



LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AE/2R	.	Floor: SA1/C
04/02/2015 04:28 PM	.	04/09/2015 01:45 PM
	.	

Senator Legg moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (f) of subsection (4) of section
1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The
district school board, acting as a board, shall exercise all
powers and perform all duties listed below:

(4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF SCHOOLS.—
Adopt and provide for the execution of plans for the



12 establishment, organization, and operation of the schools of the
13 district, including, but not limited to, the following:

14 (f) *Opening and closing of schools; fixing uniform date.*—
15 Adopt policies for the opening and closing of schools and fix
16 uniform dates; however, ~~beginning with the 2007-2008 school~~
17 ~~year,~~ the opening date for schools in the district may not be
18 earlier than August 10 of 14 days before Labor Day each year.

19 Section 2. Subsection (11) of section 1002.20, Florida
20 Statutes, is amended to read:

21 1002.20 K-12 student and parent rights.—Parents of public
22 school students must receive accurate and timely information
23 regarding their child's academic progress and must be informed
24 of ways they can help their child to succeed in school. K-12
25 students and their parents are afforded numerous statutory
26 rights including, but not limited to, the following:

27 (11) STUDENTS WITH READING DEFICIENCIES. ~~Each elementary~~
28 ~~school shall regularly assess the reading ability of each K-3~~
29 ~~student.~~ The parent of any K-3 student who exhibits a reading
30 deficiency shall be immediately notified of the student's
31 deficiency with a description and explanation, in terms
32 understandable to the parent, of the exact nature of the
33 student's difficulty in learning and lack of achievement in
34 reading; shall be consulted in the development of a ~~progress~~
35 ~~monitoring~~ plan, as described in s. 1008.25(4)(b); and shall be
36 informed that the student will be given intensive reading
37 instruction until the deficiency is corrected. This subsection
38 operates in addition to the remediation and notification
39 provisions contained in s. 1008.25 and in no way reduces the
40 rights of a parent or the responsibilities of a school district



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41 under that section.

42 Section 3. Subsections (2) and (3) of section 1003.4156,
43 Florida Statutes, are amended to read:

44 1003.4156 General requirements for middle grades
45 promotion.—

46 ~~(2) If a middle grades student scores Level 1 or Level 2 on~~
47 ~~the statewide, standardized Reading assessment or, when~~
48 ~~implemented, the English Language Arts (ELA) assessment, the~~
49 ~~following year the student must enroll in and complete a~~
50 ~~remedial course or a content area course in which remediation~~
51 ~~strategies are incorporated into course content delivery. The~~
52 ~~department shall provide guidance on appropriate strategies for~~
53 ~~diagnosing and meeting the varying instructional needs of~~
54 ~~students performing below grade level.~~

55 ~~(3) If a middle grades student scores Level 1 or Level 2 on~~
56 ~~the statewide, standardized Mathematics assessment, the~~
57 ~~following year the student must receive remediation, which may~~
58 ~~be integrated into the student's required mathematics courses.~~

59 Section 4. Subsection (5) of section 1003.4282, Florida
60 Statutes, is amended to read:

61 1003.4282 Requirements for a standard high school diploma.—

62 ~~(5) REMEDIATION FOR HIGH SCHOOL STUDENTS.—~~

63 ~~(a) Each year a student scores Level 1 or Level 2 on the~~
64 ~~statewide, standardized grade 9 or grade 10 Reading assessment~~
65 ~~or, when implemented, the grade 9, grade 10, or grade 11 ELA~~
66 ~~assessment, the student must be enrolled in and complete an~~
67 ~~intensive remedial course the following year or be placed in a~~
68 ~~content area course that includes remediation of skills not~~
69 ~~acquired by the student.~~



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70 ~~(b) Each year a student scores Level 1 or Level 2 on the~~
71 ~~statewide, standardized Algebra I EOC assessment, the student~~
72 ~~must be enrolled in and complete an intensive remedial course~~
73 ~~the following year or be placed in a content area course that~~
74 ~~includes remediation of skills not acquired by the student.~~

75 Section 5. Paragraph (a) of subsection (1) of section
76 1003.4285, Florida Statutes, is amended to read:

77 1003.4285 Standard high school diploma designations.—

78 (1) Each standard high school diploma shall include, as
79 applicable, the following designations if the student meets the
80 criteria set forth for the designation:

81 (a) *Scholar designation.*—In addition to the requirements of
82 s. 1003.4282, in order to earn the Scholar designation, a
83 student must satisfy the following requirements:

84 ~~1. English Language Arts (ELA).—Beginning with students~~
85 ~~entering grade 9 in the 2014-2015 school year, pass the~~
86 ~~statewide, standardized grade 11 ELA assessment.~~

87 ~~1.2.~~ Mathematics.—Earn one credit in Algebra II and one
88 credit in statistics or an equally rigorous course. Beginning
89 with students entering grade 9 in the 2014-2015 school year,
90 pass the Algebra II and Geometry statewide, standardized
91 assessments.

92 ~~2.3.~~ Science.—Pass the statewide, standardized Biology I
93 EOC assessment and earn one credit in chemistry or physics and
94 one credit in a course equally rigorous to chemistry or physics.
95 However, a student enrolled in an Advanced Placement (AP),
96 International Baccalaureate (IB), or Advanced International
97 Certificate of Education (AICE) Biology course who takes the
98 respective AP, IB, or AICE Biology assessment and earns the



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99 minimum score necessary to earn college credit as identified
100 pursuant to s. 1007.27(2) meets the requirement of this
101 subparagraph without having to take the statewide, standardized
102 Biology I EOC assessment.

103 ~~3.4.~~ Social studies.—Pass the statewide, standardized
104 United States History EOC assessment. However, a student
105 enrolled in an AP, IB, or AICE course that includes United
106 States History topics who takes the respective AP, IB, or AICE
107 assessment and earns the minimum score necessary to earn college
108 credit as identified pursuant to s. 1007.27(2) meets the
109 requirement of this subparagraph without having to take the
110 statewide, standardized United States History EOC assessment.

111 ~~4.5.~~ Foreign language.—Earn two credits in the same foreign
112 language.

113 ~~5.6.~~ Electives.—Earn at least one credit in an Advanced
114 Placement, an International Baccalaureate, an Advanced
115 International Certificate of Education, or a dual enrollment
116 course.

117 Section 6. Paragraph (k) of subsection (2) of section
118 1003.621, Florida Statutes, is redesignated as paragraph (l),
119 and a new paragraph (k) is added to that subsection, to read:

120 1003.621 Academically high-performing school districts.—It
121 is the intent of the Legislature to recognize and reward school
122 districts that demonstrate the ability to consistently maintain
123 or improve their high-performing status. The purpose of this
124 section is to provide high-performing school districts with
125 flexibility in meeting the specific requirements in statute and
126 rules of the State Board of Education.

127 (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically



128 high-performing school district shall comply with all of the
129 provisions in chapters 1000-1013, and rules of the State Board
130 of Education which implement these provisions, pertaining to the
131 following:

132 (k) Section 1001.42(4)(f), relating to the uniform opening
133 date of public schools.

134 Section 7. Subsections (1), (3), (4), and (6) of section
135 1008.22, Florida Statutes, are amended, subsections (7) through
136 (11) are redesignated as subsections (8) through (12),
137 respectively, and a new subsection (7) is added to that section,
138 to read:

139 1008.22 Student assessment program for public schools.—

140 (1) PURPOSE.—The primary purpose of the student assessment
141 program is to provide student academic achievement and learning
142 gains data to students, parents, teachers, school
143 administrators, and school district staff. This data is to be
144 used by districts to improve instruction; by students, parents,
145 and teachers to guide learning objectives; by education
146 researchers to assess national and international education
147 comparison data; and by the public to assess the cost benefit of
148 the expenditure of taxpayer dollars. The program must be
149 designed to:

150 (f) When available, provide instructional personnel with
151 information on student achievement of standards and benchmarks
152 in order to improve instruction.

153 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
154 Commissioner of Education shall design and implement a
155 statewide, standardized assessment program aligned to the core
156 curricular content established in the Next Generation Sunshine



157 State Standards. The commissioner also must develop or select
158 and implement a common battery of assessment tools that will be
159 used in all juvenile justice education programs in the state.
160 These tools must accurately measure the core curricular content
161 established in the Next Generation Sunshine State Standards.
162 Participation in the assessment program is mandatory for all
163 school districts and all students attending public schools,
164 including adult students seeking a standard high school diploma
165 under s. 1003.4282 and students in Department of Juvenile
166 Justice education programs, except as otherwise provided by law.
167 If a student does not participate in the assessment program, the
168 school district must notify the student's parent and provide the
169 parent with information regarding the implications of such
170 nonparticipation. The statewide, standardized assessment program
171 shall be designed and implemented as follows:

172 (a) *Statewide, standardized comprehensive assessments.*—The
173 statewide, standardized Reading assessment shall be administered
174 annually in grades 3 through 10. The statewide, standardized
175 Writing assessment shall be administered annually at least once
176 at the elementary, middle, and high school levels. When the
177 Reading and Writing assessments are replaced by English Language
178 Arts (ELA) assessments, ELA assessments shall be administered to
179 students in grades 3 through 10 ~~11~~. Retake opportunities for the
180 grade 10 Reading assessment or, upon implementation, the grade
181 10 ELA assessment must be provided. Students taking the ELA
182 assessments shall not take the statewide, standardized
183 assessments in Reading or Writing. ELA assessments shall be
184 administered online. The statewide, standardized Mathematics
185 assessments shall be administered annually in grades 3 through



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186 8. Students taking a revised Mathematics assessment shall not
187 take the discontinued assessment. The statewide, standardized
188 Science assessment shall be administered annually at least once
189 at the elementary and middle grades levels. In order to earn a
190 standard high school diploma, a student who has not earned a
191 passing score on the grade 10 Reading assessment or, upon
192 implementation, the grade 10 ELA assessment must earn a passing
193 score on the assessment retake or earn a concordant score as
194 authorized under subsection (8) ~~(7)~~.

195 (b) *End-of-course (EOC) assessments.*—EOC assessments must
196 be statewide, standardized, and developed or approved by the
197 Department of Education as follows:

198 1. EOC assessments for Algebra I, Geometry, Algebra II,
199 Biology I, United States History, and Civics shall be
200 administered to students enrolled in such courses as specified
201 in the course code directory ~~Statewide, standardized EOC~~
202 ~~assessments in mathematics shall be administered according to~~
203 ~~this subparagraph. Beginning with the 2010-2011 school year, all~~
204 ~~students enrolled in Algebra I must take the Algebra I EOC~~
205 ~~assessment. Except as otherwise provided in paragraph (c),~~
206 ~~beginning with students entering grade 9 in the 2011-2012 school~~
207 ~~year, a student who is enrolled in Algebra I must earn a passing~~
208 ~~score on the Algebra I EOC assessment or attain a comparative~~
209 ~~score as authorized under subsection (8) in order to earn a~~
210 ~~standard high school diploma. In order to earn a standard high~~
211 ~~school diploma, a student who has not earned a passing score on~~
212 ~~the Algebra I EOC assessment must earn a passing score on the~~
213 ~~assessment retake or a comparative score as authorized under~~
214 ~~subsection (8). Beginning with the 2011-2012 school year, all~~



215 ~~students enrolled in Geometry must take the Geometry EOC~~
216 ~~assessment. Middle grades students enrolled in Algebra I,~~
217 ~~Geometry, or Biology I must take the statewide, standardized EOC~~
218 ~~assessment for those courses and shall not take the~~
219 ~~corresponding subject and grade-level statewide, standardized~~
220 ~~assessment. When a statewide, standardized EOC assessment in~~
221 ~~Algebra II is administered, all students enrolled in Algebra II~~
222 ~~must take the EOC assessment. Pursuant to the commissioner's~~
223 ~~implementation schedule, student performance on the Algebra II~~
224 ~~EOC assessment constitutes 30 percent of a student's final~~
225 ~~course grade.~~

226 ~~2. Statewide, standardized EOC assessments in science shall~~
227 ~~be administered according to this subparagraph. Beginning with~~
228 ~~the 2011-2012 school year, all students enrolled in Biology I~~
229 ~~must take the Biology I EOC assessment. Beginning with students~~
230 ~~entering grade 9 in the 2013-2014 school year, performance on~~
231 ~~the Biology I EOC assessment constitutes 30 percent of the~~
232 ~~student's final course grade.~~

233 ~~2.3. Students enrolled in a course, as specified in the~~
234 ~~course code directory, with an associated statewide,~~
235 ~~standardized EOC assessment must take the EOC assessment for~~
236 ~~such course and may not take the corresponding subject or grade-~~
237 ~~level statewide, standardized assessment pursuant to paragraph~~
238 ~~(a). Sections 1003.4156 and 1003.4282 govern the use of~~
239 ~~statewide, standardized EOC assessment results for students~~
240 ~~Beginning with the 2013-2014 school year, each student's~~
241 ~~performance on the statewide, standardized middle grades Civics~~
242 ~~EOC assessment constitutes 30 percent of the student's final~~
243 ~~course grade in civics education.~~



244 ~~3.4.~~ The commissioner may select one or more nationally
245 developed comprehensive examinations, which may include
246 examinations for a College Board Advanced Placement course,
247 International Baccalaureate course, or Advanced International
248 Certificate of Education course, or industry-approved
249 examinations to earn national industry certifications identified
250 in the Industry Certification Funding List, for use as EOC
251 assessments under this paragraph if the commissioner determines
252 that the content knowledge and skills assessed by the
253 examinations meet or exceed the grade-level expectations for the
254 core curricular content established for the course in the Next
255 Generation Sunshine State Standards. Use of any such examination
256 as an EOC assessment must be approved by the state board in
257 rule.

258 ~~4.5.~~ Contingent upon funding provided in the General
259 Appropriations Act, including the appropriation of funds
260 received through federal grants, the commissioner may establish
261 an implementation schedule for the development and
262 administration of additional statewide, standardized EOC
263 assessments that must be approved by the state board in rule. If
264 approved by the state board, student performance on such
265 assessments constitutes 30 percent of a student's final course
266 grade.

267 ~~5.6.~~ All statewide, standardized EOC assessments must be
268 administered online except as otherwise provided in paragraph
269 (c).

270 (c) *Students with disabilities; Florida Alternate*
271 *Assessment.*—

272 1. Each district school board must provide instruction to



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273 prepare students with disabilities in the core content knowledge
274 and skills necessary for successful grade-to-grade progression
275 and high school graduation.

276 2. A student with a disability, as defined in s. 1007.02,
277 for whom the individual education plan (IEP) team determines
278 that the statewide, standardized assessments under this section
279 cannot accurately measure the student's abilities, taking into
280 consideration all allowable accommodations, shall have
281 assessment results waived for the purpose of receiving a course
282 grade and a standard high school diploma. Such waiver shall be
283 designated on the student's transcript. The statement of waiver
284 shall be limited to a statement that performance on an
285 assessment was waived for the purpose of receiving a course
286 grade or a standard high school diploma, as applicable.

287 3. The State Board of Education shall adopt rules, based
288 upon recommendations of the commissioner, for the provision of
289 assessment accommodations for students with disabilities and for
290 students who have limited English proficiency.

291 a. Accommodations that negate the validity of a statewide,
292 standardized assessment are not allowed during the
293 administration of the assessment. However, instructional
294 accommodations are allowed in the classroom if identified in a
295 student's IEP. Students using instructional accommodations in
296 the classroom that are not allowed on a statewide, standardized
297 assessment may have assessment results waived if the IEP team
298 determines that the assessment cannot accurately measure the
299 student's abilities.

300 b. If a student is provided with instructional
301 accommodations in the classroom that are not allowed as



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302 accommodations for statewide, standardized assessments, the
303 district must inform the parent in writing and provide the
304 parent with information regarding the impact on the student's
305 ability to meet expected performance levels. A parent must
306 provide signed consent for a student to receive classroom
307 instructional accommodations that would not be available or
308 permitted on a statewide, standardized assessment and
309 acknowledge in writing that he or she understands the
310 implications of such instructional accommodations.

311 c. If a student's IEP states that online administration of
312 a statewide, standardized assessment will significantly impair
313 the student's ability to perform, the assessment shall be
314 administered in hard copy.

315 4. For students with significant cognitive disabilities,
316 the Department of Education shall provide for implementation of
317 the Florida Alternate Assessment to accurately measure the core
318 curricular content established in the Next Generation Sunshine
319 State Standards.

320 (d) *Implementation schedule.*—

321 1. The Commissioner of Education shall establish and
322 publish on the department's website an implementation schedule
323 to transition from the statewide, standardized Reading and
324 Writing assessments to the ELA assessments and to the revised
325 Mathematics assessments, including the Algebra I and Geometry
326 EOC assessments. The schedule must take into consideration
327 funding, sufficient field and baseline data, access to
328 assessments, instructional alignment, and school district
329 readiness to administer the assessments online. All such
330 assessments must be delivered through computer-based testing,



331 however, the following assessments must be delivered in a
332 computer-based format, as follows: the grade 3 ELA assessment,
333 beginning in the 2017-2018 school year; the grade 3 mathematics
334 assessment beginning in the 2016-2017 school year; the grade 4
335 ELA assessment, beginning in the 2015-2016 school year; and the
336 grade 4 mathematics assessment, beginning in the 2016-2017
337 school year.

338 2. The Department of Education shall publish minimum and
339 recommended technology requirements that include specifications
340 for hardware, software, networking, security, and broadband
341 capacity to facilitate school district compliance with the
342 requirement that assessments be administered online.

343 (e) *Assessment scores and achievement levels.*—

344 1. All statewide, standardized EOC assessments and ELA,
345 mathematics Reading, Writing, and Science assessments shall use
346 scaled scores and achievement levels. Achievement levels shall
347 range from 1 through 5, with level 1 being the lowest
348 achievement level, level 5 being the highest achievement level,
349 and level 3 indicating satisfactory performance on an
350 assessment. ~~For purposes of the statewide, standardized Writing~~
351 ~~assessment, student achievement shall be scored using a scale of~~
352 ~~1 through 6.~~

353 2. The state board shall designate by rule a passing score
354 for each statewide, standardized assessment.

355 3. If the commissioner seeks to revise a statewide,
356 standardized assessment and the revisions require the state
357 board to modify performance level scores, including the passing
358 score, the commissioner shall provide a copy of the proposed
359 scores and implementation plan to the President of the Senate



360 and the Speaker of the House of Representatives at least 90 days
361 before submission to the state board for review. Until the state
362 board adopts the modifications by rule, the commissioner shall
363 use calculations for scoring the assessment that adjust student
364 scores on the revised assessment for statistical equivalence to
365 student scores on the former assessment. The state board shall
366 adopt by rule the passing score for the revised assessment that
367 is statistically equivalent to the passing score on the
368 discontinued assessment for a student who is required to attain
369 a passing score on the discontinued assessment. The commissioner
370 may, with approval of the state board, discontinue
371 administration of the former assessment upon the graduation,
372 based on normal student progression, of students participating
373 in the final regular administration of the former assessment. If
374 the commissioner revises a statewide, standardized assessment
375 and the revisions require the state board to modify the passing
376 score, only students taking the assessment for the first time
377 after the rule is adopted are affected.

378 ~~(f) Assessment schedules and reporting of results. The~~
379 ~~Commissioner of Education shall establish schedules for the~~
380 ~~administration of assessments and the reporting of student~~
381 ~~assessment results. The commissioner shall consider the~~
382 ~~observance of religious and school holidays when developing the~~
383 ~~schedule. By August 1 of each year, the commissioner shall~~
384 ~~notify each school district in writing and publish on the~~
385 ~~department's website the assessment and reporting schedules for,~~
386 ~~at a minimum, the school year following the upcoming school~~
387 ~~year. The assessment and reporting schedules must provide the~~
388 ~~earliest possible reporting of student assessment results to the~~



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389 ~~school districts. Assessment results for the statewide,~~
390 ~~standardized Reading assessments, or upon implementation the ELA~~
391 ~~assessments, and Mathematics assessments, including the EOC~~
392 ~~assessments in Algebra I and Geometry, must be made available no~~
393 ~~later than the week of June 8. The administration of the~~
394 ~~statewide, standardized Writing assessment and the Florida~~
395 ~~Alternate Assessment may be no earlier than the week of March 1.~~
396 ~~School districts shall administer assessments in accordance with~~
397 ~~the schedule established by the commissioner.~~

398 (f) ~~(g)~~ *Prohibited activities.*—A district school board shall
399 prohibit each public school from suspending a regular program of
400 curricula for purposes of administering practice assessments or
401 engaging in other assessment-preparation activities for a
402 statewide, standardized assessment. However, a district school
403 board may authorize a public school to engage in the following
404 assessment-preparation activities:

405 1. Distributing to students sample assessment books and
406 answer keys published by the Department of Education.

407 2. Providing individualized instruction in assessment-
408 taking strategies, without suspending the school's regular
409 program of curricula, for a student who scores Level 1 or Level
410 2 on a prior administration of an assessment.

411 3. Providing individualized instruction in the content
412 knowledge and skills assessed, without suspending the school's
413 regular program of curricula, for a student who scores Level 1
414 or Level 2 on a prior administration of an assessment or a
415 student who, through a diagnostic assessment administered by the
416 school district, is identified as having a deficiency in the
417 content knowledge and skills assessed.



418 4. Administering a practice assessment or engaging in other
419 assessment-preparation activities that are determined necessary
420 to familiarize students with the organization of the assessment,
421 the format of assessment items, and the assessment directions or
422 that are otherwise necessary for the valid and reliable
423 administration of the assessment, as set forth in rules adopted
424 by the State Board of Education with specific reference to this
425 paragraph.

426 (g) ~~(h)~~ Contracts for assessments.—

427 1. The commissioner shall provide for the assessments to be
428 developed or obtained, as appropriate, through contracts and
429 project agreements with private vendors, public vendors, public
430 agencies, postsecondary educational institutions, or school
431 districts. The commissioner may enter into contracts for the
432 continued administration of the assessments authorized and
433 funded by the Legislature. Contracts may be initiated in 1
434 fiscal year and continue into the next fiscal year and may be
435 paid from the appropriations of either or both fiscal years. The
436 commissioner may negotiate for the sale or lease of tests,
437 scoring protocols, test scoring services, and related materials
438 developed pursuant to law.

439 2. A student's performance results on statewide,
440 standardized assessments, EOC assessments, and Florida
441 Alternative Assessments administered pursuant to this subsection
442 must be provided to the student's teachers and parents by the
443 end of the school year, unless the commissioner determines that
444 extenuating circumstances exist and reports the extenuating
445 circumstances to the State Board of Education. This subparagraph
446 does not apply to existing contracts for such assessments, but



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447 shall apply to new contracts and any renewal of existing
448 contracts for such assessments.

449 3. If liquidated damages are applicable, the department
450 shall collect liquidated damages that are due in response to the
451 administration of the spring 2015 computer-based assessments of
452 the department's Florida Standards Assessment contract with
453 American Institutes for Research, and expend the funds to
454 reimburse parties that incurred damages.

455 (4) SCHOOL PARTICIPATION IN THE STATEWIDE, STANDARDIZED
456 ASSESSMENT PROGRAM PROGRAMS.—Each public school shall
457 participate in the statewide, standardized assessment program in
458 accordance with the assessment and reporting schedules and the
459 minimum and recommended technology requirements published by the
460 Commissioner of Education. District school boards shall not
461 establish school calendars that conflict with or jeopardize
462 implementation of the assessment program. All district school
463 boards shall report assessment results using ~~as required by~~ the
464 state management information system. Performance data shall be
465 analyzed and reported to parents, the community, and the state.
466 Student performance data shall be used by districts in
467 developing objectives for the school improvement plan,
468 evaluating instructional personnel and administrative personnel,
469 assigning staff, allocating resources, acquiring instructional
470 materials and technology, implementing performance-based
471 budgeting, and promoting and assigning students to educational
472 programs. The analysis of student performance data must also
473 identify strengths and needs in the educational program and
474 trends over time. The analysis must be used in conjunction with
475 the budgetary planning processes developed pursuant to s.



476 1008.385 and the development of remediation programs.

477 (6) LOCAL ASSESSMENT OF STUDENT PERFORMANCE ON STATE
478 STANDARDS ASSESSMENTS.—

479 (a) Measurement of student performance is the
480 responsibility of school districts ~~in all subjects and grade~~
481 ~~levels,~~ except in those subjects and grade levels measured under
482 the statewide, standardized assessment program described in this
483 section, ~~is the responsibility of the school districts.~~ When
484 available, instructional personnel must be provided with
485 information on student achievement of standards and benchmarks
486 in order to improve instruction.

487 ~~(b) Except for those subjects and grade levels measured~~
488 ~~under the statewide, standardized assessment program, beginning~~
489 ~~with the 2014-2015 school year, each school district shall~~
490 ~~administer for each course offered in the district a local~~
491 ~~assessment that measures student mastery of course content at~~
492 ~~the necessary level of rigor for the course. As adopted pursuant~~
493 ~~to State Board of Education rule, course content is set forth in~~
494 ~~the state standards required by s. 1003.41 and in the course~~
495 ~~description. Local assessments may include:~~

496 1. ~~Statewide assessments.~~

497 2. ~~Other standardized assessments, including nationally~~
498 ~~recognized standardized assessments.~~

499 3. ~~Industry certification assessments.~~

500 4. ~~District-developed or district-selected end-of-course~~
501 ~~assessments.~~

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

503 (c) ~~Each district school board must adopt policies for~~
504 ~~selection, development, administration, and scoring of local~~



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505 ~~assessments and for collection of assessment results. Local~~
506 ~~assessments implemented under subparagraphs (b)4. and 5. may~~
507 ~~include a variety of assessment formats, including, but not~~
508 ~~limited to, project-based assessments, adjudicated performances,~~
509 ~~and practical application assignments. For all English Language~~
510 ~~Arts, mathematics, science, and social studies courses offered~~
511 ~~in the district that are used to meet graduation requirements~~
512 ~~under s. 1002.3105, s. 1003.4281, or s. 1003.4282 and that are~~
513 ~~not otherwise assessed by statewide, standardized assessments,~~
514 ~~the district school board must select the assessments described~~
515 ~~in subparagraphs (b)1.-4.~~

516 ~~(b)(d)~~ The Commissioner of Education shall ~~identify methods~~
517 ~~to~~ assist and support districts in measuring student performance
518 on the state standards by maintaining a statewide the
519 development and acquisition of assessments required under this
520 subsection. Methods may include developing item bank banks,
521 facilitating the sharing of developed tests or test items among
522 school districts, acquiring assessments from state and national
523 curriculum-area organizations, and providing technical
524 assistance in best assessment professional practices. The
525 commissioner may discontinue the item bank if he or she
526 determines that district participation is insufficient for its
527 sustainability of test development based upon state-adopted
528 curriculum standards, administration, and security.

529 ~~(c)~~ Each school district shall establish schedules for the
530 administration of any district mandated assessment and approve
531 the schedules as an agenda item at a district school board
532 meeting. The school district shall publish the testing schedules
533 on its website, clearly specifying the district-mandated



534 ~~assessments, and report the schedules to the Department of~~
535 ~~Education by October 1 of each year.~~

536 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

537 (a) The Commissioner of Education shall establish schedules
538 for the administration of statewide, standardized assessments
539 and the reporting of student assessment results. The
540 commissioner shall consider the observance of religious and
541 school holidays when developing the schedules. The assessment
542 and reporting schedules must provide the earliest possible
543 reporting of student assessment results to the school districts,
544 consistent with the requirements of paragraph (3)(g). Assessment
545 results for the statewide, standardized ELA and mathematics
546 assessments and all statewide, standardized EOC assessments must
547 be made available no later than the week of June 8, except for
548 results of assessments administered in the 2014-2015 school
549 year. School districts shall administer statewide, standardized
550 assessments in accordance with the schedule established by the
551 commissioner.

552 (b) By August of each year, beginning in 2016, the
553 commissioner shall publish on the department's website a uniform
554 calendar that includes the assessment and reporting schedules
555 for, at a minimum, the next 2 school years. The uniform calendar
556 must be provided to school districts in an electronic format
557 that allows each school district and public school to populate
558 the calendar with, at minimum, the following information for
559 reporting the district assessment schedules under paragraph (c):

560 1. Whether the assessment is a district-required assessment
561 or a state-required assessment.

562 2. The specific date or dates that each assessment will be



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563 administered.

564 3. The time allotted to administer each assessment.

565 4. Whether the assessment is a computer-based assessment or
566 a paper-based assessment.

567 5. The grade level or subject area associated with the
568 assessment.

569 6. The date that the assessment results are expected to be
570 available to teachers and parents.

571 7. The type of assessment, the purpose of the assessment,
572 and the use of the assessment results.

573 8. A glossary of assessment terminology.

574 9. Estimates of average time for administering state-
575 required and district-required assessments, by grade level.

576 (c) Each school district shall establish schedules for the
577 administration of any statewide, standardized assessments and
578 district-required assessments and approve the schedules as an
579 agenda item at a district school board meeting. Each school
580 district shall publish the testing schedules on its website
581 using the uniform calendar, including all information required
582 under paragraph (b), and submit the schedules to the Department
583 of Education by October 1 of each year. Each public school shall
584 publish schedules for statewide, standardized assessments and
585 district-required assessments on its website using the uniform
586 calendar, including all information required under paragraph
587 (b). The uniform calendar must be included in the parent guide
588 required by s. 1002.23(5).

589 (d) A school district may not schedule more than 5 percent
590 of a student's total school hours in a school year to administer
591 statewide, standardized assessments and district-required local



592 assessments. The district must secure written consent from a
593 student's parent before administering district-required local
594 assessments that, after applicable statewide, standardized are
595 scheduled, exceed the 5 percent test administration limit for
596 that student under this paragraph. The 5 percent test
597 administration limit for a student under this paragraph may be
598 exceeded as needed to provide test accommodations that are
599 required by an IEP or are appropriate for an English language
600 learner who is currently receiving services in a program
601 operated in accordance with an approved English language learner
602 district plan pursuant to s. 1003.56. Notwithstanding this
603 paragraph, a student may choose within a school year to take an
604 examination or assessment adopted by State Board of Education
605 rule pursuant to this section and ss. 1007.27, 1008.30, and
606 1008.44.

607 (e) A statewide, standardized EOC assessment must be used
608 as the final cumulative examination for its associated course.
609 No additional final assessment may be administered in a course
610 with a statewide, standardized EOC assessment. A district-
611 required local assessment may be used as the final cumulative
612 examination for its associated course in accordance with the
613 school district's policy.

614 (f) A school district must provide a student's performance
615 results on district-required local assessments to the student's
616 teachers and parents no later than 30 days after administering
617 such assessments, unless the superintendent determines in
618 writing that extenuating circumstances exist and reports the
619 extenuating circumstances to the district school board.

620 (g) The State Board of Education shall adopt rules for the



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621 development of the uniform calendar that, at minimum, define
622 terms that must be used in the calendar to describe various
623 assessments, including the terms "summative assessment,"
624 "formative assessment," and "interim assessment."

625 Section 8. Subsection (3) of section 1008.24, Florida
626 Statutes, is amended to read:

627 1008.24 Test administration and security; public records
628 exemption.—

629 (3) (a) A school district may contract with qualified
630 contractors to administer and proctor statewide, standardized
631 assessments required under s. 1008.22 or assessments associated
632 with Florida approved courses under s. 1003.499, as approved by
633 the Department of Education in accordance with rules of the
634 State Board of Education. Assessments may be administered or
635 proctored by qualified contractors at sites that meet criteria
636 established by rules of the State Board of Education and adopted
637 pursuant to ss. 120.536(1) and 120.54 to implement the
638 contracting requirements of this subsection.

639 (b) A school district may use district employees, such as
640 education paraprofessionals as described in s. 1012.37, to
641 administer and proctor statewide, standardized assessments
642 required under s. 1008.22 or assessments associated with Florida
643 approved courses under s. 1003.499, in accordance with this
644 section and related rules adopted by the State Board of
645 Education. The rules must establish training requirements that
646 must be successfully completed by district employees prior to
647 the employees performing duties pursuant this paragraph.

648 Section 9. Section 1008.25, Florida Statutes, is amended to
649 read:



650 1008.25 Public school student progression; student support
651 ~~remedial instruction~~; reporting requirements.-

652 (1) INTENT.-It is the intent of the Legislature that each
653 student's progression from one grade to another be determined,
654 in part, upon satisfactory performance in English Language arts,
655 social studies, reading, writing, science, and mathematics; that
656 district school board policies facilitate student achievement;
657 that each student and his or her parent be informed of that
658 student's academic progress; and that students have access to
659 educational options that provide academically challenging
660 coursework or accelerated instruction pursuant to s. 1002.3105.

661 (2) ~~COMPREHENSIVE~~ STUDENT PROGRESSION PLAN.-Each district
662 school board shall establish a comprehensive plan for student
663 progression which must provide for a student's progression from
664 one grade to another based on the student's mastery of the
665 standards in s. 1003.41, specifically English language arts,
666 mathematics, science, and social studies standards. The plan
667 must:

668 (a) Include criteria that emphasizes student reading
669 proficiency in kindergarten through grade 3 and provide targeted
670 instructional support for students with identified deficiencies
671 in English language arts, mathematics, science, and social
672 studies. High schools shall use all available assessment
673 results, including the results of statewide, standardized
674 English Language Arts assessments and end-of-course assessments
675 for Algebra I and Geometry, to advise students of any identified
676 deficiencies and to provide appropriate postsecondary
677 preparatory instruction before high school graduation. The
678 results of evaluations used to monitor a student's progress in



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679 grades K-12 must be provided to the student's teacher in a
680 timely manner and as otherwise required by law. Thereafter,
681 evaluation results must be provided to the student's parent in a
682 timely manner. When available, instructional personnel must be
683 provided with information on student achievement of standards
684 and benchmarks in order to improve instruction.

685 ~~(a) Provide standards for evaluating each student's~~
686 ~~performance, including how well he or she masters the~~
687 ~~performance standards approved by the State Board of Education.~~

688 ~~(b) Provide specific levels of performance in reading,~~
689 ~~writing, science, and mathematics for each grade level,~~
690 ~~including the levels of performance on statewide assessments as~~
691 ~~defined by the commissioner, below which a student must receive~~
692 ~~remediation or be retained within an intensive program that is~~
693 ~~different from the previous year's program and that takes into~~
694 ~~account the student's learning style.~~

695 ~~(c) Provide appropriate alternative placement for a student~~
696 ~~who has been retained 2 or more years.~~

697 ~~(b)~~ (d)1. List the student eligibility and procedural
698 requirements established by the school district for whole-grade
699 promotion, midyear promotion, and subject-matter acceleration
700 that would result in a student attending a different school,
701 pursuant to s. 1002.3105(2) (b).

702 2. Notify parents and students of the school district's
703 process by which a parent may request student participation in
704 whole-grade promotion, midyear promotion, or subject-matter
705 acceleration that would result in a student attending a
706 different school, pursuant to s. 1002.3105(4) (b)2.

707 ~~(c)~~ (e)1. Advise parents and students that additional ACCEL



708 options may be available at the student's school, pursuant to s.
709 1002.3105.

710 2. Advise parents and students to contact the principal at
711 the student's school for information related to student
712 eligibility requirements for whole-grade promotion, midyear
713 promotion, and subject-matter acceleration when the promotion or
714 acceleration occurs within the principal's school; virtual
715 instruction in higher grade level subjects; and any other ACCEL
716 options offered by the principal, pursuant to s.
717 1002.3105(2) (a).

718 3. Advise parents and students to contact the principal at
719 the student's school for information related to the school's
720 process by which a parent may request student participation in
721 whole-grade promotion, midyear promotion, and subject-matter
722 acceleration when the promotion or acceleration occurs within
723 the principal's school; virtual instruction in higher grade
724 level subjects; and any other ACCEL options offered by the
725 principal, pursuant to s. 1002.3105(4) (b)1.

726 (d) ~~(f)~~ Advise parents and students of the early graduation
727 options under s. 1003.4281.

728 (e) ~~(g)~~ List, or incorporate by reference, all dual
729 enrollment courses contained within the dual enrollment
730 articulation agreement established pursuant to s. 1007.271(21).

731 (f) ~~(h)~~ Provide instructional sequences by which students in
732 kindergarten through high school may attain progressively higher
733 levels of skill in the use of digital tools and applications.
734 The instructional sequences must include participation in
735 curricular and instructional options and the demonstration of
736 competence of standards required pursuant to ss. 1003.41 and



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737 1003.4203 through attainment of industry certifications and
738 other means of demonstrating credit requirements identified
739 under ss. 1002.3105, 1003.4203, and 1003.4282.

740 (3) ALLOCATION OF RESOURCES.—District school boards shall
741 allocate remedial and supplemental instruction resources to
742 students in the following priority:

743 (a) Students who are deficient in reading by the end of
744 grade 3.

745 (b) Students who fail to meet performance levels required
746 for promotion consistent with the district school board's plan
747 for student progression required in paragraph (2) (b).

748 (4) ASSESSMENT AND SUPPORT ~~REMEDIA~~TION.—

749 (a) Each student must participate in the statewide,
750 standardized assessment program required by s. 1008.22. Each
751 student who does not achieve a meet specific levels of
752 ~~performance on the required assessments as determined by the~~
753 ~~district school board or who scores below Level 3 or above~~ on
754 the statewide, standardized Reading ~~assessment or, upon~~
755 ~~implementation, the English Language Arts assessment, or on the~~
756 statewide, standardized Mathematics assessment, or assessments
757 ~~in grades 3 through 8 and the Algebra I EOC assessment must be~~
758 evaluated provided with additional diagnostic assessments to
759 determine the nature of the student's difficulty, the areas of
760 academic need, and strategies for providing academic supports to
761 improve the student's performance ~~appropriate intervention and~~
762 ~~instruction as described in paragraph (b).~~

763 (b) ~~The school in which the student is enrolled must~~
764 ~~develop, in consultation with the student's parent, and must~~
765 ~~implement a progress monitoring plan. A progress monitoring plan~~



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766 ~~is intended to provide the school district and the school~~
767 ~~flexibility in meeting the academic needs of the student and to~~
768 ~~reduce paperwork.~~ A student who is not meeting the school
769 district or state requirements for satisfactory performance in
770 English Language Arts and mathematics must proficiency in
771 ~~reading and mathematics shall~~ be covered by one of the following
772 plans ~~to target instruction and identify ways to improve his or~~
773 ~~her academic achievement:~~

774 1. A federally required student plan such as an individual
775 education plan;

776 2. A schoolwide system of progress monitoring for all
777 students, except a student who scores Level 4 or above on the
778 English Language Arts and mathematics assessments may be
779 exempted from participation by the principal; or

780 3. An individualized progress monitoring plan.

781
782 ~~The plan chosen must be designed to assist the student or the~~
783 ~~school in meeting state and district expectations for~~
784 ~~proficiency. If the student has been identified as having a~~
785 ~~deficiency in reading, the K-12 comprehensive reading plan~~
786 ~~required by s. 1011.62(9) shall include instructional and~~
787 ~~support services to be provided to meet the desired levels of~~
788 ~~performance. District school boards may require low-performing~~
789 ~~students to attend remediation programs held before or after~~
790 ~~regular school hours or during the summer if transportation is~~
791 ~~provided.~~

792 ~~(c) Upon subsequent evaluation, if the documented~~
793 ~~deficiency has not been remediated, the student may be retained.~~
794 ~~Each student who does not meet the minimum performance~~



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795 ~~expectations defined by the Commissioner of Education for the~~
796 ~~statewide assessment tests in reading, writing, science, and~~
797 ~~mathematics must continue to be provided with remedial or~~
798 ~~supplemental instruction until the expectations are met or the~~
799 ~~student graduates from high school or is not subject to~~
800 ~~compulsory school attendance.~~

801 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

802 (a) Any student who exhibits a substantial deficiency in
803 reading, based upon locally determined or statewide assessments
804 conducted in kindergarten or grade 1, grade 2, or grade 3, or
805 through teacher observations, must be given intensive reading
806 instruction immediately following the identification of the
807 reading deficiency. The student's reading proficiency must be
808 monitored and the intensive instruction must continue until the
809 student demonstrates grade level proficiency in a manner
810 determined by the district, which may include achieving a Level
811 3 on the statewide, standardized English Language Arts
812 assessment reassessed by locally determined assessments or
813 through teacher observations at the beginning of the grade
814 following the intensive reading instruction. The student must
815 continue to be provided with intensive reading instruction until
816 the reading deficiency is remedied.

817 (b) To be promoted to grade 4, a student must score a Level
818 2 or higher on the statewide, standardized English Language Arts
819 assessment required under s. 1008.22 for grade 3. If a student's
820 reading deficiency is not remedied by the end of grade 3, as
821 demonstrated by scoring Level 2 or higher on the statewide,
822 standardized assessment required under s. 1008.22 for grade 3,
823 the student must be retained.



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824 (c) The parent of any student who exhibits a substantial
825 deficiency in reading, as described in paragraph (a), must be
826 notified in writing of the following:

827 1. That his or her child has been identified as having a
828 substantial deficiency in reading.

829 2. A description of the current services that are provided
830 to the child.

831 3. A description of the proposed supplemental instructional
832 services and supports that will be provided to the child that
833 are designed to remediate the identified area of reading
834 deficiency.

835 4. That if the child's reading deficiency is not remediated
836 by the end of grade 3, the child must be retained unless he or
837 she is exempt from mandatory retention for good cause.

838 5. Strategies for parents to use in helping their child
839 succeed in reading proficiency.

840 6. That the statewide, standardized English Language Arts
841 assessment ~~Florida Comprehensive Assessment Test (FCAT)~~ is not
842 the sole determiner of promotion and that additional
843 evaluations, portfolio reviews, and assessments are available to
844 the child to assist parents and the school district in knowing
845 when a child is reading at or above grade level and ready for
846 grade promotion.

847 7. The district's specific criteria and policies for a
848 portfolio as provided in subparagraph (6)(b)4. and the evidence
849 required for a student to demonstrate mastery of Florida's
850 academic standards for English Language Arts. A parent of a
851 student in grade 3 who is identified anytime during the year as
852 being at risk of retention may request that the school



853 immediately begin collecting evidence for a portfolio.

854 8. The district's specific criteria and policies for
855 midyear promotion. Midyear promotion means promotion of a
856 retained student at any time during the year of retention once
857 the student has demonstrated ability to read at grade level.

858 (6) ELIMINATION OF SOCIAL PROMOTION.—

859 (a) No student may be assigned to a grade level based
860 solely on age or other factors that constitute social promotion.

861 (b) The district school board may only exempt students from
862 mandatory retention, as provided in paragraph (5)(b), for good
863 cause. A student who is promoted to grade 4 with a good cause
864 exemption shall be provided intensive reading instruction and
865 intervention that include specialized diagnostic information and
866 specific reading strategies to meet the needs of each student so
867 promoted. The school district shall assist schools and teachers
868 with the implementation of reading strategies for students
869 promoted with a good cause exemption which research has shown to
870 be successful in improving reading among students who have
871 reading difficulties. Good cause exemptions are limited to the
872 following:

873 1. Limited English proficient students who have had less
874 than 2 years of instruction in an English for Speakers of Other
875 Languages program based on the initial date of entry into a
876 school in the United States.

877 2. Students with disabilities whose individual education
878 plan indicates that participation in the statewide assessment
879 program is not appropriate, consistent with the requirements of
880 s. 1008.212.

881 3. Students who demonstrate an acceptable level of



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882 performance on an alternative standardized reading or English
883 Language Arts assessment approved by the State Board of
884 Education.

885 4. A student who demonstrates through a student portfolio
886 that he or she is performing at least at Level 2 on the
887 statewide, standardized ~~Reading assessment or, upon~~
888 ~~implementation, the~~ English Language Arts assessment.

889 5. Students with disabilities who take the statewide,
890 standardized ~~Reading assessment or, upon implementation, the~~
891 English Language Arts assessment and who have an individual
892 education plan or a Section 504 plan that reflects that the
893 student has received intensive instruction ~~remediation~~ in
894 reading or English Language Arts for more than 2 years but still
895 demonstrates a deficiency and was previously retained in
896 kindergarten, grade 1, grade 2, or grade 3.

897 6. Students who have received intensive reading
898 intervention for 2 or more years but still demonstrate a
899 deficiency in reading and who were previously retained in
900 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
901 years. A student may not be retained more than once in grade 3.

902 7. Students who have received intensive remediation in
903 reading or English Language Arts for 2 or more years but still
904 demonstrate a deficiency and who were previously retained in
905 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
906 years. Intensive instruction for students so promoted must
907 include an altered instructional day that includes specialized
908 diagnostic information and specific reading strategies for each
909 student. The district school board shall assist schools and
910 teachers to implement reading strategies that research has shown



911 to be successful in improving reading among low-performing
912 readers.

913 (c) Requests for good cause exemptions for students from
914 the mandatory retention requirement as described in
915 subparagraphs (b)3. and 4. shall be made consistent with the
916 following:

917 1. Documentation shall be submitted from the student's
918 teacher to the school principal that indicates that the
919 promotion of the student is appropriate and is based upon the
920 student's academic record. In order to minimize paperwork
921 requirements, such documentation shall consist only of the
922 existing progress monitoring plan, individual educational plan,
923 if applicable, report card, or student portfolio.

924 2. The school principal shall review and discuss such
925 recommendation with the teacher and make the determination as to
926 whether the student should be promoted or retained. If the
927 school principal determines that the student should be promoted,
928 the school principal shall make such recommendation in writing
929 to the district school superintendent. The district school
930 superintendent shall accept or reject the school principal's
931 recommendation in writing.

932 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
933 STUDENTS.—

934 (a) Students retained under the provisions of paragraph
935 (5) (b) must be provided intensive interventions in reading to
936 ameliorate the student's specific reading deficiency, as
937 identified by a valid and reliable diagnostic assessment. This
938 intensive intervention must include effective instructional
939 strategies, participation in the school district's summer



940 reading camp, and appropriate teaching methodologies necessary
941 to assist those students in becoming successful readers, able to
942 read at or above grade level, and ready for promotion to the
943 next grade.

944 (b) Each school district shall:

945 1. Provide third grade students who are retained under the
946 provisions of paragraph (5) (b) with intensive instructional
947 services and supports to remediate the identified areas of
948 reading deficiency, including participation in the school
949 district's summer reading camp as required under paragraph (a)
950 and a minimum of 90 minutes of daily, uninterrupted,
951 scientifically research-based reading instruction which includes
952 phonemic awareness, phonics, fluency, vocabulary, and
953 comprehension and other strategies prescribed by the school
954 district, which may include, but are not limited to:

955 a. Integration of science and social studies content within
956 the 90-minute block.

957 b. Small group instruction.

958 c. Reduced teacher-student ratios.

959 d. More frequent progress monitoring.

960 e. Tutoring or mentoring.

961 f. Transition classes containing 3rd and 4th grade
962 students.

963 g. Extended school day, week, or year.

964 2. Provide written notification to the parent of a student
965 who is retained under the provisions of paragraph (5) (b) that
966 his or her child has not met the proficiency level required for
967 promotion and the reasons the child is not eligible for a good
968 cause exemption as provided in paragraph (6) (b). The



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969 notification must comply with the provisions of s. 1002.20(15)
970 and must include a description of proposed interventions and
971 supports that will be provided to the child to remediate the
972 identified areas of reading deficiency.

973 3. Implement a policy for the midyear promotion of a
974 student retained under the provisions of paragraph (5)(b) who
975 can demonstrate that he or she is a successful and independent
976 reader and performing at or above grade level in reading or,
977 upon implementation of English Language Arts assessments,
978 performing at or above grade level in English Language Arts.
979 Tools that school districts may use in reevaluating a student
980 retained may include subsequent assessments, alternative
981 assessments, and portfolio reviews, in accordance with rules of
982 the State Board of Education. Students promoted during the
983 school year after November 1 must demonstrate proficiency levels
984 in reading equivalent to the level necessary for the beginning
985 of grade 4. The rules adopted by the State Board of Education
986 must include standards that provide a reasonable expectation
987 that the student's progress is sufficient to master appropriate
988 grade 4 level reading skills.

989 4. Provide students who are retained under the provisions
990 of paragraph (5)(b) with a highly effective teacher as
991 determined by the teacher's performance evaluation under s.
992 1012.34.

993 5. Establish at each school, when applicable, an Intensive
994 Acceleration Class for retained grade 3 students who
995 subsequently score Level 1 on the required statewide,
996 standardized assessment identified in s. 1008.22. The focus of
997 the Intensive Acceleration Class shall be to increase a child's



998 reading and English Language Arts skill level at least two grade
999 levels in 1 school year. The Intensive Acceleration Class shall:
1000 a. Be provided to a student in grade 3 who scores Level 1
1001 on the statewide, standardized ~~Reading assessment or, upon~~
1002 ~~implementation, the~~ English Language Arts assessment and who was
1003 retained in grade 3 the prior year because of scoring Level 1.
1004 b. Have a reduced teacher-student ratio.
1005 c. Provide uninterrupted reading instruction for the
1006 majority of student contact time each day and incorporate
1007 opportunities to master the grade 4 Next Generation Sunshine
1008 State Standards in other core subject areas.
1009 d. Use a reading program that is scientifically research-
1010 based and has proven results in accelerating student reading
1011 achievement within the same school year.
1012 e. Provide intensive language and vocabulary instruction
1013 using a scientifically research-based program, including use of
1014 a speech-language therapist.

1015 (8) ANNUAL REPORT.—
1016 (a) In addition to the requirements in paragraph (5) (b),
1017 each district school board must annually report to the parent of
1018 each student the progress of the student toward achieving state
1019 and district expectations for proficiency in English Language
1020 Arts, reading, writing, science, social studies, and
1021 mathematics. The district school board must report to the parent
1022 the student's results on each statewide, standardized assessment
1023 ~~test~~. The evaluation of each student's progress must be based
1024 upon the student's classroom work, observations, tests, district
1025 and state assessments, and other relevant information. Progress
1026 reporting must be provided to the parent in writing in a format



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1027 adopted by the district school board.

1028 (b) Each district school board must annually publish on the
1029 district website and in the local newspaper the following
1030 information on the prior school year:

1031 1. The provisions of this section relating to public school
1032 student progression and the district school board's policies and
1033 procedures on student retention and promotion.

1034 2. By grade, the number and percentage of all students in
1035 grades 3 through 10 performing at Levels 1 and 2 on the
1036 statewide, standardized English Language Arts assessment ~~reading~~
1037 ~~portion of the FCAT.~~

1038 3. By grade, the number and percentage of all students
1039 retained in kindergarten ~~grades 3~~ through grade 10.

1040 4. Information on the total number of students who were
1041 promoted for good cause, by each category of good cause as
1042 specified in paragraph (6) (b).

1043 5. Any revisions to the district school board's policies
1044 and procedures ~~policy~~ on student retention and promotion from
1045 the prior year.

1046 (9) RULEMAKING.—The State Board of Education shall adopt
1047 rules pursuant to ss. 120.536(1) and 120.54 for the
1048 administration of this section.

1049 Section 10. Subsection (3) of section 1008.30, Florida
1050 Statutes, is amended to read:

1051 1008.30 Common placement testing for public postsecondary
1052 education.—

1053 ~~(3) The State Board of Education shall adopt rules that~~
1054 ~~require high schools to evaluate before the beginning of grade~~
1055 ~~12 the college readiness of each student who scores Level 2 or~~



1056 ~~Level 3 on grade 10 FCAT Reading or the English Language Arts~~
1057 ~~assessment under s. 1008.22, as applicable, or Level 2, Level 3,~~
1058 ~~or Level 4 on the Algebra I assessment under s. 1008.22. High~~
1059 ~~schools shall perform this evaluation using results from the~~
1060 ~~corresponding component of the common placement test prescribed~~
1061 ~~in this section, or an alternative test identified by the State~~
1062 ~~Board of Education. The high school shall use the results of the~~
1063 ~~test to advise the students of any identified deficiencies and~~
1064 ~~to provide 12th grade students, and require them to complete,~~
1065 ~~appropriate postsecondary preparatory instruction before high~~
1066 ~~school graduation. The curriculum provided under this subsection~~
1067 ~~shall be identified in rule by the State Board of Education and~~
1068 ~~encompass Florida's Postsecondary Readiness Competencies. Other~~
1069 ~~elective courses may not be substituted for the selected~~
1070 ~~postsecondary mathematics, reading, writing, or English Language~~
1071 ~~Arts preparatory course unless the elective course covers the~~
1072 ~~same competencies included in the postsecondary mathematics,~~
1073 ~~reading, writing, or English Language Arts preparatory course.~~

1074 Section 11. Subsection (7) of section 1008.34, Florida
1075 Statutes, is amended to read:

1076 1008.34 School grading system; school report cards;
1077 district grade.—

1078 (7) TRANSITION.—School grades pursuant to this section and
1079 school improvement ratings pursuant to s. 1008.341 for the 2013-
1080 2014 school year shall be calculated based on statutes and rules
1081 in effect on June 30, 2014. To assist in the transition to 2014-
1082 2015 school grades and school improvement ratings, calculated
1083 based on new statewide, standardized assessments administered
1084 pursuant to s. 1008.22, the 2014-2015 school grades and school



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1085 improvement ratings shall serve as an informational baseline for
1086 schools to work toward improved performance in future years.

1087 Accordingly, notwithstanding any other provision of law:

1088 (a) A school may not be required to select and implement a
1089 turnaround option pursuant to s. 1008.33 in the 2015-2016 school
1090 year based on the school's 2014-2015 grade or school improvement
1091 rating under s. 1008.341, as applicable. The benefits of s.
1092 1008.33(4)(c), relating to a school being released from
1093 implementation of the turnaround option, and s. 1008.33(4)(d),
1094 relating to a school implementing strategies identified in its
1095 school improvement plan, apply to a school using turnaround
1096 options pursuant to s. 1008.33 which improves at least one
1097 letter grade during the 2014-2015 school year.

1098 (b)1. A school or approved provider under s. 1002.45 which
1099 ~~that~~ receives the same or a lower school grade or school
1100 improvement rating for the 2014-2015 school year compared to the
1101 2013-2014 school year is not subject to sanctions or penalties
1102 that would otherwise occur as a result of the 2014-2015 school
1103 grade or rating. A charter school system or a school district
1104 designated as high performing may not lose the designation based
1105 on the 2014-2015 school grades of any of the schools within the
1106 charter school system or school district, as applicable.

1107 2. The Florida School Recognition Program established under
1108 s. 1008.36 shall continue to be implemented as otherwise
1109 provided in the General Appropriations Act.

1110 (c) Until such time as an independent verification of the
1111 psychometric validity of the statewide, standardized assessments
1112 first implemented in 2014-2015 is provided, for purposes of
1113 ~~determining~~ grade 3 English Language Arts student performance



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1114 ~~retention pursuant to s. 1008.25(5)~~ and high school graduation
1115 requirements pursuant to s. 1003.4282, student performance on
1116 the 2014-2015 statewide, standardized assessments shall be
1117 linked to 2013-2014 student performance expectations. Students
1118 who score in the bottom quintile on the 2014-2015 grade 3
1119 English Language Arts assessment shall be identified as students
1120 at risk of retention. School districts must notify parents of
1121 such students, provide evidence as outlined in s. 1008.25(6)(b),
1122 and provide the appropriate intervention and support services
1123 for student success in grade 4.

1124 (d)1. An independent verification of the psychometric
1125 validity of the statewide, standardized assessments first
1126 implemented in 2014-2015 must be completed before the 2014-2015
1127 school grades results may be published and before the student
1128 performance data resulting from such assessments may be used for
1129 purposes of instructional personnel and school administrator
1130 evaluations.

1131 2. The independent entity must be selected by a panel
1132 consisting of one member appointed by the Governor, one member
1133 appointed by the President of the Senate, and one member
1134 appointed by the Speaker of the House of Representatives. In
1135 selecting the independent entity, the panel must consider, at a
1136 minimum:

1137 a. The national reputation and length of establishment of
1138 the entity;

1139 b. The experience and expertise of the independent entity
1140 in validating such data; and

1141 c. The use of professional standards, codes, and guidelines
1142 that address applicable practices in the profession, such as the



1143 Standards for Educational and Psychological Testing.
1144 3. The panel must select the independent entity no later
1145 than June 1, 2015. Upon selection of the independent entity, the
1146 Department of Education shall immediately contract with the
1147 independent entity to perform the independent verification,
1148 which must be completed by September 1, 2015. This paragraph is
1149 repealed December 31, 2015.

1150

1151 This subsection is repealed July 1, 2017.

1152 Section 12. Section 1012.34, Florida Statutes, is amended
1153 to read:

1154 1012.34 Personnel evaluation procedures and criteria.—

1155 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

1156 (a) For the purpose of increasing student academic
1157 performance by improving the quality of instructional,
1158 administrative, and supervisory services in the public schools
1159 of the state, the district school superintendent shall establish
1160 procedures for evaluating the performance of duties and
1161 responsibilities of all instructional, administrative, and
1162 supervisory personnel employed by the school district. The
1163 district school superintendent shall provide instructional
1164 personnel the opportunity to review their class rosters for
1165 accuracy and to correct any mistakes. The district school
1166 superintendent shall report accurate class rosters for the
1167 purpose of calculating district and statewide student
1168 performance and annually report the evaluation results of
1169 instructional personnel and school administrators to the
1170 Department of Education in addition to the information required
1171 under subsection (5).



1172 (b) The department must approve each school district's
1173 instructional personnel and school administrator evaluation
1174 systems. The department shall monitor each district's
1175 implementation of its instructional personnel and school
1176 administrator evaluation systems for compliance with the
1177 requirements of this section ~~and s. 1012.3401.~~

1178 (c) Annually, by February ~~December~~ 1, the Commissioner of
1179 Education shall publish on the department's website ~~report to~~
1180 ~~the Governor, the President of the Senate, and the Speaker of~~
1181 ~~the House of Representatives~~ the approval and implementation
1182 status of each school district's instructional personnel and
1183 school administrator evaluation systems. This information must
1184 The report shall include:

1185 1. Performance evaluation results for the prior school year
1186 for instructional personnel and school administrators using the
1187 four levels of performance specified in paragraph (2) (e). The
1188 performance evaluation results for instructional personnel shall
1189 be disaggregated by classroom teachers, as defined in s.
1190 1012.01 (2) (a), excluding substitute teachers, and all other
1191 instructional personnel, as defined in s. 1012.01 (2) (b)-(d).

1192 2. An analysis that compares performance evaluation results
1193 calculated by each school district to indicators of performance
1194 calculated by the department using the standards for performance
1195 levels adopted by the state board under subsection (8). ~~The~~
1196 ~~commissioner shall include in the report each district's~~
1197 ~~performance-level standards established under subsection (7), a~~
1198 ~~comparative analysis of the district's student academic~~
1199 ~~performance results and evaluation results,~~

1200 3. Data reported under s. 1012.341, ~~and the status of any~~



1201 ~~evaluation system revisions requested by a school district~~
1202 ~~pursuant to subsection (6).~~

1203 (2) EVALUATION SYSTEM REQUIREMENTS.—The evaluation systems
1204 for instructional personnel and school administrators must:

1205 (a) Be designed to support effective instruction and
1206 student learning growth, and performance evaluation results must
1207 be used when developing district and school level improvement
1208 plans.

1209 (b) Provide appropriate instruments, procedures, timely
1210 feedback, and criteria for continuous quality improvement of the
1211 professional skills of instructional personnel and school
1212 administrators, and performance evaluation results must be used
1213 when identifying professional development.

1214 (c) Include a mechanism to examine performance data from
1215 multiple sources, including opportunities for parents to provide
1216 input into employee performance evaluations when appropriate.

1217 (d) Identify those teaching fields for which special
1218 evaluation procedures and criteria are necessary.

1219 (e) Differentiate among four levels of performance as
1220 follows:

- 1221 1. Highly effective.
- 1222 2. Effective.
- 1223 3. Needs improvement or, for instructional personnel in the
1224 first 3 years of employment who need improvement, developing.
- 1225 4. Unsatisfactory.

1226
1227 ~~The Commissioner of Education shall consult with experts,~~
1228 ~~instructional personnel, school administrators, and education~~
1229 ~~stakeholders in developing the criteria for the performance~~



1230 ~~levels.~~

1231 (f) Provide for training and monitoring programs ~~that are~~
1232 based upon guidelines provided by the department to ensure that
1233 all individuals with evaluation responsibilities understand the
1234 proper use of the evaluation criteria and procedures.

1235 ~~(g) Include a process for monitoring and evaluating the~~
1236 ~~effective and consistent use of the evaluation criteria by~~
1237 ~~employees with evaluation responsibilities.~~

1238 ~~(h) Include a process for monitoring and evaluating the~~
1239 ~~effectiveness of the system itself in improving instruction and~~
1240 ~~student learning.~~

1241
1242 In addition, each district school board may establish a peer
1243 assistance process. This process may be a part of the regular
1244 evaluation system or used to assist employees placed on
1245 performance probation, newly hired classroom teachers, or
1246 employees who request assistance.

1247 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
1248 personnel and school administrator performance evaluations must
1249 be based upon the performance of students assigned to their
1250 classrooms or schools, as provided in this section. Pursuant to
1251 this section, a school district's performance evaluation system
1252 is not limited to basing unsatisfactory performance of
1253 instructional personnel and school administrators solely upon
1254 student performance, but may include other criteria ~~approved~~ to
1255 evaluate instructional personnel and school administrators'
1256 performance, or any combination of student performance and other
1257 ~~approved~~ criteria. Evaluation procedures and criteria must
1258 comply with, but are not limited to, the following:



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1259 (a) A performance evaluation must be conducted for each
1260 employee at least once a year, except that a classroom teacher,
1261 as defined in s. 1012.01(2) (a), excluding substitute teachers,
1262 who is newly hired by the district school board must be observed
1263 and evaluated at least twice in the first year of teaching in
1264 the school district. The performance evaluation must be based
1265 upon sound educational principles and contemporary research in
1266 effective educational practices. The evaluation criteria must
1267 include:

1268 1. Performance of students.-At least one-third ~~50 percent~~
1269 of a performance evaluation must be based upon data and
1270 indicators of student performance ~~learning growth assessed~~
1271 ~~annually by statewide assessments or, for subjects and grade~~
1272 ~~levels not measured by statewide assessments, by school district~~
1273 ~~assessments as provided in s. 1008.22(6). Each school district~~
1274 ~~must use the formula adopted pursuant to paragraph (7) (a) for~~
1275 ~~measuring student learning growth in all courses associated with~~
1276 ~~statewide assessments and must select an equally appropriate~~
1277 ~~formula for measuring student learning growth for all other~~
1278 ~~grades and subjects, except as otherwise provided in accordance~~
1279 with subsection (7).

1280 ~~a. For classroom teachers, as defined in s. 1012.01(2) (a),~~
1281 ~~excluding substitute teachers, the student learning growth~~ This
1282 portion of the evaluation must include growth or achievement
1283 data of the teacher's students or, for a school administrator,
1284 the students attending the school ~~for students assigned to the~~
1285 ~~teacher~~ over the course of at least 3 years. If less than 3
1286 years of data are available, the years for which data are
1287 available must be used. The proportion of growth or achievement



1288 ~~data may be determined by instructional assignment and the~~
1289 ~~percentage of the evaluation based upon student learning growth~~
1290 ~~may be reduced to not less than 40 percent.~~

1291 ~~b. For instructional personnel who are not classroom~~
1292 ~~teachers, the student learning growth portion of the evaluation~~
1293 ~~must include growth data on statewide assessments for students~~
1294 ~~assigned to the instructional personnel over the course of at~~
1295 ~~least 3 years, or may include a combination of student learning~~
1296 ~~growth data and other measurable student outcomes that are~~
1297 ~~specific to the assigned position, provided that the student~~
1298 ~~learning growth data accounts for not less than 30 percent of~~
1299 ~~the evaluation. If less than 3 years of student growth data are~~
1300 ~~available, the years for which data are available must be used~~
1301 ~~and the percentage of the evaluation based upon student learning~~
1302 ~~growth may be reduced to not less than 20 percent.~~

1303 ~~e. For school administrators, the student learning growth~~
1304 ~~portion of the evaluation must include growth data for students~~
1305 ~~assigned to the school over the course of at least 3 years. If~~
1306 ~~less than 3 years of data are available, the years for which~~
1307 ~~data are available must be used and the percentage of the~~
1308 ~~evaluation based upon student learning growth may be reduced to~~
1309 ~~not less than 40 percent.~~

1310 2. Instructional practice.—For instructional personnel, at
1311 least one-third of the performance evaluation must be based upon
1312 instructional practice. Evaluation criteria used when annually
1313 observing classroom teachers, as defined in s. 1012.01(2)(a),
1314 excluding substitute teachers, must include indicators based
1315 upon each of the Florida Educator Accomplished Practices adopted
1316 by the State Board of Education. For instructional personnel who



1317 are not classroom teachers, evaluation criteria must be based
1318 upon indicators of the Florida Educator Accomplished Practices
1319 and may include specific job expectations related to student
1320 support.

1321 3. Instructional leadership.—For school administrators, at
1322 least one-third of the performance evaluation must be based on
1323 instructional leadership. Evaluation criteria for instructional
1324 leadership must include indicators based upon each of the
1325 leadership standards adopted by the State Board of Education
1326 under s. 1012.986, including performance measures related to the
1327 effectiveness of classroom teachers in the school, the
1328 administrator's appropriate use of evaluation criteria and
1329 procedures, recruitment and retention of effective and highly
1330 effective classroom teachers, improvement in the percentage of
1331 instructional personnel evaluated at the highly effective or
1332 effective level, and other leadership practices that result in
1333 student learning growth. The system may include a means to give
1334 parents and instructional personnel an opportunity to provide
1335 input into the administrator's performance evaluation.

1336 4. Other indicators of performance ~~Professional and job~~
1337 ~~responsibilities.~~—For instructional personnel and school
1338 administrators, the remainder of a performance evaluation may
1339 include, but is not limited to, For instructional personnel and
1340 ~~school administrators, other~~ professional and job
1341 responsibilities ~~must be included~~ as recommended ~~adopted~~ by the
1342 State Board of Education or identified by the district school
1343 board and, for instructional personnel, peer reviews,
1344 objectively reliable survey information from students and
1345 parents based on teaching practices that are consistently



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1346 associated with higher student achievement, and other valid and
1347 reliable measures of instructional practice. ~~The district school~~
1348 ~~board may identify additional professional and job~~
1349 ~~responsibilities.~~

1350 (b) All personnel must be fully informed of the criteria,
1351 data sources, methodologies, and procedures associated with the
1352 evaluation process before the evaluation takes place.

1353 (c) The individual responsible for supervising the employee
1354 must evaluate the employee's performance. The evaluation system
1355 may provide for the evaluator to consider input from other
1356 personnel trained under subsection (2) ~~paragraph (2)(f)~~. The
1357 evaluator must submit a written report of the evaluation to the
1358 district school superintendent for the purpose of reviewing the
1359 employee's contract. The evaluator must submit the written
1360 report to the employee no later than 10 days after the
1361 evaluation takes place. The evaluator must discuss the written
1362 evaluation report with the employee. The employee shall have the
1363 right to initiate a written response to the evaluation, and the
1364 response shall become a permanent attachment to his or her
1365 personnel file.

1366 (d) The evaluator may amend an evaluation based upon
1367 assessment data from the current school year if the data becomes
1368 available within 90 days after the close of the school year. The
1369 evaluator must then comply with the procedures set forth in
1370 paragraph (c).

1371 (4) NOTIFICATION OF UNSATISFACTORY PERFORMANCE.—If an
1372 employee who holds a professional service contract as provided
1373 in s. 1012.33 is not performing his or her duties in a
1374 satisfactory manner, the evaluator shall notify the employee in



1375 writing of such determination. The notice must describe such
1376 unsatisfactory performance and include notice of the following
1377 procedural requirements:

1378 (a) Upon delivery of a notice of unsatisfactory
1379 performance, the evaluator must confer with the employee who
1380 holds a professional service contract, make recommendations with
1381 respect to specific areas of unsatisfactory performance, and
1382 provide assistance in helping to correct deficiencies within a
1383 prescribed period of time.

1384 (b)1. The employee who holds a professional service
1385 contract shall be placed on performance probation and governed
1386 by the provisions of this section for 90 calendar days following
1387 the receipt of the notice of unsatisfactory performance to
1388 demonstrate corrective action. School holidays and school
1389 vacation periods are not counted when calculating the 90-
1390 calendar-day period. During the 90 calendar days, the employee
1391 who holds a professional service contract must be evaluated
1392 periodically and apprised of progress achieved and must be
1393 provided assistance and inservice training opportunities to help
1394 correct the noted performance deficiencies. At any time during
1395 the 90 calendar days, the employee who holds a professional
1396 service contract may request a transfer to another appropriate
1397 position with a different supervising administrator; however, if
1398 a transfer is granted pursuant to ss. 1012.27(1) and 1012.28(6),
1399 it does not extend the period for correcting performance
1400 deficiencies.

1401 2. Within 14 days after the close of the 90 calendar days,
1402 the evaluator must evaluate whether the performance deficiencies
1403 have been corrected and forward a recommendation to the district



1404 school superintendent. Within 14 days after receiving the
1405 evaluator's recommendation, the district school superintendent
1406 must notify the employee who holds a professional service
1407 contract in writing whether the performance deficiencies have
1408 been satisfactorily corrected and whether the district school
1409 superintendent will recommend that the district school board
1410 continue or terminate his or her employment contract. If the
1411 employee wishes to contest the district school superintendent's
1412 recommendation, the employee must, within 15 days after receipt
1413 of the district school superintendent's recommendation, submit a
1414 written request for a hearing. The hearing shall be conducted at
1415 the district school board's election in accordance with one of
1416 the following procedures:

1417 a. A direct hearing conducted by the district school board
1418 within 60 days after receipt of the written appeal. The hearing
1419 shall be conducted in accordance with the provisions of ss.
1420 120.569 and 120.57. A majority vote of the membership of the
1421 district school board shall be required to sustain the district
1422 school superintendent's recommendation. The determination of the
1423 district school board shall be final as to the sufficiency or
1424 insufficiency of the grounds for termination of employment; or

1425 b. A hearing conducted by an administrative law judge
1426 assigned by the Division of Administrative Hearings of the
1427 Department of Management Services. The hearing shall be
1428 conducted within 60 days after receipt of the written appeal in
1429 accordance with chapter 120. The recommendation of the
1430 administrative law judge shall be made to the district school
1431 board. A majority vote of the membership of the district school
1432 board shall be required to sustain or change the administrative



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1433 law judge's recommendation. The determination of the district
1434 school board shall be final as to the sufficiency or
1435 insufficiency of the grounds for termination of employment.

1436 (5) ADDITIONAL NOTIFICATIONS.—The district school
1437 superintendent shall annually notify the department of any
1438 instructional personnel or school administrators who receive two
1439 consecutive unsatisfactory evaluations. The district school
1440 superintendent shall also notify the department of any
1441 instructional personnel or school administrators who are given
1442 written notice by the district of intent to terminate or not
1443 renew their employment. The department shall conduct an
1444 investigation to determine whether action shall be taken against
1445 the certificateholder pursuant to s. 1012.795.

1446 (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT
1447 EVALUATION SYSTEMS.—The district school board shall establish a
1448 procedure for annually reviewing instructional personnel and
1449 school administrator evaluation systems to determine compliance
1450 with this section ~~and s. 1012.3401~~. All substantial revisions to
1451 an approved system must be reviewed and approved by the district
1452 school board before being used to evaluate instructional
1453 personnel or school administrators. Upon request by a school
1454 district, the department shall provide assistance in developing,
1455 improving, or reviewing an evaluation system.

1456 (7) MEASUREMENT OF STUDENT PERFORMANCE ~~LEARNING GROWTH~~.—

1457 (a) The Commissioner of Education shall approve a formula
1458 to measure individual student learning growth on the statewide,
1459 standardized assessments in English Language Arts and
1460 mathematics administered under s. 1008.22. The formula must take
1461 into consideration each student's prior academic performance.



1462 The formula must not set different expectations for student
1463 learning growth based upon a student's gender, race, ethnicity,
1464 or socioeconomic status. In the development of the formula, the
1465 commissioner shall consider other factors such as a student's
1466 attendance record, disability status, or status as an English
1467 language learner. The commissioner may ~~shall~~ select additional
1468 formulas to measure student performance as appropriate for the
1469 remainder of the statewide, standardized assessments included
1470 under s. 1008.22 and continue to select formulas as new
1471 assessments are implemented in the state system. After the
1472 commissioner approves the formula to measure individual student
1473 learning growth, the State Board of Education shall adopt these
1474 formulas in rule.

1475 (b) Each school district shall measure student learning
1476 growth using the formulas approved by the commissioner under
1477 paragraph (a) and the standards for performance levels adopted
1478 by the state board under subsection (8) for courses associated
1479 with the statewide, standardized assessments administered under
1480 s. 1008.22 no later than the school year immediately following
1481 the year the formula is approved by the commissioner. For grades
1482 and subjects not assessed by statewide, standardized assessments
1483 ~~but otherwise assessed as required under s. 1008.22(6),~~ each
1484 school district shall measure student performance ~~of students~~
1485 using a methodology determined by the district. ~~The department~~
1486 ~~shall provide models for measuring performance of students which~~
1487 ~~school districts may adopt.~~

1488 ~~(c) For a course that is not measured by a statewide,~~
1489 ~~standardized assessment, a school district may request, through~~
1490 ~~the evaluation system approval process, to use a student's~~



1491 ~~achievement level rather than student learning growth if~~
1492 ~~achievement is demonstrated to be a more appropriate measure of~~
1493 ~~classroom teacher performance. A school district may also~~
1494 ~~request to use a combination of student learning growth and~~
1495 ~~achievement, if appropriate.~~

1496 ~~(d) For a course that is not measured by a statewide,~~
1497 ~~standardized assessment, a school district may request, through~~
1498 ~~the evaluation system approval process, that the performance~~
1499 ~~evaluation for the classroom teacher assigned to that course~~
1500 ~~include the learning growth of his or her students on one or~~
1501 ~~more statewide, standardized assessments. The request must~~
1502 ~~clearly explain the rationale supporting the request.~~

1503 ~~(e) For purposes of this section and only for the 2014-2015~~
1504 ~~school year, a school district may use measurable learning~~
1505 ~~targets on local assessments administered under s. 1008.22(6) to~~
1506 ~~evaluate the performance of students portion of a classroom~~
1507 ~~teacher's evaluation for courses that are not assessed by~~
1508 ~~statewide, standardized assessments. Learning targets must be~~
1509 ~~approved by the school principal. A district school~~
1510 ~~superintendent may assign to instructional personnel in an~~
1511 ~~instructional team the student learning growth of the~~
1512 ~~instructional team's students on statewide assessments. This~~
1513 ~~paragraph expires July 1, 2015.~~

1514 (8) RULEMAKING.—No later than August 1, 2015, the State
1515 Board of Education shall adopt rules pursuant to ss. 120.536(1)
1516 and 120.54 which establish uniform procedures and format for the
1517 submission, review, and approval of district evaluation systems
1518 and reporting requirements for the annual evaluation of
1519 instructional personnel and school administrators; specific,



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1520 discrete standards for each performance level required under
1521 subsection (2), based on student learning growth models approved
1522 by the commissioner, to ensure clear and sufficient
1523 differentiation in the performance levels and to provide
1524 consistency in meaning across school districts; the measurement
1525 of student learning growth and associated implementation
1526 procedures required under subsection (7); and a process for
1527 monitoring school district implementation of evaluation systems
1528 in accordance with this section. ~~Specifically, the rules shall~~
1529 ~~establish student performance levels that if not met will result~~
1530 ~~in the employee receiving an unsatisfactory performance~~
1531 ~~evaluation rating. In like manner, the rules shall establish a~~
1532 ~~student performance level that must be met in order for an~~
1533 ~~employee to receive a highly effective rating and a student~~
1534 ~~learning growth standard that must be met in order for an~~
1535 ~~employee to receive an effective rating.~~

1536 (9) TRANSITION TO NEW STATEWIDE, STANDARDIZED ASSESSMENTS.—
1537 Standards for each performance level required under subsection
1538 (2) shall be established by the State Board of Education
1539 beginning with the 2015-2016 school year.

1540 ~~(10) DISTRICT BONUS REWARDS FOR PERFORMANCE PAY BASED ON~~
1541 ~~EVALUATION PROGRESS. School districts are eligible for bonus~~
1542 ~~rewards as provided for in the 2014 General Appropriations Act~~
1543 ~~for making outstanding progress toward educator effectiveness,~~
1544 ~~including implementation of instructional personnel salaries~~
1545 ~~based on performance results under s. 1012.34 and the use of~~
1546 ~~local assessment results in personnel evaluations when~~
1547 ~~statewide, standardized assessments are not administered.~~

1548 Section 13. Section 1012.3401, Florida Statutes, is



1549 repealed.

1550 Section 14. Subsection (10) of section 1012.98, Florida
1551 Statutes, is amended to read:

1552 1012.98 School Community Professional Development Act.—

1553 (10) For instructional personnel ~~teachers, managers,~~ and
1554 administrative personnel who have been evaluated as less than
1555 effective ~~satisfactory~~, a district school board shall require
1556 participation in specific professional development programs as
1557 provided in subparagraph (4)(b)4. as part of the improvement
1558 prescription.

1559 Section 15. Except as otherwise expressly provided in this
1560 act, this act shall take effect upon becoming a law.

1561
1562 ===== T I T L E A M E N D M E N T =====

1563 And the title is amended as follows:

1564 Delete everything before the enacting clause
1565 and insert:

1566 A bill to be entitled
1567 An act relating to education accountability; amending
1568 s. 1001.42, F.S.; revising a requirement for the
1569 uniform opening date of public schools; amending s.
1570 1002.20, F.S.; revising provisions relating to reading
1571 instruction to conform to changes made by the act;
1572 amending ss. 1003.4156 and 1003.4282, F.S.; deleting
1573 provisions relating to remediation for certain middle
1574 grades and high school students, respectively;
1575 amending s. 1003.4285, F.S.; revising requirements for
1576 the scholar designation on standard high school
1577 diplomas; amending s. 1003.621, F.S.; requiring that



1578 academically high-performing school districts comply
1579 with provisions relating to the uniform opening date
1580 of public schools; amending s. 1008.22, F.S.; revising
1581 the purpose of the student assessment program to
1582 include providing instructional personnel with certain
1583 information when available; revising the grade levels
1584 of students who must take the statewide, standardized
1585 English Language Arts assessment; revising provisions
1586 relating to end-of-course assessments; requiring that
1587 all students enrolled in certain courses take the
1588 statewide, standardized end-of-course assessment
1589 associated with the course; prohibiting students who
1590 take an end-of-course assessment for a course from
1591 taking other specified assessments; requiring
1592 computer-based testing for certain assessments during
1593 specified school years; requiring that paper-based
1594 accommodations be made available for certain students;
1595 providing for use of certain assessment results for
1596 students; requiring that a student's performance
1597 results on certain assessments be provided to the
1598 student's teachers and parents within a specified time
1599 after administration of the assessments; providing for
1600 liquidated damages; revising provisions relating to
1601 local assessments administered by school districts;
1602 requiring that certain information relating to student
1603 achievement be provided to instructional personnel
1604 when available; requiring that all end-of-course
1605 assessment results be reported annually by a specified
1606 date; providing an exemption for the 2014-2015 school



1607 year; requiring the Commissioner of Education to
1608 annually publish a uniform calendar for assessment and
1609 reporting on the Department of Education's website;
1610 requiring each school district to establish assessment
1611 schedules, approve such schedules at a district school
1612 board meeting, and publish such schedules on the
1613 district's website; requiring each public school to
1614 publish such schedules on the school's website;
1615 providing that certain assessments replace final
1616 assessments in certain courses; requiring teachers and
1617 parents to be provided with results of district-
1618 required local assessments in a timely manner;
1619 requiring rulemaking relating to the uniform calendar;
1620 amending s. 1008.24, F.S.; authorizing a school
1621 district to use district employees to administer and
1622 proctor specified assessments; providing minimum
1623 requirements for State Board of Education rules
1624 regarding the training of such employees; amending s.
1625 1008.25, F.S.; deleting requirements for the
1626 comprehensive student progression plan; requiring each
1627 district school board to adopt criteria for student
1628 grade-level progression; revising provisions relating
1629 to support for certain students and student promotion
1630 from grade 3 to grade 4; requiring that certain
1631 information relating to student achievement be
1632 provided to instructional personnel when available;
1633 providing for intensive instruction for certain
1634 students; revising reporting requirements; amending s.
1635 1008.30, F.S.; deleting a requirement for certain



1636 students to be evaluated for college readiness;
1637 amending s. 1008.34, F.S.; adding references to school
1638 improvement ratings to provisions regarding the school
1639 grading system; specifying applicability of certain
1640 accountability measures to schools using turnaround
1641 options; requiring that students who score in the
1642 bottom quintile on the 2014-2015 grade 3 English
1643 Language Arts assessment be identified as students at
1644 risk of retention; requiring that each school district
1645 notify such students' parents, provide evidence, and
1646 provide intervention and support services; requiring
1647 an independent verification of the psychometric
1648 validity of statewide, standardized assessments before
1649 school grades results may be published and before
1650 student performance data may be used for purposes of
1651 instructional personnel and school administrator
1652 evaluations; requiring that a panel select an
1653 independent entity based on criteria; requiring that
1654 the Department of Education contract with the entity;
1655 providing for future repeal; amending s. 1012.34,
1656 F.S.; revising reporting requirements relating to
1657 school district personnel evaluation systems; revising
1658 evaluation criteria and requirements; revising
1659 provisions relating to the measurement of student
1660 performance; deleting provisions relating to district
1661 bonus rewards for performance pay based on evaluation
1662 progress; repealing s. 1012.3401, F.S., relating to
1663 requirements for measuring student performance in
1664 instructional personnel and school administrator



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1665 performance evaluations and performance evaluation of
1666 personnel for purposes of performance salary schedule;
1667 amending s. 1012.98, F.S.; revising provisions
1668 relating to personnel evaluation for purposes of
1669 professional development; providing an effective date.