

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Committee/Subcommittee hearing bill: Appropriations Committee  
 2 Representative Sullivan offered the following:

**Amendment**

Between lines 718 and 719, insert:

7 Section 4. Paragraphs (a), (b), and (d) of subsection (3),  
 8 subsection (7), and paragraph (e) of subsection (10) of section  
 9 1003.4282, Florida Statutes, are amended to read:

10 1003.4282 Requirements for a standard high school  
 11 diploma.—

12 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT  
 13 REQUIREMENTS.—

14 (a) Four credits in English Language Arts (ELA).—The four  
 15 credits must be in ELA I, II, III, and IV. A student must pass  
 16 the statewide, standardized grade 10 ~~Reading assessment or, when~~

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17 ~~implemented, the grade 10~~ ELA assessment, or earn a concordant  
18 score, in order to earn a standard high school diploma.

19 (d) Three credits in social studies.—A student must earn  
20 one credit in United States History; one credit in World  
21 History; one-half credit in economics; and one-half credit in  
22 United States Government. The United States History EOC  
23 assessment constitutes 30 percent of the student's final course  
24 grade. Beginning with the 2020-2021 school year, all students in  
25 grade 12 shall take the assessment of civic literacy identified  
26 by the State Board of Education under s. 1007.25(4). A student  
27 who earns a passing score on the assessment is exempt from the  
28 postsecondary civic literacy assessment required by s.  
29 1007.25(4).

30 (10) STUDENTS WITH DISABILITIES.—Beginning with students  
31 entering grade 9 in the 2014-2015 school year, this subsection  
32 applies to a student with a disability.

33 (e) Any waiver of the statewide, standardized assessment  
34 requirements by the individual education plan team, pursuant to  
35 s. 1008.22(3)(d) ~~s. 1008.22(3)(e)~~, must be approved by the  
36 parent and is subject to verification for appropriateness by an  
37 independent reviewer selected by the parent as provided for in  
38 s. 1003.572.

39  
40 The State Board of Education shall adopt rules under ss.  
41 120.536(1) and 120.54 to implement this subsection, including

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

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

49 1006.33 Bids or proposals; advertisement and its  
50 contents.—

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

56 Section 9. Paragraph (a) of subsection (1) and subsection  
57 (2) of section 1008.212, Florida Statutes, are amended to read:

58 1008.212 Students with disabilities; extraordinary  
59 exemption.—

60 (1) As used in this section, the term:

61 (a) "Circumstance" means a situation in which  
62 accommodations allowable for use on the statewide standardized  
63 assessment, a statewide standardized end-of-course assessment,  
64 or an alternate assessment pursuant to s. 1008.22(3)(d) ~~s.~~  
65 ~~1008.22(3)(e)~~ are not offered to a student during the current  
66 year's assessment administration due to technological

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67 limitations in the testing administration program which lead to  
68 results that reflect the student's impaired sensory, manual, or  
69 speaking skills rather than the student's achievement of the  
70 benchmarks assessed by the statewide standardized assessment, a  
71 statewide standardized end-of-course assessment, or an alternate  
72 assessment.

73 (2) A student with a disability for whom the individual  
74 education plan (IEP) team determines is prevented by a  
75 circumstance or condition from physically demonstrating the  
76 mastery of skills that have been acquired and are measured by  
77 the statewide standardized assessment, a statewide standardized  
78 end-of-course assessment, or an alternate assessment pursuant to  
79 s. 1008.22(3)(d) ~~s. 1008.22(3)(e)~~ shall be granted an  
80 extraordinary exemption from the administration of the  
81 assessment. A learning, emotional, behavioral, or significant  
82 cognitive disability, or the receipt of services through the  
83 homebound or hospitalized program in accordance with rule 6A-  
84 6.03020, Florida Administrative Code, is not, in and of itself,  
85 an adequate criterion for the granting of an extraordinary  
86 exemption.

87 Section 10. Paragraphs (a), (b), (c), (d), and (g) of  
88 subsection (3), subsection (6), paragraphs (a), (b), (c), and  
89 (h) of subsection (7), and subsections (8) and (9) of section  
90 1008.22, Florida Statutes, are amended, a new paragraph (c) is

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91 added to subsection (3), and paragraph (h) is added to  
92 subsection (3) of that section, to read:

93 1008.22 Student assessment program for public schools.—

94 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The  
95 Commissioner of Education shall design and implement a  
96 statewide, standardized assessment program aligned to the core  
97 curricular content established in the Next Generation Sunshine  
98 State Standards. The commissioner also must develop or select  
99 and implement a common battery of assessment tools that will be  
100 used in all juvenile justice education programs in the state.  
101 These tools must accurately measure the core curricular content  
102 established in the Next Generation Sunshine State Standards.  
103 Participation in the assessment program is mandatory for all  
104 school districts and all students attending public schools,  
105 including adult students seeking a standard high school diploma  
106 under s. 1003.4282 and students in Department of Juvenile  
107 Justice education programs, except as otherwise provided by law.  
108 If a student does not participate in the assessment program, the  
109 school district must notify the student's parent and provide the  
110 parent with information regarding the implications of such  
111 nonparticipation. The statewide, standardized assessment program  
112 shall be designed and implemented as follows:

113 (a) Statewide, standardized comprehensive assessments.—The  
114 statewide, standardized ~~Reading assessment shall be administered~~  
115 ~~annually in grades 3 through 10. The statewide, standardized~~

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116 ~~Writing assessment shall be administered annually at least once~~  
117 ~~at the elementary, middle, and high school levels. When the~~  
118 ~~Reading and Writing assessments are replaced by English Language~~  
119 ~~Arts (ELA) assessments, ELA assessments shall be administered to~~  
120 ~~students in grades 3 through 8 and in grade 10. The grade 9 ELA~~  
121 ~~assessment shall be last administered in the 2021-2022 school~~  
122 ~~year. Retake opportunities for the ~~grade 10 Reading assessment~~~~  
123 ~~~~er, upon implementation, the grade 10 ELA assessment must be~~~~  
124 ~~provided. ~~Students taking the ELA assessments shall not take the~~~~  
125 ~~~~statewide, standardized assessments in Reading or Writing.~~~~  
126 Reading passages and writing prompts for ELA assessments shall  
127 incorporate grade-level core curricula content from social  
128 studies. The statewide, standardized Mathematics assessments  
129 shall be administered annually in grades 3 through 8. ~~Students~~  
130 ~~taking a revised Mathematics assessment shall not take the~~  
131 ~~discontinued assessment.~~ The statewide, standardized Science  
132 assessment shall be administered annually at least once at the  
133 elementary and middle grades levels. In order to earn a standard  
134 high school diploma, a student who has not earned a passing  
135 score on the ~~grade 10 Reading assessment or, upon~~  
136 ~~implementation, the grade 10 ELA assessment must earn a passing~~  
137 ~~score on the assessment retake or earn a concordant score as~~  
138 ~~authorized under subsection (9). Statewide, standardized ELA and~~  
139 ~~mathematics assessments in grades 3 through 6 must be delivered~~  
140 ~~in a paper-based format.~~

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141 (b) End-of-course (EOC) assessments.—EOC assessments must  
142 be statewide, standardized, and developed or approved by the  
143 Department of Education as follows:

144 1. EOC assessments for Algebra I, Geometry, Biology I,  
145 United States History, and Civics shall be administered to  
146 students enrolled in such courses as specified in the course  
147 code directory. The Geometry EOC assessment shall be  
148 administered to students enrolled in such courses as specified  
149 in the course code directory until it is discontinued under  
150 paragraph (h).

151 2. Students enrolled in a course, as specified in the  
152 course code directory, with an associated statewide,  
153 standardized EOC assessment must take the EOC assessment for  
154 such course and may not take the corresponding subject or grade-  
155 level statewide, standardized assessment pursuant to paragraph  
156 (a). Sections 1003.4156 and 1003.4282 govern the use of  
157 statewide, standardized EOC assessment results for students.

158 3. The commissioner may select one or more nationally  
159 developed comprehensive examinations, which may include  
160 examinations for a College Board Advanced Placement course,  
161 International Baccalaureate course, or Advanced International  
162 Certificate of Education course, or industry-approved  
163 examinations to earn national industry certifications identified  
164 in the CAPE Industry Certification Funding List, for use as EOC  
165 assessments under this paragraph if the commissioner determines

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166 that the content knowledge and skills assessed by the  
167 examinations meet or exceed the grade-level expectations for the  
168 core curricular content established for the course in the Next  
169 Generation Sunshine State Standards. Use of any such examination  
170 as an EOC assessment must be approved by the state board in  
171 rule.

172 4. Contingent upon funding provided in the General  
173 Appropriations Act, including the appropriation of funds  
174 received through federal grants, the commissioner may establish  
175 an implementation schedule for the development and  
176 administration of additional statewide, standardized EOC  
177 assessments that must be approved by the state board in rule. If  
178 approved by the state board, student performance on such  
179 assessments constitutes 30 percent of a student's final course  
180 grade.

181 5. All statewide, standardized EOC assessments must be  
182 administered online except as otherwise provided in paragraph  
183 (d) ~~(e)~~.

184 6. A student enrolled in an Advanced Placement (AP),  
185 International Baccalaureate (IB), or Advanced International  
186 Certificate of Education (AICE) course who takes the respective  
187 AP, IB, or AICE assessment and earns the minimum score necessary  
188 to earn college credit, as identified in s. 1007.27(2), meets  
189 the requirements of this paragraph and does not have to take the  
190 EOC assessment for the corresponding course.

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191 (c) Nationally recognized high school assessments.-  
192 Subject to legislative appropriation, each school district  
193 shall, beginning with the 2021-2022 school year, select either  
194 the SAT or ACT for districtwide administration to each public  
195 school student in grade 11, including students attending public  
196 high schools, alternative schools, and centers of the Department  
197 of Juvenile Justice.

198 (d)-(e) Students with disabilities; Florida Alternate  
199 Assessment.-

200 1. Each district school board must provide instruction to  
201 prepare students with disabilities in the core content knowledge  
202 and skills necessary for successful grade-to-grade progression  
203 and high school graduation.

204 2. A student with a disability, as defined in s. 1007.02,  
205 for whom the individual education plan (IEP) team determines  
206 that the statewide, standardized assessments under this section  
207 cannot accurately measure the student's abilities, taking into  
208 consideration all allowable accommodations, shall have  
209 assessment results waived for the purpose of receiving a course  
210 grade and a standard high school diploma. Such waiver shall be  
211 designated on the student's transcript. The statement of waiver  
212 shall be limited to a statement that performance on an  
213 assessment was waived for the purpose of receiving a course  
214 grade or a standard high school diploma, as applicable.

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215 3. The State Board of Education shall adopt rules, based  
216 upon recommendations of the commissioner, for the provision of  
217 assessment accommodations for students with disabilities and for  
218 students who have limited English proficiency.

219 a. Accommodations that negate the validity of a statewide,  
220 standardized assessment are not allowed during the  
221 administration of the assessment. However, instructional  
222 accommodations are allowed in the classroom if identified in a  
223 student's IEP. Students using instructional accommodations in  
224 the classroom that are not allowed on a statewide, standardized  
225 assessment may have assessment results waived if the IEP team  
226 determines that the assessment cannot accurately measure the  
227 student's abilities.

228 b. If a student is provided with instructional  
229 accommodations in the classroom that are not allowed as  
230 accommodations for statewide, standardized assessments, the  
231 district must inform the parent in writing and provide the  
232 parent with information regarding the impact on the student's  
233 ability to meet expected performance levels. A parent must  
234 provide signed consent for a student to receive classroom  
235 instructional accommodations that would not be available or  
236 permitted on a statewide, standardized assessment and  
237 acknowledge in writing that he or she understands the  
238 implications of such instructional accommodations.

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239 c. If a student's IEP states that online administration of  
240 a statewide, standardized assessment will significantly impair  
241 the student's ability to perform, the assessment shall be  
242 administered in hard copy.

243 4. For students with significant cognitive disabilities,  
244 the Department of Education shall provide for implementation of  
245 the Florida Alternate Assessment to accurately measure the core  
246 curricular content established in the Next Generation Sunshine  
247 State Standards.

248 ~~(d) Implementation schedule.—~~

249 ~~1. The Commissioner of Education shall establish and~~  
250 ~~publish on the department's website an implementation schedule~~  
251 ~~to transition from the statewide, standardized Reading and~~  
252 ~~Writing assessments to the ELA assessments and to the revised~~  
253 ~~Mathematics assessments, including the Algebra I and Geometry~~  
254 ~~EOC assessments. The schedule must take into consideration~~  
255 ~~funding, sufficient field and baseline data, access to~~  
256 ~~assessments, instructional alignment, and school district~~  
257 ~~readiness to administer the assessments online. All such~~  
258 ~~assessments must be delivered through computer-based testing,~~  
259 ~~however, the following assessments must be delivered in a~~  
260 ~~computer-based format, as follows: the grade 3 Mathematics~~  
261 ~~assessment beginning in the 2016-2017 school year; the grade 4~~  
262 ~~ELA assessment, beginning in the 2015-2016 school year; and the~~  
263 ~~grade 4 Mathematics assessment, beginning in the 2016-2017~~

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264 ~~school year. Notwithstanding the requirements of this~~  
265 ~~subparagraph, statewide, standardized ELA and mathematics~~  
266 ~~assessments in grades 3 through 6 must be delivered only in a~~  
267 ~~paper-based format, beginning with the 2017-2018 school year,~~  
268 ~~and all such assessments must be paper-based no later than the~~  
269 ~~2018-2019 school year.~~

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

275 (g) Contracts for assessments.-

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

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288 ~~2. A student's performance results on statewide,~~  
289 ~~standardized assessments, EOC assessments, and Florida~~  
290 ~~Alternative Assessments administered pursuant to this subsection~~  
291 ~~must be provided to the student's teachers and parents by the~~  
292 ~~end of the school year, unless the commissioner determines that~~  
293 ~~extenuating circumstances exist and reports the extenuating~~  
294 ~~circumstances to the State Board of Education. This subparagraph~~  
295 ~~does not apply to existing contracts for such assessments, but~~  
296 ~~shall apply to new contracts and any renewal of existing~~  
297 ~~contracts for such assessments.~~

298 ~~3. If liquidated damages are applicable, the department~~  
299 ~~shall collect liquidated damages that are due in response to the~~  
300 ~~administration of the spring 2015 computer-based assessments of~~  
301 ~~the department's Florida Standards Assessment contract with~~  
302 ~~American Institutes for Research, and expend the funds to~~  
303 ~~reimburse parties that incurred damages.~~

304 (h) Assessment flexibility.—The Department of Education  
305 shall seek approval from the United States Department of  
306 Education to use the nationally recognized high school  
307 assessments administered under paragraph (c) as the state's high  
308 school assessment in mathematics under federal law. If the  
309 department receives approval, the commissioner may discontinue  
310 the geometry end-of-course examination.

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

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312 (c) ~~Beginning with the 2018-2019 school year,~~ The spring  
313 administration of the statewide, standardized assessments in  
314 paragraphs (3) (a) and (b), excluding assessment retakes, must be  
315 in accordance with the following schedule:

316 1. The grade 3 statewide, standardized ELA assessment and  
317 the writing portion of the statewide, standardized ELA  
318 assessment ~~for grades 4 through 10~~ must be administered no  
319 earlier than April 1 each year within an assessment window not  
320 to exceed 2 weeks.

321 2. With the exception of assessments identified in  
322 subparagraph 1., any statewide, standardized assessment that is  
323 delivered in a paper-based format must be administered no  
324 earlier than May 1 each year within an assessment window not to  
325 exceed 2 weeks.

326 3. With the exception of assessments identified in  
327 subparagraphs 1. and 2., any statewide, standardized assessment  
328 must be administered within a 4-week assessment window that  
329 opens no earlier than May 1 each year.

330  
331 ~~Each school district shall administer the assessments identified~~  
332 ~~under subparagraphs 2. and 3. no earlier than 4 weeks before the~~  
333 ~~last day of school for the district.~~

334 Section 11. Pathways in Technology Early College High  
335 School (P-TECH) program.-

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336 (1) By December 1, 2020, the Commissioner of Education  
337 shall submit to the Governor, the President of the Senate, the  
338 Speaker of the House of Representatives, the Board of Governors,  
339 and the State Board of Education a report with recommendations  
340 that address the feasibility of implementing the Pathways in  
341 Technology Early College High School (P-TECH) program, or a  
342 similar program, in Florida. The P-TECH program must:

343 (a) Incorporate secondary and postsecondary education with  
344 workforce education and work experience through a flexible 6-  
345 year integrated model.

346 (b) Allow students to earn a high school diploma, an  
347 associate degree, and applicable industry certifications and  
348 gain work experience within 6 years after enrolling in the 9th  
349 grade.

350 (c) Have an open enrollment policy that encourages a  
351 diverse student body, including students from low-income  
352 families and first-generation college students.

353 (d) Support student success through flexible class  
354 scheduling, advising and mentoring components, and other wrap-  
355 around services.

356 (e) Provide seamless articulation with Florida's  
357 postsecondary institutions.

358 (2) The report must, at a minimum, include the following:

359 (a) Timelines for implementing a P-TECH program, or a  
360 similar program, as described in subsection (1), including

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361 courses of study which support program completion in 4 to 6  
362 years and which meet regional workforce demand.

363 (b) A funding model that provides the P-TECH program, or a  
364 similar program, at no cost to students. The funding model may  
365 incorporate K-12, postsecondary, and workforce funding, grants,  
366 scholarships, and other funding options.

367 (c) Partnerships with industries and businesses, which  
368 include private investment, work-based training, internships,  
369 and priority placement for job opportunities upon graduation.

370 (d) Recommendations for modifications, if any, to the  
371 school and school district accountability requirements of s.  
372 1008.34, Florida Statutes.

373 (3) This section shall take effect upon this act becoming  
374 a law and shall expire on December 1, 2020.

375