP team's determination that the
 800 child is a child with medical complexity, then the
 801 superintendent may approve a 1-year ~~one-year~~ exemption from all
 802 ~~statewide, standardized assessments, including the FAA.~~ The
 803 superintendent shall report annually to the district school
 804 board ~~and the Commissioner of Education~~ the number of students
 805 who are identified as a child with medical complexity who are
 806 not participating in the assessment program.

807 2. One- to three-year exemption approved by the district
 808 school superintendent ~~Commissioner of Education~~. If the
 809 superintendent ~~commissioner~~ is provided written documentation of
 810 parental consent, ~~district school superintendent approval,~~ the
 811 IEP team's determination that the child is a child with medical
 812 complexity based upon appropriate medical documentation, and

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813 all medical documentation, then the superintendent ~~commissioner~~
 814 may exempt the child from all ~~statewide, standardized~~
 815 assessments, ~~including the FAA,~~ for up to 3 years. The State
 816 Board of Education shall adopt rules to administer this
 817 subparagraph which must expedite the process by which exemptions
 818 are reviewed and approved and which demonstrate the utmost
 819 compassion and consideration for meeting the parent's and
 820 child's needs.

821 3. Permanent exemption approved by the district school
 822 superintendent ~~Commissioner of Education~~. If the superintendent
 823 ~~commissioner~~ is provided written documentation of parental
 824 consent, ~~district school superintendent approval of a permanent~~
 825 ~~exemption;~~ the IEP team's determination that the child is a
 826 child with medical complexity based upon appropriate medical
 827 documentation and that a permanent exemption is appropriate, ~~and~~
 828 and all medical documentation, then the superintendent
 829 ~~commissioner~~ may approve a permanent exemption from all
 830 ~~statewide, standardized~~ assessments, ~~including the FAA~~. The
 831 State Board of Education shall adopt rules to administer this
 832 subparagraph which must expedite the process by which exemptions
 833 are reviewed and approved and which demonstrate the utmost
 834 compassion and consideration for meeting the parent's and
 835 child's needs.

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

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

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

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

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

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

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

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

860 (7) (11) RULES.—The State Board of Education shall adopt
 861 rules to implement this section; however, the rules may not
 862 undermine the authority of district school boards.

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

865 1008.34 School grading system; school report cards;
 866 district grade.—

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

870 (a) "Achievement level," "student achievement," or

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

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

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

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

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900 of Education:

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

906

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

911 (3) DESIGNATION OF SCHOOL GRADES.—

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

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

927 2. A school that serves any combination of students in
928 kindergarten through grade 3 that does not receive a school

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

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

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

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

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

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958 ~~1008.22(3).~~

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

961 ~~d. The percentage of eligible students passing statewide,~~
962 ~~standardized assessments in social studies under s. 1008.22(3).~~

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

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

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

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

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987 administered under s. 1008.22(2) ~~1008.22(3)~~.

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

994

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

1003 2. For a school comprised of grades 9, 10, 11, and 12, or
1004 grades 10, 11, and 12, the school's grade shall also be based on
1005 the following components, which, cumulatively, and with all
1006 factors being equally weighted, shall account for one-half of
1007 the school's grade ~~each worth 100 points:~~

1008 a. The 4-year high school graduation rate of the school as
1009 defined by state board rule.

1010 b. The percentage of students who were eligible to earn
1011 college and career credit through College Board Advanced
1012 Placement examinations, International Baccalaureate
1013 examinations, dual enrollment courses, or Advanced International
1014 Certificate of Education examinations; or who, at any time
1015 during high school, earned national industry certification

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

1023 c. Teacher turnover rates.

1024 d. The percentage of teachers using an authentic portfolio
1025 assessment.

1026 e. The number of enrichment classes offered at the school.

1027 f. The number of extracurricular activities offered at the
1028 school.

1029 3. For a school comprised of kindergarten and grades 1, 2,
1030 3, 4, and 5 or grades 6, 7, and 8, the school's grade shall also
1031 be based on the following components, which, cumulatively, with
1032 all factors being equally weighted, shall account for one-half
1033 of the school's grade:

1034 a. Teacher and student attendance rates.

1035 b. Teacher turnover rates.

1036 c. The percentage of teachers using an authentic portfolio
1037 assessment.

1038 d. The number of enrichment classes offered at the school.

1039 e. The number of extracurricular activities offered at the
1040 school.

1041 (c)1. The calculation of a school grade shall be based on
1042 the ~~percentage of points earned from the~~ components listed in
1043 subparagraphs (b)1. and 2. ~~subparagraph (b)1. and, if~~
1044 ~~applicable, subparagraph (b)2.~~ The State Board of Education

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1045 shall adopt in rule a school grading scale that sets the
1046 percentage of points needed to earn each of the school grades
1047 listed in subsection (2). There shall be at least five
1048 percentage points separating the percentage thresholds needed to
1049 earn each of the school grades. The state board shall
1050 periodically review the school grading scale to determine if the
1051 scale should be adjusted upward to meet raised expectations and
1052 encourage increased student performance. If the state board
1053 adjusts the grading scale upward, the state board must inform
1054 the public and the school districts of the reasons for and
1055 degree of the adjustment and its anticipated impact on school
1056 grades.

1057 2. The calculation of school grades may not include any
1058 provision that would raise or lower the school's grade beyond
1059 the percentage of points earned. Extra weight may not be added
1060 in the calculation of any components.

1061 (d) The performance of students attending alternative
1062 schools and students designated as hospital or homebound shall
1063 be factored into a school grade as follows:

1064 1. The student performance data for eligible students
1065 attending alternative schools that provide dropout prevention
1066 and academic intervention services pursuant to s. 1003.53 shall
1067 be included in the calculation of the home school's grade. The
1068 term "eligible students" in this subparagraph does not include
1069 students attending an alternative school who are subject to
1070 district school board policies for expulsion for repeated or
1071 serious offenses, who are in dropout retrieval programs serving
1072 students who have officially been designated as dropouts, or who
1073 are in programs operated or contracted by the Department of

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1074 Juvenile Justice. As used in this subparagraph and s. 1008.341,
1075 the term "home school" means the school to which the student
1076 would be assigned if the student were not assigned to an
1077 alternative school. If an alternative school chooses to be
1078 graded under this section, student performance data for eligible
1079 students identified in this subparagraph shall not be included
1080 in the home school's grade but shall be included only in the
1081 calculation of the alternative school's grade. ~~A school district~~
1082 ~~that fails to assign statewide, standardized end-of-course~~
1083 ~~assessment scores of each of its students to his or her home~~
1084 ~~school or to the alternative school that receives a grade shall~~
1085 ~~forfeit Florida School Recognition Program funds for one fiscal~~
1086 ~~year.~~ School districts must require collaboration between the
1087 home school and the alternative school in order to promote
1088 student success. This collaboration must include an annual
1089 discussion between the principal of the alternative school and
1090 the principal of each student's home school concerning the most
1091 appropriate school assignment of the student.

1092 2. Student performance data for students designated as
1093 hospital or homebound shall be assigned to their home school for
1094 the purposes of school grades. As used in this subparagraph, the
1095 term "home school" means the school to which a student would be
1096 assigned if the student were not assigned to a hospital or
1097 homebound program.

1098 (4) SCHOOL REPORT CARD.—The Department of Education shall
1099 annually develop, in collaboration with the school districts, a
1100 school report card to be provided by the school district to
1101 parents within the district. The report card shall include the
1102 school's grade; student performance in English Language Arts and

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1103 ~~r~~ mathematics, ~~science, and social studies~~; information
1104 regarding school improvement; ~~an explanation of school~~
1105 ~~performance as evaluated by the federal Elementary and Secondary~~
1106 ~~Education Act (ESEA), 20 U.S.C. ss. 6301 et seq.;~~ and indicators
1107 of return on investment. Each school's report card shall be
1108 published annually by the department on its website based upon
1109 the most recent data available.

1110 (5) DISTRICT GRADE.—Beginning with the 2015-2016 ~~2014-2015~~
1111 school year, a school district's grade shall include a district-
1112 level calculation of the components under paragraph (3) (b). This
1113 calculation methodology captures each eligible student in the
1114 district who may have transferred among schools within the
1115 district or is enrolled in a school that does not receive a
1116 grade. The department shall develop a district report card that
1117 includes the district grade; the information required under s.
1118 1008.345(5); ~~measures of the district's progress in closing the~~
1119 ~~achievement gap between higher performing student subgroups and~~
1120 ~~lower performing student subgroups~~; measures of the district's
1121 progress in demonstrating Learning Gains of its highest-
1122 performing students; measures of the district's success in
1123 improving student attendance; the district's grade-level
1124 promotion of students scoring achievement levels 1 and 2 on
1125 district-selected, national norm-referenced statewide,
1126 ~~standardized~~ English Language Arts and mathematics assessments;
1127 and measures of the district's performance in preparing students
1128 for the transition from elementary to middle school, middle to
1129 high school, and high school to postsecondary institutions and
1130 careers.

1131 (6) RULES.—The State Board of Education shall adopt rules

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1132 under ss. 120.536(1) and 120.54 to administer this section;
1133 however, the rules may not undermine the authority of district
1134 school boards.

1135 ~~(7) TRANSITION. School grades and school improvement~~
1136 ~~ratings pursuant to s. 1008.341 for the 2013-2014 school year~~
1137 ~~shall be calculated based on statutes and rules in effect on~~
1138 ~~June 30, 2014. To assist in the transition to 2014-2015 school~~
1139 ~~grades, calculated based on new statewide, standardized~~
1140 ~~assessments administered pursuant to s. 1008.22, the 2014-2015~~
1141 ~~school grades shall serve as an informational baseline for~~
1142 ~~schools to work toward improved performance in future years.~~
1143 ~~Accordingly, notwithstanding any other provision of law:~~

1144 ~~(a) A school may not be required to select and implement a~~
1145 ~~turnaround option pursuant to s. 1008.33 in the 2015-2016 school~~
1146 ~~year based on the school's 2014-2015 grade or school improvement~~
1147 ~~rating under s. 1008.341, as applicable.~~

1148 ~~(b)1. A school or approved provider under s. 1002.45 that~~
1149 ~~receives the same or a lower school grade or school improvement~~
1150 ~~rating for the 2014-2015 school year compared to the 2013-2014~~
1151 ~~school year is not subject to sanctions or penalties that would~~
1152 ~~otherwise occur as a result of the 2014-2015 school grade or~~
1153 ~~rating. A charter school system or a school district designated~~
1154 ~~as high performing may not lose the designation based on the~~
1155 ~~2014-2015 school grades of any of the schools within the charter~~
1156 ~~school system or school district, as applicable.~~

1157 ~~2. The Florida School Recognition Program established under~~
1158 ~~s. 1008.36 shall continue to be implemented as otherwise~~
1159 ~~provided in the General Appropriations Act.~~

1160 ~~(c) For purposes of determining grade 3 retention pursuant~~

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1161 ~~to s. 1008.25(5) and high school graduation pursuant to s.~~
1162 ~~1003.4282, student performance on the 2014-2015 statewide,~~
1163 ~~standardized assessments shall be linked to 2013-2014 student~~
1164 ~~performance expectations.~~

1165

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

1167 Section 6. The Legislature recognizes that there is a need
1168 to conform the Florida Statutes to the policy decisions
1169 reflected in this act and that there is a need to resolve
1170 apparent conflicts between any other legislation that has been
1171 or may be enacted during the 2015 Regular Session of the
1172 Legislature and the transfer of duties made by this act.
1173 Therefore, in the interim between this act becoming a law and
1174 the 2016 Regular Session of the Legislature or an earlier
1175 special session addressing this issue, the Division of Law
1176 Revision and Information shall provide the relevant substantive
1177 committees of the Senate and the House of Representatives with
1178 assistance, upon request, to enable such committees to prepare
1179 draft legislation to conform the Florida Statutes and any
1180 legislation enacted during 2015 to the provisions of this act.

1181 Section 7. This act shall take effect July 1, 2015.