	LEGISLATIVE ACTION	
Senate		House
Comm: RCS		
02/17/2020		
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The Committee on Education (Baxley) recommended the following:

Senate Amendment (with title amendment)

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Delete everything after the enacting clause and insert:

Section 1. Subsection (5) is added to section 1001.23, Florida Statutes, to read:

1001.23 Specific powers and duties of the Department of Education.—In addition to all other duties assigned to it by law or by rule of the State Board of Education, the department shall:

(5) Notwithstanding chapter 286, have the authority to hold



patents, copyrights, trademarks, and service marks. The department may take any action necessary to enforce its rights with respect to such patents, copyrights, trademarks, and service marks or enter into a transaction to sell, lease, license, or transfer such rights for monetary gain or other consideration, at the department's discretion. The department shall notify the Department of State in writing when property rights by patent, copyright, or trademark are secured by the department. Any proceeds received by the department from the exercise of these rights, except for educational materials and products, shall be deposited in the department's Operating Trust Fund.

Section 2. Subsection (3) is added to section 1003.33, Florida Statutes, to read:

1003.33 Report cards; end-of-the-year status.-

(3) A student's final report card for a school year must be issued no later than 1 week after the last day of school or 1 week after receipt of assessment results for students enrolled in courses, as specified in the course code directory, with an associated statewide, standardized end-of-course assessment pursuant to s. 1008.22.

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District school boards shall not allow schools to exempt students from academic performance requirements based on practices or policies designed to encourage student attendance. A student's attendance record may not be used in whole or in part to provide an exemption from any academic performance requirement.

Section 3. Paragraph (b) of subsection (1) of section

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1003.4156, Florida Statutes, is amended to read: 1003.4156 General requirements for middle grades promotion.-

- (1) In order for a student to be promoted to high school from a school that includes middle grades 6, 7, and 8, the student must successfully complete the following courses:
- (b) Three middle grades or higher courses in mathematics. Each school that includes middle grades must offer at least one high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or Geometry course is not contingent upon the student's performance on the statewide, standardized end-ofcourse (EOC) assessment. To earn high school credit for Algebra I, a middle grades student must take the statewide, standardized Algebra I EOC assessment, which constitutes 30 percent of the student's final course grade, and earn a passing grade in pass the course, and in addition, beginning with the 2013-2014 school year and thereafter, a student's performance on the Algebra I EOC assessment constitutes 30 percent of the student's final course grade. To earn high school credit for a Geometry course, a middle grades student must, until the Geometry EOC assessment is discontinued, take the statewide, standardized Geometry EOC assessment, which constitutes 30 percent of the student's final course grade, and earn a passing grade in the course.

Section 4. Paragraphs (a), (b), and (d) of subsection (3), subsection (7), and paragraph (e) of subsection (10) of section 1003.4282, Florida Statutes, are amended to read:

1003.4282 Requirements for a standard high school diploma.-

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT



REQUIREMENTS.-

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- (a) Four credits in English Language Arts (ELA).—The four credits must be in ELA I, II, III, and IV. A student must pass the statewide, standardized grade 10 Reading assessment or, when implemented, the grade 10 ELA assessment, or earn a concordant score, in order to earn a standard high school diploma.
 - (b) Four credits in mathematics.-
- 1. A student must earn one credit in Algebra I and one credit in Geometry. A student's performance on the statewide, standardized Algebra I end-of-course (EOC) assessment constitutes 30 percent of the student's final course grade. A student must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score, in order to earn a standard high school diploma. Until the Geometry EOC assessment is discontinued, a student's performance on the statewide, standardized Geometry EOC assessment constitutes 30 percent of the student's final course grade.
- 2. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry. A student may earn two mathematics credits by successfully completing Algebra I through two full-year courses. A certified school counselor or the principal's designee must advise the student that admission to a state university may require the student to earn 3 additional mathematics credits that are at least as rigorous as Algebra I.
 - 3. A student who earns a computer science credit may

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substitute the credit for up to one credit of the mathematics requirement, with the exception of Algebra I and Geometry, if the commissioner identifies the computer science credit as being equivalent in rigor to the mathematics credit. An identified computer science credit may not be used to substitute for both a mathematics and a science credit. A student who earns an industry certification in 3D rapid prototype printing may satisfy up to two credits of the mathematics requirement, with the exception of Algebra I, if the commissioner identifies the certification as being equivalent in rigor to the mathematics credit or credits.

- (d) Three credits in social studies.—A student must earn one credit in United States History; one credit in World History; one-half credit in economics; and one-half credit in United States Government. The United States History EOC assessment constitutes 30 percent of the student's final course grade. Beginning with the 2020-2021 school year, all students in grade 12 shall take the assessment of civic literacy identified by the State Board of Education under s. 1007.25(4). A student who earns a passing score on the assessment is exempt from the postsecondary civic literacy assessment required by s. 1007.25(4).
- (7) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS. Beginning with the 2012-2013 school year, If a student transfers to a Florida public high school from out of country, out of state, a private school, or a home education program and the student's transcript shows a credit in Algebra I, the student's transferring course final grade and credit shall be honored. However, the student must pass the statewide, standardized Algebra I EOC assessment

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in order to earn a standard high school diploma unless the student earned a comparative score, passed a statewide assessment in Algebra I administered by the transferring entity, or passed the statewide mathematics assessment the transferring entity uses to satisfy the requirements of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA) of 2015, 20 U.S.C. ss. 6301 et seq. If a student's transcript shows a credit in high school reading or English Language Arts II or III, in order to earn a standard high school diploma, the student must take and pass the statewide, standardized grade 10 Reading assessment or, when implemented, the grade 10 ELA assessment, or earn a concordant score. If a transfer student's transcript shows a final course grade and course credit in Algebra I, Geometry, Biology I, or United States History, the transferring course final grade and credit shall be honored without the student taking the requisite statewide, standardized EOC assessment and without the assessment results constituting 30 percent of the student's final course grade.

- (10) STUDENTS WITH DISABILITIES.—Beginning with students entering grade 9 in the 2014-2015 school year, this subsection applies to a student with a disability.
- (e) Any waiver of the statewide, standardized assessment requirements by the individual education plan team, pursuant to s. 1008.22(3)(d) s. 1008.22(3)(c), must be approved by the parent and is subject to verification for appropriateness by an independent reviewer selected by the parent as provided for in s. 1003.572.

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The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 to implement this subsection, including rules that establish the minimum requirements for students described in this subsection to earn a standard high school diploma. The State Board of Education shall adopt emergency rules pursuant to ss. 120.536(1) and 120.54.

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

1003.4285 Standard high school diploma designations.-

- (1) Each standard high school diploma shall include, as applicable, the following designations if the student meets the criteria set forth for the designation:
- (a) Scholar designation. In addition to the requirements of s. 1003.4282, in order to earn the Scholar designation, a student must satisfy the following requirements:
- 1. Mathematics.—Earn one credit in Algebra II or an equally rigorous course and one credit in statistics or an equally rigorous course. Beginning with students entering grade 9 in the 2014-2015 school year, pass the Geometry statewide, standardized assessment.
- 2. Science.—Pass the statewide, standardized Biology I EOC assessment and earn one credit in chemistry or physics and one credit in a course equally rigorous to chemistry or physics. However, a student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) Biology course who takes the respective AP, IB, or AICE Biology assessment and earns the minimum score necessary to earn college credit as identified pursuant to s. 1007.27(2) meets the requirement of this

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subparagraph without having to take the statewide, standardized Biology I EOC assessment.

- 3. Social studies.—Pass the statewide, standardized United States History EOC assessment. However, a student enrolled in an AP, IB, or AICE course that includes United States History topics who takes the respective AP, IB, or AICE assessment and earns the minimum score necessary to earn college credit as identified pursuant to s. 1007.27(2) meets the requirement of this subparagraph without having to take the statewide, standardized United States History EOC assessment.
- 4. Foreign language. Earn two credits in the same foreign language.
- 5. Electives.—Earn at least one credit in an Advanced Placement, an International Baccalaureate, an Advanced International Certificate of Education, or a dual enrollment course.

Section 6. Effective upon becoming a law, subsection (5) is added to section 1006.33, Florida Statutes, to read:

1006.33 Bids or proposals; advertisement and its contents.-

(5) Notwithstanding the requirements of this section and rules adopted to implement this section, for the 2020 adoption cycle, the department may establish timeframes for the advertisement and submission of bids for instructional materials.

Section 7. Subsection (4) of section 1007.25, Florida Statutes, is amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.-

(4) Beginning with students initially entering a Florida

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College System institution or state university in the 2020-2021 2018-2019 school year and thereafter, each student must demonstrate competency in civic literacy. Students must have the option to demonstrate competency through the successful completion of a civic literacy course and or by achieving a passing score on an assessment. The State Board of Education must adopt in rule and the Board of Governors must adopt in regulation at least one existing assessment that measures competencies consistent with the required course competencies outlined in paragraph (b). A student may fulfill the assessment requirement by earning a passing score on the assessment while in high school under s. 1003.4282(3)(d). The chair of the State Board of Education and the chair of the Board of Governors, or their respective designees, shall jointly appoint a faculty committee to:

- (a) Develop a new course in civic literacy or revise an existing general education core course in American History or American Government to include civic literacy.
- (b) Establish course competencies and identify outcomes that include, at a minimum, an understanding of the basic principles of American democracy and how they are applied in our republican form of government, an understanding of the United States Constitution, knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-governance, and an understanding of landmark Supreme Court cases and their impact on law and society.

Section 8. Paragraph (a) of subsection (8) of section 1007.35, Florida Statutes, is amended, and paragraph (1) is added to subsection (6) of that section, to read:

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1007.35 Florida Partnership for Minority and Underrepresented Student Achievement.-

- (6) The partnership shall:
- (1) Provide information on resources and opportunities to help students transition to postsecondary education, including available financial aid and how to apply for such aid, as well as public and private partnerships that provide college advising services to assist students in the postsecondary education application process.
- (8) (a) By September 30 of each year, the partnership shall submit to the department a report that contains an evaluation of the effectiveness of the delivered services and activities. Activities and services must be evaluated on their effectiveness at raising student achievement and increasing the number of AP or other advanced course examinations in low-performing middle and high schools. Other indicators that must be addressed in the evaluation report include the number of middle and high school teachers trained; the effectiveness of the training; measures of postsecondary readiness of the students affected by the program; levels of participation in 10th grade PSAT/NMSQT or the PreACT testing; the number of students who submit at least one postsecondary application; the number of students who submit an application for financial aid to help pay for postsecondary expenses; and measures of student, parent, and teacher awareness of and satisfaction with the services of the partnership.
- Section 9. Paragraph (a) of subsection (1) and subsection (2) of section 1008.212, Florida Statutes, are amended to read: 1008.212 Students with disabilities; extraordinary exemption.-

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- (1) As used in this section, the term:
- (a) "Circumstance" means a situation in which accommodations allowable for use on the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment pursuant to s. 1008.22(3)(d) s. 1008.22(3)(c) are not offered to a student during the current year's assessment administration due to technological limitations in the testing administration program which lead to results that reflect the student's impaired sensory, manual, or speaking skills rather than the student's achievement of the benchmarks assessed by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment.
- (2) A student with a disability for whom the individual education plan (IEP) team determines is prevented by a circumstance or condition from physically demonstrating the mastery of skills that have been acquired and are measured by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment pursuant to s. 1008.22(3)(d) s. 1008.22(3)(c) shall be granted an extraordinary exemption from the administration of the assessment. A learning, emotional, behavioral, or significant cognitive disability, or the receipt of services through the homebound or hospitalized program in accordance with rule 6A-6.03020, Florida Administrative Code, is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption.

Section 10. Present paragraph (c) of subsection (3) of section 1008.22, Florida Statutes, is redesignated as paragraph

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(d), a new paragraph (c) is added to that subsection, and paragraphs (a) and (b), present paragraphs (c) and (d), and paragraph (g) of subsection (3), subsection (6), paragraphs (a), (b), (c), and (h) of subsection (7), and subsections (8) and (9) of that section are amended, to read:

1008.22 Student assessment program for public schools.-

- (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the Next Generation Sunshine State Standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the Next Generation Sunshine State Standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including adult students seeking a standard high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. The statewide, standardized assessment program shall be designed and implemented as follows:
- (a) Statewide, standardized comprehensive assessments.—The statewide, standardized Reading assessment shall be administered annually in grades 3 through 10. The statewide, standardized Writing assessment shall be administered annually at least once

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at the elementary, middle, and high school levels. When the Reading and Writing assessments are replaced by English Language Arts (ELA) assessments, ELA assessments shall be administered to students in grades 3 through 8 and in grade 10. The grade 9 ELA assessment shall be last administered in the 2021-2022 school year. Retake opportunities for the grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment must be provided. Students taking the ELA assessments shall not take the statewide, standardized assessments in Reading or Writing. Reading passages and writing prompts for ELA assessments shall incorporate grade-level core curricula content from social studies. The statewide, standardized Mathematics assessments shall be administered annually in grades 3 through 8. Students taking a revised Mathematics assessment shall not take the discontinued assessment. The statewide, standardized Science assessment shall be administered annually at least once at the elementary and middle grades levels. In order to earn a standard high school diploma, a student who has not earned a passing score on the grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment must earn a passing score on the assessment retake or earn a concordant score as authorized under subsection (9). Statewide, standardized ELA and mathematics assessments in grades 3 through 6 must be delivered in a paper-based format.

- (b) End-of-course (EOC) assessments.-EOC assessments must be statewide, standardized, and developed or approved by the Department of Education as follows:
- 1. EOC assessments for Algebra I, Geometry, Biology I, United States History, and Civics shall be administered to

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students enrolled in such courses as specified in the course code directory. The Geometry EOC assessment shall be administered to students enrolled in such courses as specified in the course code directory until the assessment is discontinued.

- 2. Students enrolled in a course, as specified in the course code directory, with an associated statewide, standardized EOC assessment must take the EOC assessment for such course and may not take the corresponding subject or gradelevel statewide, standardized assessment pursuant to paragraph (a). Sections 1003.4156 and 1003.4282 govern the use of statewide, standardized EOC assessment results for students.
- 3. The commissioner may select one or more nationally developed comprehensive examinations, which may include examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course, or industry-approved examinations to earn national industry certifications identified in the CAPE Industry Certification Funding List, for use as EOC assessments under this paragraph if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade-level expectations for the core curricular content established for the course in the Next Generation Sunshine State Standards. Use of any such examination as an EOC assessment must be approved by the state board in rule.
- 4. Contingent upon funding provided in the General Appropriations Act, including the appropriation of funds received through federal grants, the commissioner may establish

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an implementation schedule for the development and administration of additional statewide, standardized EOC assessments that must be approved by the state board in rule. If approved by the state board, student performance on such assessments constitutes 30 percent of a student's final course grade.

- 5. All statewide, standardized EOC assessments must be administered online except as otherwise provided in paragraph (c).
- 6. A student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) course who takes the respective AP, IB, or AICE assessment and earns the minimum score necessary to earn college credit, as identified in s. 1007.27(2), meets the requirements of this paragraph and does not have to take the EOC assessment for the corresponding course.
 - (c) Nationally recognized high school assessments.
- 1. Beginning with the 2020-2021 school year, a nationally recognized high school assessment, defined as either the ACT or the SAT, shall be administered to students in grade 11.
- 2. The Commissioner of Education shall, through a competitive procurement, select either the ACT or the SAT for statewide administration.
- 3. Funding for the SAT and the ACT for all grade 11 students shall be as provided in the General Appropriations Act.
- (d) (c) Students with disabilities; Florida Alternate Assessment.-
 - 1. Each district school board must provide instruction to prepare students with disabilities in the core content knowledge

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and skills necessary for successful grade-to-grade progression and high school graduation.

- 2. A student with a disability, as defined in s. 1007.02, for whom the individual education plan (IEP) team determines that the statewide, standardized assessments under this section cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have assessment results waived for the purpose of receiving a course grade and a standard high school diploma. Such waiver shall be designated on the student's transcript. The statement of waiver shall be limited to a statement that performance on an assessment was waived for the purpose of receiving a course grade or a standard high school diploma, as applicable.
- 3. The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of assessment accommodations for students with disabilities and for students who have limited English proficiency.
- a. Accommodations that negate the validity of a statewide, standardized assessment are not allowed during the administration of the assessment. However, instructional accommodations are allowed in the classroom if identified in a student's IEP. Students using instructional accommodations in the classroom that are not allowed on a statewide, standardized assessment may have assessment results waived if the IEP team determines that the assessment cannot accurately measure the student's abilities.
- b. If a student is provided with instructional accommodations in the classroom that are not allowed as accommodations for statewide, standardized assessments, the

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

- c. If a student's IEP states that online administration of a statewide, standardized assessment will significantly impair the student's ability to perform, the assessment shall be administered in hard copy.
- 4. For students with significant cognitive disabilities, the Department of Education shall provide for implementation of the Florida Alternate Assessment to accurately measure the core curricular content established in the Next Generation Sunshine State Standards.

(d) Implementation schedule.-

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

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computer-based format, as follows: the grade 3 Mathematics assessment beginning in the 2016-2017 school year; the grade 4 ELA assessment, beginning in the 2015-2016 school year; and the grade 4 Mathematics assessment, beginning in the 2016-2017 school year. Notwithstanding the requirements of this subparagraph, statewide, standardized ELA and mathematics assessments in grades 3 through 6 must be delivered only in a paper-based format, beginning with the 2017-2018 school year, and all such assessments must be paper-based no later than the 2018-2019 school year.

2. The Department of Education shall publish minimum and recommended technology requirements that include specifications for hardware, software, networking, security, and broadband capacity to facilitate school district compliance with the requirements of this section.

(g) Contracts for assessments.-

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

2. A student's performance results on statewide,

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standardized assessments, EOC assessments, and Florida Alternative Assessments administered pursuant to this subsection must be provided to the student's teachers and parents by the end of the school year, unless the commissioner determines that extenuating circumstances exist and reports the extenuating circumstances to the State Board of Education. This subparagraph does not apply to existing contracts for such assessments, but shall apply to new contracts and any renewal of existing contracts for such assessments.

- 3. If liquidated damages are applicable, the department shall collect liquidated damages that are due in response to the administration of the spring 2015 computer-based assessments of the department's Florida Standards Assessment contract with American Institutes for Research, and expend the funds to reimburse parties that incurred damages.
- (6) LOCAL ASSESSMENT OF STUDENT PERFORMANCE ON STATE STANDARDS.-
- (a) Measurement of student performance is the responsibility of school districts except in those subjects and grade levels measured under the statewide, standardized assessment program described in this section. When available, instructional personnel must be provided with information on student achievement of standards and benchmarks in order to improve instruction.
- (b) The Commissioner of Education shall assist and support districts in measuring student performance on the state standards by maintaining a statewide item bank, facilitating the sharing of developed tests or test items among school districts, and providing technical assistance in best assessment practices.

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The commissioner may discontinue the item bank if he or she determines that district participation is insufficient for its sustainability.

- (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.-
- (a) The Commissioner of Education shall establish schedules for the administration of statewide, standardized assessments and the reporting of student assessment results. The commissioner shall consider the observance of religious and school holidays when developing the schedules. The assessment and reporting schedules must provide the earliest possible reporting of student assessment results to the school districts, consistent with the requirements of paragraph (3)(g). Assessment results for the statewide, standardized ELA and mathematics assessments and all statewide, standardized EOC assessments must be made available no later than June 30, except for results for the grade 3 statewide, standardized ELA assessment, which must be made available no later than May 31. School districts shall administer statewide, standardized assessments in accordance with the schedule established by the commissioner.
- (b) By January of each year, beginning in 2018, the commissioner shall publish on the department's website a uniform calendar that includes the assessment and reporting schedules for, at a minimum, the next 2 school years. The uniform calendar must be provided to school districts in an electronic format that allows each school district and public school to populate the calendar with, at minimum, the following information for reporting the district assessment schedules under paragraph (d):
- 1. Whether the assessment is a district-required assessment or a state-required assessment.

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- 563 2. The specific date or dates that each assessment will be 564 administered.
 - 3. The time allotted to administer each assessment.
 - 4. Whether the assessment is a computer-based assessment or a paper-based assessment.
 - 5. The grade level or subject area associated with the assessment.
 - 6. The date that the assessment results are expected to be available to teachers and parents.
 - 7. The type of assessment, the purpose of the assessment, and the use of the assessment results.
 - 8. A glossary of assessment terminology.
 - 9. Estimates of average time for administering staterequired and district-required assessments, by grade level.
 - (c) Beginning with the 2018-2019 school year, The spring administration of the statewide, standardized assessments in paragraphs (3)(a) and (b), excluding assessment retakes, must be in accordance with the following schedule:
 - 1. The grade 3 statewide, standardized ELA assessment and the writing portion of the statewide, standardized ELA assessment for grades 4 through 10 must be administered no earlier than April 1 each year within an assessment window not to exceed 2 weeks.
 - 2. With the exception of assessments identified in subparagraph 1., any statewide, standardized assessment that is delivered in a paper-based format must be administered no earlier than May 1 each year within an assessment window not to exceed 2 weeks.
 - 3. With the exception of assessments identified in



subparagraphs 1. and 2., any statewide, standardized assessment must be administered within a 4-week assessment window that opens no earlier than May 1 each year.

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Each school district shall administer the assessments identified under subparagraphs 2. and 3. no earlier than 4 weeks before the last day of school for the district.

- (h) The results of statewide, standardized ELA, and mathematics, science, and social studies assessments, including assessment retakes, shall be reported in an easy-to-read and understandable format and delivered in time to provide useful, actionable information to students, parents, and each student's current teacher of record and teacher of record for the subsequent school year; however, in any case, the district shall provide the results pursuant to this paragraph within 1 week after receiving the results from the department. A report of student assessment results must, at a minimum, contain:
- 1. A clear explanation of the student's performance on the applicable statewide, standardized assessments.
- 2. Information identifying the student's areas of strength and areas in need of improvement.
- 3. Specific actions that may be taken, and the available resources that may be used, by the student's parent to assist his or her child based on the student's areas of strength and areas in need of improvement.
- 4. Longitudinal information, if available, on the student's progress in each subject area based on previous statewide, standardized assessment data.
 - 5. Comparative information showing the student's score

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compared to other students in the school district, in the state, or, if available, in other states.

- 6. Predictive information, if available, showing the linkage between the scores attained by the student on the statewide, standardized assessments and the scores he or she may potentially attain on nationally recognized college entrance examinations.
- (8) PUBLICATION OF ASSESSMENTS. To promote transparency in the statewide assessment program, in any procurement for the statewide, standardized assessments in ELA, assessment in grades 3 through 10 and the mathematics, science, and social studies assessment in grades 3 through 8, the Department of Education shall solicit cost proposals for publication of the state assessments on its website in accordance with this subsection.
- (a) The department shall publish each assessment administered under paragraph (3)(a) and subparagraph (3)(b)1., excluding assessment retakes, at least once on a triennial basis pursuant to a schedule determined by the Commissioner of Education. Each assessment, when published, must have been administered during the most recent school year and be in a format that facilitates the sharing of assessment items.
- (b) The initial publication of assessments must occur no later than June 30, 2024 2021, subject to appropriation, and must include, at a minimum, the grade 3 ELA and mathematics assessments, the grade 10 ELA assessment, and the Algebra I EOC assessment.
- (c) The department must provide materials on its website to help the public interpret assessment information published pursuant to this subsection.

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(9) CONCORDANT SCORES.—The Commissioner of Education must identify scores on the SAT and ACT that if achieved satisfy the graduation requirement that a student pass the grade 10 statewide, standardized Reading assessment or, upon implementation, the grade 10 ELA assessment. The commissioner may identify concordant scores on assessments other than the SAT and ACT. If the content or scoring procedures change for the grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment, new concordant scores must be determined. If new concordant scores are not timely adopted, the last-adopted concordant scores remain in effect until such time as new scores are adopted. The state board shall adopt concordant scores in rule.

Section 11. Paragraph (a) of subsection (2) of section 1008.25, Florida Statutes, is amended to read:

1008.25 Public school student progression; student support; reporting requirements.-

- (2) STUDENT PROGRESSION PLAN.—Each district school board shall establish a comprehensive plan for student progression which must provide for a student's progression from one grade to another based on the student's mastery of the standards in s. 1003.41, specifically English Language Arts, mathematics, science, and social studies standards. The plan must:
- (a) Include criteria that emphasize student reading proficiency in kindergarten through grade 3 and provide targeted instructional support for students with identified deficiencies in English Language Arts, mathematics, science, and social studies. High schools shall use all available assessment results, including the results of statewide, standardized

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English Language Arts assessments and end-of-course assessments for Algebra I and Geometry, to advise students of any identified deficiencies and to provide appropriate postsecondary preparatory instruction before high school graduation. The results of evaluations used to monitor a student's progress in grades K-12 must be provided to the student's teacher in a timely manner and as otherwise required by law. Thereafter, evaluation results must be provided to the student's parent in a timely manner. When available, instructional personnel must be provided with information on student achievement of standards and benchmarks in order to improve instruction.

Section 12. Subsection (1), paragraphs (a) and (b) of subsection (3), and subsection (4) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.

- (1) The State Board of Education shall comply with the federal Elementary and Secondary Education Act (ESEA), 20 U.S.C. ss. 6301 et seq., its implementing regulations, and the ESEA plan flexibility waiver approved for Florida by the United States Secretary of Education. The state board may adopt rules to maintain compliance with the ESEA and the ESEA plan flexibility waiver.
- (3)(a) The academic performance of all students has a significant effect on the state school system. Pursuant to Art. IX of the State Constitution, which prescribes the duty of the State Board of Education to supervise Florida's public school system, the state board shall equitably enforce the accountability requirements of the state school system and may impose state requirements on school districts in order to

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improve the academic performance of all districts, schools, and students based upon the provisions of the Florida K-20 Education Code, chapters 1000-1013; the federal ESEA and its implementing regulations; and the ESEA plan flexibility waiver approved for Florida by the United States Secretary of Education.

- (b) The Department of Education shall annually identify each public school in need of intervention and support to improve student academic performance. A deficient and failing school is a school All schools earning a grade of "D" or "F" pursuant to s. 1008.34 are schools in need of intervention and support.
- (4) (a) The state board shall apply intensive intervention and support strategies tailored to the needs of schools earning a grade two consecutive grades of "D" or a grade of "F." In the first full school year after a school initially earns a grade two consecutive grades of "D" or a grade of "F," the school district must immediately implement intervention and support strategies prescribed in rule under paragraph (3)(c) and, by September 1, provide the department with the memorandum of understanding negotiated pursuant to s. 1001.42(21) and, by October 1, a district-managed turnaround plan for approval by the state board. The district-managed turnaround plan may include a proposal for the district to implement an extended school day, a summer program, or a combination of an extended school day and a summer program. Upon approval by the state board, the school district must implement the plan for the remainder of the school year and continue the plan for 1 full school year. The state board may allow a school an additional year of implementation before the school must implement a

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turnaround option required under paragraph (b) if it determines that the school is likely to improve to a grade of "C" or higher after the first full school year of implementation, and will sustain the improvement beyond the next school year.

- (b) Unless an additional year of implementation is provided pursuant to paragraph (a), a school that completes a districtmanaged turnaround plan cycle and does not improve to at least a grade of earns three consecutive grades below a "C" or higher must implement one of the following:
- 1. Upon the recommendation of the Commissioner of Education, the state board may allow the school district to close the school and reassign students to another school with a school grade of "C" or higher, provide additional services to reassigned students which are designed to address deficiencies and improve performance, and monitor the progress of each reassigned student for 3 school years;
- 2. Repurpose Close the school and reopen the school as one or more charter schools, each with a governing board that has a demonstrated record of effectiveness; or
- 3. Enter into a performance contract with an external operator outside entity that has a demonstrated record of effectiveness to operate the school. The contract must allow unilateral cancellation by the school district upon revocation of the turnaround plan under paragraph (f). An external operator outside entity may include the State University System or Florida College System institution or a district-managed charter school in which all instructional personnel are not employees of the school district, but are employees of an independent governing board composed of members who did not participate in

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the review or approval of the charter.

- (c) During the implementation of a turnaround option, the district may request a new turnaround option. Implementation of the turnaround option is no longer required if the school improves to a grade of "C" or higher.
- (d) If a school earning two consecutive grades of "D" or a grade of "F" does not improve to a grade of "C" or higher after 2 school years of implementing the turnaround option selected by the school district under paragraph (b), the school district must implement another turnaround option. Implementation of the turnaround option must begin the school year following the implementation period of the existing turnaround option, unless the state board determines that the school is likely to improve to a grade of "C" or higher if additional time is provided to implement the existing turnaround option.
- (e) If a school earns a grade of "D" or "F" within 4 years after improving to a grade of "C" or higher, the school may only select a turnaround option under paragraph (b).
- (f) The state board may revoke a turnaround plan if a school district fails to follow the terms and conditions of its approved plan. Before revoking a turnaround plan, the state board shall consider any curative action taken or proposed by the school district and the feasibility of improving performance under the plan during the remainder of the approval period. Upon revocation of a turnaround plan, a school district must submit a new turnaround plan or select a new turnaround option.

Section 13. Paragraphs (a) and (b) of subsection (1) and paragraph (b) of subsection (3) of section 1008.34, Florida Statutes, are amended to read:

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1008.34 School grading system; school report cards; district grade.-

- (1) DEFINITIONS.—For purposes of the statewide, standardized assessment program and school grading system, the following terms are defined:
- (a) "Achievement level," "student achievement," or "achievement" describes the level of content mastery a student has acquired in a particular subject as measured by a statewide, standardized assessment administered pursuant to s. 1008.22(3)(a) and (b). There are five achievement levels. Level 1 is the lowest achievement level, level 5 is the highest achievement level, and level 3 indicates satisfactory performance. A student passes an assessment if the student achieves a level 3, level 4, or level 5. For purposes of the Florida Alternate Assessment administered pursuant to s. $1008.22(3)(d) = \frac{1008.22(3)(e)}{2}$, the state board shall provide, in rule, the number of achievement levels and identify the achievement levels that are considered passing. For the purpose of calculating school grades under this section, the State Board of Education shall adopt by rule passing scores for the nationally recognized high school assessment selected pursuant to s. 1008.22(3)(c).
- (b) "Learning Gains," "annual learning gains," or "student learning gains" means the degree of student learning growth occurring over time from one school year to the next as required by state board rule for purposes of calculating school grades under this section.
 - (3) DESIGNATION OF SCHOOL GRADES.-
 - (b) 1. Beginning with the 2014-2015 school year, A school's

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grade shall be based on the following components, each worth 100 points:

- a. The percentage of eligible students passing statewide, standardized assessments in English Language Arts under s. 1008.22(3), and beginning with the 2022-2023 school year, the percentage of eligible students passing the relevant portions of the nationally recognized high school assessment selected pursuant to s. 1008.22(3)(c).
- b. The percentage of eligible students passing statewide, standardized assessments in mathematics under s. 1008.22(3), and beginning with the 2022-2023 school year, the percentage of eligible students passing the relevant portions of the nationally recognized high school assessment selected pursuant to s. 1008.22(3)(c).
- c. The percentage of eligible students passing statewide, standardized assessments in science under s. 1008.22(3).
- d. The percentage of eligible students passing statewide, standardized assessments in social studies under s. 1008.22(3).
- e. The percentage of eligible students who make Learning Gains in English Language Arts as measured by statewide, standardized assessments administered under s. 1008.22(3).
- f. The percentage of eligible students who make Learning Gains in mathematics as measured by statewide, standardized assessments administered under s. 1008.22(3).
- g. The percentage of eligible students in the lowest 25 percent in English Language Arts, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized English Language Arts assessments administered under s. 1008.22(3).

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- h. The percentage of eligible students in the lowest 25 percent in mathematics, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized Mathematics assessments administered under s. 1008.22(3).
- i. For schools comprised of middle grades 6 through 8 or grades 7 and 8, the percentage of eligible students passing high school level statewide, standardized end-of-course assessments or attaining national industry certifications identified in the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education.

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

- 2. For a school comprised of grades 9, 10, 11, and 12, or grades 10, 11, and 12, the school's grade shall also be based on the following components, each worth 100 points:
- a. The 4-year high school graduation rate of the school as defined by state board rule.
- b. The percentage of students who were eligible to earn college and career credit through College Board Advanced Placement examinations, International Baccalaureate examinations, dual enrollment courses, or Advanced International

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Certificate of Education examinations; or who, at any time during high school, earned national industry certification identified in the CAPE Industry Certification Funding List, pursuant to rules adopted by the state board.

Section 14. Subsection (2) of section 1008.3415, Florida Statutes, is amended to read:

1008.3415 School grade or school improvement rating for exceptional student education centers.-

(2) Notwithstanding s. 1008.34, the achievement levels and Learning Gains of a student with a disability who attends an exceptional student education center and has not been enrolled in or attended a public school other than an exceptional student education center for grades K-12 within the school district shall not be included in the calculation of the home school's grade if the student is identified as an emergent student on the alternate assessment described in s. 1008.22(3)(d) s. 1008.22(3)(c).

Section 15. Subsection (21) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.-If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(21) TURNAROUND SCHOOL SUPPLEMENTAL SERVICES ALLOCATION .-The turnaround school supplemental services allocation is created to provide district-managed turnaround schools, as identified in s. 1008.33(4)(a), schools implementing a charter

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or an external operator turnaround option, that earn three consecutive grades below a "C," as identified in s. 1008.33(4)(c)3. s. 1008.33(4)(b)3., and schools that have improved to a "C" or higher and are no longer in turnaround status, as identified in s. $1008.33(4)(d) \frac{s. 1008.33(4)(c)}{s}$, with funds to offer services designed to improve the overall academic and community welfare of the schools' students and their families.

- (a) 1. Services funded by the allocation may include, but are not limited to, tutorial and after-school programs, student counseling, nutrition education, parental counseling, and an extended school day and school year. In addition, services may include models that develop a culture that encourages students to complete high school and to attend college or career training, set high academic expectations, and inspire character development.
- 2. A school district may enter into a formal agreement with a nonprofit organization that has tax-exempt status under s. 501(c)(3) of the Internal Revenue Code to implement an integrated student support service model that provides students and families with access to wrap-around services, including, but not limited to, health services, after-school programs, drug prevention programs, college and career readiness programs, and food and clothing banks.
- (b) Before distribution of the allocation, the school district shall develop and submit a plan for implementation to its school board for approval no later than August 1 of each fiscal year.
 - (c) At a minimum, the plan required under paragraph (b)



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- 1. Establish comprehensive support services that develop family and community partnerships;
- 2. Establish clearly defined and measurable high academic and character standards;
- 3. Increase parental involvement and engagement in the child's education;
- 4. Describe how instructional personnel will be identified, recruited, retained, and rewarded;
- 5. Provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards;
- 6. Provide focused instruction to improve student academic proficiency, which may include additional instruction time beyond the normal school day or school year; and
- 7. Include a strategy for continuing to provide services after the school is no longer in turnaround status by virtue of achieving a grade of "C" or higher.
- (d) Each school district shall submit its approved plans to the commissioner by September 1 of each fiscal year.
- (e) Subject to legislative appropriation, each school district's allocation must be based on the unweighted FTE student enrollment at the eligible schools and a per-FTE funding amount of \$500 or as provided in the General Appropriations Act. The supplement provided in the General Appropriations Act shall be based on the most recent school grades and shall serve as a proxy for the official calculation. Once school grades are available for the school year immediately preceding the fiscal year coinciding with the appropriation, the supplement shall be

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recalculated for the official participating schools as part of the subsequent FEFP calculation. The commissioner may prepare a preliminary calculation so that districts may proceed with timely planning and use of the funds. If the calculated funds for the statewide allocation exceed the funds appropriated, the allocation of funds to each school district must be prorated based on each school district's share of the total unweighted FTE student enrollment for the eligible schools.

(f) Subject to legislative appropriation, each school shall remain eligible for the allocation for a maximum of 4 continuous fiscal years while implementing a turnaround option pursuant to s. 1008.33(4). In addition, a school that improves to a grade of "C" or higher shall remain eligible to receive the allocation for a maximum of 2 continuous fiscal years after exiting turnaround status.

Section 16. For the 2020-2021 fiscal year, the sum of \$8 million in recurring funds is appropriated from the General Revenue Fund to the Department of Education to implement s. 1008.22(3)(c), as created by this act.

Section 17. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020.

======== T I T L E A M E N D M E N T ========== And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled An act relating to education; amending s. 1001.23,

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F.S.; authorizing the Department of Education to hold patents, copyrights, trademarks, and service marks; authorizing the department to take specified actions to enforce its rights under certain circumstances; requiring the department to notify the Department of State under certain circumstances; requiring certain proceeds to be deposited into a specified trust fund; amending s. 1003.33, F.S.; requiring final report cards to be issued within a multiple specified timeframes; amending s. 1003.4156, F.S.; conforming provisions to changes made by the act; amending s. 1003.4282, F.S.; deleting obsolete language; requiring certain students to take a specified assessment relating to civic literacy; providing that such assessment meets certain postsecondary requirements under specified circumstances; amending s. 1003.4285, F.S.; revising the requirements for earning the Scholar designation on a standard high school diploma; amending s. 1006.33, F.S.; authorizing the department to establish timeframes for specified purposes relating to instructional materials for a certain adoption cycle; amending s. 1007.25, F.S.; requiring postsecondary students to complete a civic literacy course and pass a specified assessment to demonstrate competency in civic literacy; authorizing students to meet the assessment requirements in high school; amending s. 1007.35, F.S.; requiring the Florida Partnership for Minority and Underrepresented Student Achievement to provide specified information to

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students relating to transitioning to postsecondary education; revising certain reporting requirements; amending s. 1008.212, F.S.; conforming crossreferences; amending s. 1008.22, F.S.; deleting obsolete language; discontinuing a specified English Language Arts assessment at a certain time; requiring certain statewide, standardized assessments to be administered in a paper-based format; requiring school districts to provide the SAT or ACT to grade 11 students beginning in a specified school year; requiring the Commissioner of Education to choose which assessment to administer; providing that funding for the assessments shall be as provided by appropriation; deleting specified reporting requirements; deleting a requirement that the Commissioner of Education maintain a specified item bank; deleting specified requirements for the date of the administration of specified assessments; revising a deadline for the publication of certain assessments; amending s. 1008.25, F.S.; revising which assessments a high school must use to advise students of specified deficiencies; amending s. 1008.33, F.S.; revising requirements for certain intervention and support strategies; revising requirements for the State Board of Education to allow a school an additional year of implementation of a district-managed turnaround plan; revising the requirements for turnaround options for specified schools; authorizing a school district to request a new turnaround option; providing

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requirements for certain schools that reenter the turnaround system; authorizing the state board to revoke a turnaround plan under certain circumstances; providing requirements for such revocation; amending s. 1008.34, F.S.; revising definitions; revising school grade calculations to include specified assessment results beginning in a specified school year; amending s. 1008.3415, F.S.; conforming a crossreference; amending s. 1011.62, F.S.; revising the eligibility criteria for the turnaround school supplemental services allocation; providing an appropriation; providing effective dates.