

1 A bill to be entitled
2 An act relating to education; amending s. 1001.23,
3 F.S.; authorizing the Department of Education to hold
4 patents, copyrights, trademarks, and service marks;
5 authorizing the department to take specified actions
6 to enforce its rights under certain circumstances;
7 amending s. 1003.4282, F.S.; deleting obsolete
8 language; requiring certain students to take a
9 specified assessment relating to civic literacy;
10 providing that such assessment meets certain
11 postsecondary requirements under specified
12 circumstances; correcting a cross-reference to changes
13 made by the act; amending s. 1007.25, F.S.; requiring
14 certain postsecondary students to complete a civic
15 literacy course and pass a specified assessment to
16 demonstrate competency in civic literacy; authorizing
17 students to meet the assessment requirements in high
18 school; providing for rulemaking; authorizing the
19 development of new civic literacy courses; providing
20 requirements for such courses; amending s. 1008.212,
21 F.S.; conforming cross-references to changes made by
22 the act; amending s. 1008.22, F.S.; revising the
23 purpose of the assessment program; removing obsolete
24 language; requiring certain assessments be given in a
25 paper-based format; requiring school districts to

26 provide the SAT or ACT to grade 11 students beginning
27 in a specified school year; requiring school districts
28 to choose which assessment to administer; deleting
29 specified reporting requirements; authorizing the
30 commissioner to discontinue the geometry end-of-course
31 assessment under certain circumstances; deleting a
32 requirement that the Commissioner of Education
33 maintain a specified item bank; deleting specified
34 requirements for the date of the administration of
35 specified assessments; revising a deadline for the
36 publication of certain assessments; amending s.
37 1008.24, F.S.; revising the tests which are included
38 under test administration and security rules; amending
39 ss. 1008.34 and 1008.3415, F.S.; conforming cross-
40 reference to changes made by this act; amending s.
41 1009.286, F.S.; providing an additional exception to
42 credit hours used when calculating baccalaureate
43 degrees; providing an effective date.

44
45 Be It Enacted by the Legislature of the State of Florida:

46
47 Section 1. Subsection (5) is added to section 1001.23,
48 Florida Statutes, to read:

49 1001.23 Specific powers and duties of the Department of
50 Education.—In addition to all other duties assigned to it by law

51 or by rule of the State Board of Education, the department
52 shall:

53 (5) Notwithstanding the provisions of chapter 286, have
54 the authority to hold patents, copyrights, trademarks, and
55 service marks. The department may take any action necessary to
56 enforce its rights with respect to such patents, copyrights,
57 trademarks, and service marks or enter into a transaction to
58 sell, lease, license, or transfer such rights for monetary gain
59 or other consideration at the discretion of the department. The
60 department shall notify the Department of State in writing when
61 property rights by patent, copyright, trademark, or service
62 marks are secured by the department. Except for educational
63 materials and products, any proceeds received by the department
64 from the exercise of such rights shall be deposited in the
65 department's Operating Trust Fund.

66 Section 2. Paragraphs (a) and (d) of subsection (3),
67 subsection (7), and paragraph (e) of subsection (10) of section
68 1003.4282, Florida Statutes, are amended to read:

69 1003.4282 Requirements for a standard high school
70 diploma.—

71 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
72 REQUIREMENTS.—

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

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

78 (d) Three credits in social studies.—A student must earn
79 one credit in United States History; one credit in World
80 History; one-half credit in economics; and one-half credit in
81 United States Government. The United States History EOC
82 assessment constitutes 30 percent of the student's final course
83 grade. Beginning with the 2021-2022 school year, the United
84 States Government course shall require students to take the
85 assessment of civic literacy identified by the State Board of
86 Education pursuant to s. 1007.25(4). Students earning a passing
87 score on the assessment are exempt from the postsecondary civic
88 literacy assessment required by s. 1007.25(4).

89 (7) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning
90 with the 2012-2013 school year, if a student transfers to a
91 Florida public high school from out of country, out of state, a
92 private school, or a home education program and the student's
93 transcript shows a credit in Algebra I, the student must pass
94 the statewide, standardized Algebra I EOC assessment in order to
95 earn a standard high school diploma unless the student earned a
96 comparative score, passed a statewide assessment in Algebra I
97 administered by the transferring entity, or passed the statewide
98 mathematics assessment the transferring entity uses to satisfy
99 the requirements of the Elementary and Secondary Education Act,
100 as amended by the Every Student Succeeds Act (ESSA), 20 U.S.C.

101 ss. 6301 et seq. If a student's transcript shows a credit in
102 high school reading or English Language Arts II or III, in order
103 to earn a standard high school diploma, the student must take
104 and pass the statewide, standardized grade 10 ~~Reading assessment~~
105 ~~or, when implemented, the grade 10 ELA assessment~~, or earn a
106 concordant score. If a transfer student's transcript shows a
107 final course grade and course credit in Algebra I, Geometry,
108 Biology I, or United States History, the transferring course
109 final grade and credit shall be honored without the student
110 taking the requisite statewide, standardized EOC assessment and
111 without the assessment results constituting 30 percent of the
112 student's final course grade.

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

116 (e) Any waiver of the statewide, standardized assessment
117 requirements by the individual education plan team, pursuant to
118 s. 1008.22(3)(d) ~~s. 1008.22(3)(e)~~, must be approved by the
119 parent and is subject to verification for appropriateness by an
120 independent reviewer selected by the parent as provided for in
121 s. 1003.572.

122
123 The State Board of Education shall adopt rules under ss.
124 120.536(1) and 120.54 to implement this subsection, including
125 rules that establish the minimum requirements for students

126 described in this subsection to earn a standard high school
127 diploma. The State Board of Education shall adopt emergency
128 rules pursuant to ss. 120.536(1) and 120.54.

129 Section 3. Subsection (4) of section 1007.25, Florida
130 Statutes, is amended to read:

131 1007.25 General education courses; common prerequisites;
132 other degree requirements.—

133 (4) (a) Beginning with students initially entering a
134 Florida College System institution or state university in the
135 2018-2019 school year and thereafter, each student must
136 demonstrate competency in civic literacy. Students must have the
137 option to demonstrate competency either through successful
138 completion of a civic literacy course or by achieving a passing
139 score on an assessment. The State Board of Education must adopt
140 in rule and the Board of Governors must adopt in regulation at
141 least one existing assessment that measures competencies
142 consistent with the required course competencies outlined in
143 subparagraph (b)2 ~~paragraph (b)~~.

144 (b) Beginning with students initially entering a Florida
145 College System institution or state university in the 2021-2022
146 school year and thereafter, each student must demonstrate
147 competency in civic literacy by achieving a passing score on an
148 assessment and by successfully completing a civic literacy
149 course. Credits earned for such courses via articulated
150 acceleration mechanisms in s. 1007.27 will count toward the

151 civic literacy competency requirement. The State Board of
152 Education and the Board of Governors shall adopt by rule and
153 regulation, respectively, approved assessments that address the
154 competencies in subparagraph 2. and courses that meet the
155 requirements in subparagraph 1. The chair of the State Board of
156 Education and the chair of the Board of Governors, or their
157 respective designees, shall jointly appoint a faculty committee
158 to:

159 1.(a) Develop one or more a new courses course in civic
160 literacy or revise an existing general education core course in
161 American History or American Government to include, at a
162 minimum, opportunities to engage synchronously in political
163 discussions and civil debates with multiple points of view, and
164 master the ability to synthesize information to inform civic
165 decisionmaking ~~civic literacy.~~

166 2.(b) Establish course competencies and identify outcomes
167 that include, at a minimum, an understanding of the basic
168 principles of American democracy and how they are applied in our
169 republican form of government, an understanding of the United
170 States Constitution, knowledge of the founding documents and how
171 they have shaped the nature and functions of our institutions of
172 self-governance, and an understanding of landmark Supreme Court
173 cases and their impact on law and society.

174 Section 4. Paragraph (a) of subsection (1) and subsection
175 (2) of section 1008.212, Florida Statutes, are amended to read:

176 1008.212 Students with disabilities; extraordinary
 177 exemption.—

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

179 (a) "Circumstance" means a situation in which
 180 accommodations allowable for use on the statewide standardized
 181 assessment, a statewide standardized end-of-course assessment,
 182 or an alternate assessment pursuant to s. 1008.22(3)(d) ~~s.~~
 183 ~~1008.22(3)(e)~~ are not offered to a student during the current
 184 year's assessment administration due to technological
 185 limitations in the testing administration program which lead to
 186 results that reflect the student's impaired sensory, manual, or
 187 speaking skills rather than the student's achievement of the
 188 benchmarks assessed by the statewide standardized assessment, a
 189 statewide standardized end-of-course assessment, or an alternate
 190 assessment.

191 (2) A student with a disability for whom the individual
 192 education plan (IEP) team determines is prevented by a
 193 circumstance or condition from physically demonstrating the
 194 mastery of skills that have been acquired and are measured by
 195 the statewide standardized assessment, a statewide standardized
 196 end-of-course assessment, or an alternate assessment pursuant to
 197 s. 1008.22(3)(d) ~~s. 1008.22(3)(e)~~ shall be granted an
 198 extraordinary exemption from the administration of the
 199 assessment. A learning, emotional, behavioral, or significant
 200 cognitive disability, or the receipt of services through the

201 homebound or hospitalized program in accordance with rule 6A-
202 6.03020, Florida Administrative Code, is not, in and of itself,
203 an adequate criterion for the granting of an extraordinary
204 exemption.

205 Section 5. Paragraph (a) of subsection (1), paragraphs
206 (a), (b), (c), (d), and (g) of subsection (3), subsection (6),
207 paragraphs (a), (b), (c), and (h) of subsection (7), subsections
208 (8) and (9), and paragraphs (e) and (f) of subsection (12) of
209 section 1008.22, Florida Statutes, are amended, and a new
210 paragraph (c) is added to subsection (3) of that section, to
211 read:

212 1008.22 Student assessment program for public schools.—

213 (1) PURPOSE.—The primary purpose of the student assessment
214 program is to provide student academic achievement and learning
215 gains data to students, parents, teachers, school
216 administrators, and school district staff. This data is to be
217 used by districts to improve instruction; by students, parents,
218 and teachers to guide learning objectives; by education
219 researchers to assess national and international education
220 comparison data; and by the public to assess the cost benefit of
221 the expenditure of taxpayer dollars. The program must be
222 designed to:

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

226 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
227 Commissioner of Education shall design and implement a
228 statewide, standardized assessment program aligned to the core
229 curricular content established in the Next Generation Sunshine
230 State Standards. The commissioner also must develop or select
231 and implement a common battery of assessment tools that will be
232 used in all juvenile justice education programs in the state.
233 These tools must accurately measure the core curricular content
234 established in the Next Generation Sunshine State Standards.
235 Participation in the assessment program is mandatory for all
236 school districts and all students attending public schools,
237 including adult students seeking a standard high school diploma
238 under s. 1003.4282 and students in Department of Juvenile
239 Justice education programs, except as otherwise provided by law.
240 If a student does not participate in the assessment program, the
241 school district must notify the student's parent and provide the
242 parent with information regarding the implications of such
243 nonparticipation. The statewide, standardized assessment program
244 shall be designed and implemented as follows:

245 (a) Statewide, standardized comprehensive assessments.—The
246 statewide, standardized ~~Reading assessment shall be administered~~
247 ~~annually in grades 3 through 10. The statewide, standardized~~
248 ~~Writing assessment shall be administered annually at least once~~
249 ~~at the elementary, middle, and high school levels. When the~~
250 ~~Reading and Writing assessments are replaced by English Language~~

251 Arts (ELA) assessments, ~~ELA assessments~~ shall be administered to
252 students in grades 3 through 10. Retake opportunities for the
253 ~~grade 10 Reading assessment or, upon implementation, the grade~~
254 10 ELA assessment must be provided. ~~Students taking the ELA~~
255 ~~assessments shall not take the statewide, standardized~~
256 ~~assessments in Reading or Writing.~~ Reading passages and writing
257 prompts for ELA assessments shall incorporate grade-level core
258 curricula content from social studies. The statewide,
259 standardized Mathematics assessments shall be administered
260 annually in grades 3 through 8. ~~Students taking a revised~~
261 ~~Mathematics assessment shall not take the discontinued~~
262 ~~assessment.~~ The statewide, standardized Science assessment shall
263 be administered annually at least once at the elementary and
264 middle grades levels. In order to earn a standard high school
265 diploma, a student who has not earned a passing score on the
266 ~~grade 10 Reading assessment or, upon implementation, the grade~~
267 ~~10~~ ELA assessment must earn a passing score on the assessment
268 retake or earn a concordant score as authorized under subsection
269 (9). Statewide, standardized ELA and mathematics assessments in
270 grades 3 through 6 must be delivered in a paper-based format.

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

274 1. EOC assessments for Algebra I, Geometry, Biology I,
275 United States History, and Civics shall be administered to

276 students enrolled in such courses as specified in the course
277 code directory.

278 2. Students enrolled in a course, as specified in the
279 course code directory, with an associated statewide,
280 standardized EOC assessment must take the EOC assessment for
281 such course and may not take the corresponding subject or grade-
282 level statewide, standardized assessment pursuant to paragraph
283 (a). Sections 1003.4156 and 1003.4282 govern the use of
284 statewide, standardized EOC assessment results for students.

285 3. The commissioner may select one or more nationally
286 developed comprehensive examinations, which may include
287 examinations for a College Board Advanced Placement course,
288 International Baccalaureate course, or Advanced International
289 Certificate of Education course, or industry-approved
290 examinations to earn national industry certifications identified
291 in the CAPE Industry Certification Funding List, for use as EOC
292 assessments under this paragraph if the commissioner determines
293 that the content knowledge and skills assessed by the
294 examinations meet or exceed the grade-level expectations for the
295 core curricular content established for the course in the Next
296 Generation Sunshine State Standards. Use of any such examination
297 as an EOC assessment must be approved by the state board in
298 rule.

299 4. Contingent upon funding provided in the General
300 Appropriations Act, including the appropriation of funds

301 received through federal grants, the commissioner may establish
302 an implementation schedule for the development and
303 administration of additional statewide, standardized EOC
304 assessments that must be approved by the state board in rule. If
305 approved by the state board, student performance on such
306 assessments constitutes 30 percent of a student's final course
307 grade.

308 5. All statewide, standardized EOC assessments must be
309 administered online except as otherwise provided in paragraph
310 (d) ~~(e)~~.

311 6. A student enrolled in an Advanced Placement (AP),
312 International Baccalaureate (IB), or Advanced International
313 Certificate of Education (AICE) course who takes the respective
314 AP, IB, or AICE assessment and earns the minimum score necessary
315 to earn college credit, as identified in s. 1007.27(2), meets
316 the requirements of this paragraph and does not have to take the
317 EOC assessment for the corresponding course.

318 (c) Nationally recognized high school assessments.—Each
319 school district shall, by the 2021-2022 school year and subject
320 to appropriation, select either the SAT or ACT for districtwide
321 administration to each public school student in grade 11,
322 including students attending public high schools, alternative
323 schools, and centers of the Department of Juvenile Justice.

324 (d) ~~(e)~~ Students with disabilities; Florida Alternate
325 Assessment.—

326 1. Each district school board must provide instruction to
327 prepare students with disabilities in the core content knowledge
328 and skills necessary for successful grade-to-grade progression
329 and high school graduation.

330 2. A student with a disability, as defined in s. 1007.02,
331 for whom the individual education plan (IEP) team determines
332 that the statewide, standardized assessments under this section
333 cannot accurately measure the student's abilities, taking into
334 consideration all allowable accommodations, shall have
335 assessment results waived for the purpose of receiving a course
336 grade and a standard high school diploma. Such waiver shall be
337 designated on the student's transcript. The statement of waiver
338 shall be limited to a statement that performance on an
339 assessment was waived for the purpose of receiving a course
340 grade or a standard high school diploma, as applicable.

341 3. The State Board of Education shall adopt rules, based
342 upon recommendations of the commissioner, for the provision of
343 assessment accommodations for students with disabilities and for
344 students who have limited English proficiency.

345 a. Accommodations that negate the validity of a statewide,
346 standardized assessment are not allowed during the
347 administration of the assessment. However, instructional
348 accommodations are allowed in the classroom if identified in a
349 student's IEP. Students using instructional accommodations in
350 the classroom that are not allowed on a statewide, standardized

351 assessment may have assessment results waived if the IEP team
352 determines that the assessment cannot accurately measure the
353 student's abilities.

354 b. If a student is provided with instructional
355 accommodations in the classroom that are not allowed as
356 accommodations for statewide, standardized assessments, the
357 district must inform the parent in writing and provide the
358 parent with information regarding the impact on the student's
359 ability to meet expected performance levels. A parent must
360 provide signed consent for a student to receive classroom
361 instructional accommodations that would not be available or
362 permitted on a statewide, standardized assessment and
363 acknowledge in writing that he or she understands the
364 implications of such instructional accommodations.

365 c. If a student's IEP states that online administration of
366 a statewide, standardized assessment will significantly impair
367 the student's ability to perform, the assessment shall be
368 administered in hard copy.

369 4. For students with significant cognitive disabilities,
370 the Department of Education shall provide for implementation of
371 the Florida Alternate Assessment to accurately measure the core
372 curricular content established in the Next Generation Sunshine
373 State Standards.

374 ~~(d) Implementation schedule.—~~

375 ~~1. The Commissioner of Education shall establish and~~

376 ~~publish on the department's website an implementation schedule~~
377 ~~to transition from the statewide, standardized Reading and~~
378 ~~Writing assessments to the ELA assessments and to the revised~~
379 ~~Mathematics assessments, including the Algebra I and Geometry~~
380 ~~EOC assessments. The schedule must take into consideration~~
381 ~~funding, sufficient field and baseline data, access to~~
382 ~~assessments, instructional alignment, and school district~~
383 ~~readiness to administer the assessments online. All such~~
384 ~~assessments must be delivered through computer-based testing,~~
385 ~~however, the following assessments must be delivered in a~~
386 ~~computer-based format, as follows: the grade 3 Mathematics~~
387 ~~assessment beginning in the 2016-2017 school year; the grade 4~~
388 ~~ELA assessment, beginning in the 2015-2016 school year; and the~~
389 ~~grade 4 Mathematics assessment, beginning in the 2016-2017~~
390 ~~school year. Notwithstanding the requirements of this~~
391 ~~subparagraph, statewide, standardized ELA and mathematics~~
392 ~~assessments in grades 3 through 6 must be delivered only in a~~
393 ~~paper-based format, beginning with the 2017-2018 school year,~~
394 ~~and all such assessments must be paper-based no later than the~~
395 ~~2018-2019 school year.~~

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

401 (g) Contracts for assessments.—

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

414 ~~2. A student's performance results on statewide,~~
415 ~~standardized assessments, EOC assessments, and Florida~~
416 ~~Alternative Assessments administered pursuant to this subsection~~
417 ~~must be provided to the student's teachers and parents by the~~
418 ~~end of the school year, unless the commissioner determines that~~
419 ~~extenuating circumstances exist and reports the extenuating~~
420 ~~circumstances to the State Board of Education. This subparagraph~~
421 ~~does not apply to existing contracts for such assessments, but~~
422 ~~shall apply to new contracts and any renewal of existing~~
423 ~~contracts for such assessments.~~

424 ~~3. If liquidated damages are applicable, the department~~
425 ~~shall collect liquidated damages that are due in response to the~~

426 ~~administration of the spring 2015 computer-based assessments of~~
427 ~~the department's Florida Standards Assessment contract with~~
428 ~~American Institutes for Research, and expend the funds to~~
429 ~~reimburse parties that incurred damages.~~

430 (6) LOCAL ASSESSMENT OF STUDENT PERFORMANCE ON STATE
431 STANDARDS.—

432 ~~(a)~~ Measurement of student performance is the
433 responsibility of school districts except in those subjects and
434 grade levels measured under the statewide, standardized
435 assessment program described in this section. When available,
436 instructional personnel must be provided with information on
437 student achievement of standards and benchmarks in order to
438 improve instruction.

439 ~~(b)~~ ~~The Commissioner of Education shall assist and support~~
440 ~~districts in measuring student performance on the state~~
441 ~~standards by maintaining a statewide item bank, facilitating the~~
442 ~~sharing of developed tests or test items among school districts,~~
443 ~~and providing technical assistance in best assessment practices.~~
444 ~~The commissioner may discontinue the item bank if he or she~~
445 ~~determines that district participation is insufficient for its~~
446 ~~sustainability.~~

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

448 (a) The Commissioner of Education shall establish
449 schedules for the administration of statewide, standardized
450 assessments and the reporting of student assessment results. The

451 commissioner shall consider the observance of religious and
452 school holidays when developing the schedules. The assessment
453 and reporting schedules must provide the earliest possible
454 reporting of student assessment results to the school districts,
455 ~~consistent with the requirements of paragraph (3)(g)~~. Assessment
456 results for the statewide, standardized ELA and mathematics
457 assessments and all statewide, standardized EOC assessments must
458 be made available no later than June 30, except for results for
459 the grade 3 statewide, standardized ELA assessment, which must
460 be made available no later than May 31. School districts shall
461 administer statewide, standardized assessments in accordance
462 with the schedule established by the commissioner.

463 (b) By January of each year, ~~beginning in 2018~~, the
464 commissioner shall publish on the department's website a uniform
465 calendar that includes the assessment and reporting schedules
466 for, at a minimum, the next 2 school years. The uniform calendar
467 must be provided to school districts in an electronic format
468 that allows each school district and public school to populate
469 the calendar with, at minimum, the following information for
470 reporting the district assessment schedules under paragraph (d):

471 1. Whether the assessment is a district-required
472 assessment or a state-required assessment.

473 2. The specific date or dates that each assessment will be
474 administered.

475 3. The time allotted to administer each assessment.

476 4. Whether the assessment is a computer-based assessment
477 or a paper-based assessment.

478 5. The grade level or subject area associated with the
479 assessment.

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

482 7. The type of assessment, the purpose of the assessment,
483 and the use of the assessment results.

484 8. A glossary of assessment terminology.

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

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

491 1. The grade 3 statewide, standardized ELA assessment and
492 the writing portion of the statewide, standardized ELA
493 assessment ~~for grades 4 through 10~~ must be administered no
494 earlier than April 1 each year within an assessment window not
495 to exceed 2 weeks.

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

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

505
506 ~~Each school district shall administer the assessments identified~~
507 ~~under subparagraphs 2. and 3. no earlier than 4 weeks before the~~
508 ~~last day of school for the district.~~

509 (h) The results of statewide, standardized assessment in
510 ELA and mathematics, science, and social studies assessments,
511 including assessment retakes, shall be reported in an easy-to-
512 read and understandable format and delivered in time to provide
513 useful, actionable information to students, parents, and each
514 student's current teacher of record and teacher of record for
515 the subsequent school year; however, in any case, the district
516 shall provide the results pursuant to this paragraph within 1
517 week after receiving the results from the department. A report
518 of student assessment results must, at a minimum, contain:

519 1. A clear explanation of the student's performance on the
520 applicable statewide, standardized assessments.

521 2. Information identifying the student's areas of strength
522 and areas in need of improvement.

523 3. Specific actions that may be taken, and the available
524 resources that may be used, by the student's parent to assist
525 his or her child based on the student's areas of strength and

526 areas in need of improvement.

527 4. Longitudinal information, if available, on the
528 student's progress in each subject area based on previous
529 statewide, standardized assessment data.

530 5. Comparative information showing the student's score
531 compared to other students in the school district, in the state,
532 or, if available, in other states.

533 6. Predictive information, if available, showing the
534 linkage between the scores attained by the student on the
535 statewide, standardized assessments and the scores he or she may
536 potentially attain on nationally recognized college entrance
537 examinations.

538 (8) PUBLICATION OF ASSESSMENTS.—To promote transparency in
539 the statewide assessment program, in any procurement for the
540 statewide, standardized assessment in ELA, ~~assessment in grades~~
541 ~~3 through 10 and the mathematics,~~ science, and social studies
542 ~~assessment in grades 3 through 8,~~ the Department of Education
543 shall solicit cost proposals for publication of the state
544 assessments on its website in accordance with this subsection.

545 (a) The department shall publish each assessment
546 administered under paragraph (3) (a) and subparagraph (3) (b) 1.,
547 excluding assessment retakes, at least once on a triennial basis
548 pursuant to a schedule determined by the Commissioner of
549 Education. Each assessment, when published, must have been
550 administered during the most recent school year and be in a

551 format that facilitates the sharing of assessment items.

552 (b) The initial publication of assessments must occur no
553 later than June 30, 2024 ~~June 30, 2021~~, subject to
554 appropriation, and must include, at a minimum, the grade 3 ELA
555 and mathematics assessments, the grade 10 ELA assessment, and
556 the Algebra I EOC assessment.

557 (c) The department must provide materials on its website
558 to help the public interpret assessment information published
559 pursuant to this subsection.

560 (9) CONCORDANT SCORES.—The Commissioner of Education must
561 identify scores on the SAT and ACT that if achieved satisfy the
562 graduation requirement that a student pass the grade 10
563 ~~statewide, standardized Reading assessment or, upon~~
564 ~~implementation, the grade 10~~ ELA assessment. The commissioner
565 may identify concordant scores on assessments other than the SAT
566 and ACT. If the content or scoring procedures change for the
567 grade 10 ~~Reading assessment or, upon implementation, the grade~~
568 ~~10~~ ELA assessment, new concordant scores must be determined. If
569 new concordant scores are not timely adopted, the last-adopted
570 concordant scores remain in effect until such time as new scores
571 are adopted. The state board shall adopt concordant scores in
572 rule.

573 (12) REPORTS.—The Department of Education shall annually
574 provide a report to the Governor, the President of the Senate,
575 and the Speaker of the House of Representatives which shall

576 include the following:

577 ~~(c) The number of students who after 8th grade enroll in~~
578 ~~adult education rather than other secondary education, which is~~
579 ~~defined as grades 9 through 12.~~

580 (e)~~(f)~~ Any plan or intent to establish or implement new
581 statewide, standardized assessments.

582 Section 6. Subsection (1) of section 1008.24, Florida
583 Statutes, is amended to read:

584 1008.24 Test administration and security; public records
585 exemption.—

586 (1) A person may not knowingly and willfully violate test
587 security rules adopted by the State Board of Education for
588 mandatory tests administered by or through the State Board of
589 Education or the Commissioner of Education to students,
590 educators, or applicants for certification or administered by
591 school districts pursuant to ss. 1002.69, 1003.52, 1003.56,
592 1007.25, 1007.35, 1008.22, 1008.25, and 1012.56 ~~s. 1008.22~~, or,
593 with respect to any such test, knowingly and willfully to:

594 (a) Give examinees access to test questions prior to
595 testing;

596 (b) Copy, reproduce, or use in any manner inconsistent
597 with test security rules all or any portion of any secure test
598 booklet;

599 (c) Coach examinees during testing or alter or interfere
600 with examinees' responses in any way;

601 (d) Make answer keys available to examinees;

602 (e) Fail to follow security rules for distribution and
603 return of secure test as directed, or fail to account for all
604 secure test materials before, during, and after testing;

605 (f) Fail to follow test administration directions
606 specified in the test administration manuals; or

607 (g) Participate in, direct, aid, counsel, assist in, or
608 encourage any of the acts prohibited in this section.

609 Section 7. Paragraph (a) of subsection (1) of section
610 1008.34, Florida Statutes, is amended to read:

611 1008.34 School grading system; school report cards;
612 district grade.—

613 (1) DEFINITIONS.—For purposes of the statewide,
614 standardized assessment program and school grading system, the
615 following terms are defined:

616 (a) "Achievement level," "student achievement," or
617 "achievement" describes the level of content mastery a student
618 has acquired in a particular subject as measured by a statewide,
619 standardized assessment administered pursuant to s.
620 1008.22(3)(a) and (b). There are five achievement levels. Level
621 1 is the lowest achievement level, level 5 is the highest
622 achievement level, and level 3 indicates satisfactory
623 performance. A student passes an assessment if the student
624 achieves a level 3, level 4, or level 5. For purposes of the
625 Florida Alternate Assessment administered pursuant to s.

626 1008.22(3)(d) ~~s. 1008.22(3)(c)~~, the state board shall provide,
627 in rule, the number of achievement levels and identify the
628 achievement levels that are considered passing.

629 Section 8. Subsection (2) of section 1008.3415, Florida
630 Statutes, is amended to read:

631 1008.3415 School grade or school improvement rating for
632 exceptional student education centers.—

633 (2) Notwithstanding s. 1008.34, the achievement levels and
634 Learning Gains of a student with a disability who attends an
635 exceptional student education center and has not been enrolled
636 in or attended a public school other than an exceptional student
637 education center for grades K-12 within the school district
638 shall not be included in the calculation of the home school's
639 grade if the student is identified as an emergent student on the
640 alternate assessment described in s. 1008.22(3)(d) ~~s.~~
641 ~~1008.22(3)(c)~~.

642 Section 9. Paragraph (i) is added to subsection (4) of
643 section 1009.286, Florida Statutes, to read:

644 1009.286 Additional student payment for hours exceeding
645 baccalaureate degree program completion requirements at state
646 universities.—

647 (4) For purposes of this section, credit hours earned
648 under the following circumstances are not calculated as hours
649 required to earn a baccalaureate degree:

650 (i) Credit hours earned to meet the requirements of s.

HB 507

2021

651 | 1007.25(4).

652 | Section 10. This act shall take effect July 1, 2021.