

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; deleting a  
 30 requirement that the Commissioner of Education  
 31 maintain a specified item bank; deleting specified  
 32 requirements for the date of the administration of  
 33 specified assessments; revising a deadline for the  
 34 publication of certain assessments; amending s.  
 35 1008.24, F.S.; revising the tests which are included  
 36 under test administration and security rules; amending  
 37 ss. 1008.34 and 1008.3415, F.S.; conforming cross-  
 38 reference to changes made by this act; amending s.  
 39 1009.286, F.S.; providing an additional exception to  
 40 credit hours used when calculating baccalaureate  
 41 degrees; providing an effective date.

42

43 Be It Enacted by the Legislature of the State of Florida:

44

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

47 1001.23 Specific powers and duties of the Department of  
 48 Education.—In addition to all other duties assigned to it by law  
 49 or by rule of the State Board of Education, the department  
 50 shall:

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

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

67           1003.4282 Requirements for a standard high school  
 68 diploma.—

69           (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT  
 70 REQUIREMENTS.—

71           (a) Four credits in English Language Arts (ELA).—The four  
 72 credits must be in ELA I, II, III, and IV. A student must pass  
 73 the statewide, standardized grade 10 ~~Reading assessment or, when~~  
 74 ~~implemented, the grade 10~~ ELA assessment, or earn a concordant  
 75 score, in order to earn a standard high school diploma.

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

87 (7) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning  
88 with the 2012-2013 school year, if a student transfers to a  
89 Florida public high school from out of country, out of state, a  
90 private school, or a home education program and the student's  
91 transcript shows a credit in Algebra I, the student must pass  
92 the statewide, standardized Algebra I EOC assessment in order to  
93 earn a standard high school diploma unless the student earned a  
94 comparative score, passed a statewide assessment in Algebra I  
95 administered by the transferring entity, or passed the statewide  
96 mathematics assessment the transferring entity uses to satisfy  
97 the requirements of the Elementary and Secondary Education Act,  
98 as amended by the Every Student Succeeds Act (ESSA), 20 U.S.C.  
99 ss. 6301 et seq. If a student's transcript shows a credit in  
100 high school reading or English Language Arts II or III, in order

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

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

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

120  
121 The State Board of Education shall adopt rules under ss.  
122 120.536(1) and 120.54 to implement this subsection, including  
123 rules that establish the minimum requirements for students  
124 described in this subsection to earn a standard high school  
125 diploma. The State Board of Education shall adopt emergency

126 rules pursuant to ss. 120.536(1) and 120.54.

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

129 1007.25 General education courses; common prerequisites;  
130 other degree requirements.—

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

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

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

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

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

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

174 1008.212 Students with disabilities; extraordinary  
175 exemption.—

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

189 (2) A student with a disability for whom the individual  
 190 education plan (IEP) team determines is prevented by a  
 191 circumstance or condition from physically demonstrating the  
 192 mastery of skills that have been acquired and are measured by  
 193 the statewide standardized assessment, a statewide standardized  
 194 end-of-course assessment, or an alternate assessment pursuant to  
 195 s. 1008.22(3)(d) ~~s. 1008.22(3)(e)~~ shall be granted an  
 196 extraordinary exemption from the administration of the  
 197 assessment. A learning, emotional, behavioral, or significant  
 198 cognitive disability, or the receipt of services through the  
 199 homebound or hospitalized program in accordance with rule 6A-  
 200 6.03020, Florida Administrative Code, is not, in and of itself,



201 an adequate criterion for the granting of an extraordinary  
202 exemption.

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

210 1008.22 Student assessment program for public schools.—

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

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

224 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The  
225 Commissioner of Education shall design and implement a

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

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

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

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

272 1. EOC assessments for Algebra I, Geometry, Biology I,  
273 United States History, and Civics shall be administered to  
274 students enrolled in such courses as specified in the course  
275 code directory.

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

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

297           4. Contingent upon funding provided in the General  
298 Appropriations Act, including the appropriation of funds  
299 received through federal grants, the commissioner may establish  
300 an implementation schedule for the development and

301 administration of additional statewide, standardized EOC  
302 assessments that must be approved by the state board in rule. If  
303 approved by the state board, student performance on such  
304 assessments constitutes 30 percent of a student's final course  
305 grade.

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

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

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

322 (d) ~~(e)~~ Students with disabilities; Florida Alternate  
323 Assessment.—

324 1. Each district school board must provide instruction to  
325 prepare students with disabilities in the core content knowledge

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

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

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

343 a. Accommodations that negate the validity of a statewide,  
344 standardized assessment are not allowed during the  
345 administration of the assessment. However, instructional  
346 accommodations are allowed in the classroom if identified in a  
347 student's IEP. Students using instructional accommodations in  
348 the classroom that are not allowed on a statewide, standardized  
349 assessment may have assessment results waived if the IEP team  
350 determines that the assessment cannot accurately measure the

351 student's abilities.

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

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

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

372       ~~(d) Implementation schedule.—~~

373       ~~1. The Commissioner of Education shall establish and~~  
374 ~~publish on the department's website an implementation schedule~~  
375 ~~to transition from the statewide, standardized Reading and~~

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

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

399 (g) Contracts for assessments.-

400 ~~1. The commissioner shall provide for the assessments to~~



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

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

422 ~~3. If liquidated damages are applicable, the department~~  
423 ~~shall collect liquidated damages that are due in response to the~~  
424 ~~administration of the spring 2015 computer-based assessments of~~  
425 ~~the department's Florida Standards Assessment contract with~~

426 ~~American Institutes for Research, and expend the funds to~~  
427 ~~reimburse parties that incurred damages.~~

428 (6) LOCAL ASSESSMENT OF STUDENT PERFORMANCE ON STATE  
429 STANDARDS.—

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

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

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

446 (a) The Commissioner of Education shall establish  
447 schedules for the administration of statewide, standardized  
448 assessments and the reporting of student assessment results. The  
449 commissioner shall consider the observance of religious and  
450 school holidays when developing the schedules. The assessment

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

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

469 1. Whether the assessment is a district-required  
470 assessment or a state-required assessment.

471 2. The specific date or dates that each assessment will be  
472 administered.

473 3. The time allotted to administer each assessment.

474 4. Whether the assessment is a computer-based assessment  
475 or a paper-based assessment.

476           5. The grade level or subject area associated with the  
477 assessment.

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

480           7. The type of assessment, the purpose of the assessment,  
481 and the use of the assessment results.

482           8. A glossary of assessment terminology.

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

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

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

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

499           3. With the exception of assessments identified in  
500 subparagraphs 1. and 2., any statewide, standardized assessment

501 must be administered within a 4-week assessment window that  
502 opens no earlier than May 1 each year.

503  
504 ~~Each school district shall administer the assessments identified~~  
505 ~~under subparagraphs 2. and 3. no earlier than 4 weeks before the~~  
506 ~~last day of school for the district.~~

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

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

519 2. Information identifying the student's areas of strength  
520 and areas in need of improvement.

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

525 4. Longitudinal information, if available, on the

526 student's progress in each subject area based on previous  
 527 statewide, standardized assessment data.

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

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

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

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

550 (b) The initial publication of assessments must occur no

551 later than June 30, 2024 ~~June 30, 2021~~, subject to  
552 appropriation, and must include, at a minimum, the grade 3 ELA  
553 and mathematics assessments, the grade 10 ELA assessment, and  
554 the Algebra I EOC assessment.

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

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

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

575 ~~(c) The number of students who after 8th grade enroll in~~

576 ~~adult education rather than other secondary education, which is~~  
577 ~~defined as grades 9 through 12.~~

578 ~~(e)-(f)~~ Any plan or intent to establish or implement new  
579 statewide, standardized assessments.

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

582 1008.24 Test administration and security; public records  
583 exemption.—

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

592 (a) Give examinees access to test questions prior to  
593 testing;

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

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

599 (d) Make answer keys available to examinees;

600 (e) Fail to follow security rules for distribution and



601 return of secure test as directed, or fail to account for all  
 602 secure test materials before, during, and after testing;

603 (f) Fail to follow test administration directions  
 604 specified in the test administration manuals; or

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

607 Section 7. Paragraph (a) of subsection (1) of section  
 608 1008.34, Florida Statutes, is amended to read:

609 1008.34 School grading system; school report cards;  
 610 district grade.—

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

614 (a) "Achievement level," "student achievement," or  
 615 "achievement" describes the level of content mastery a student  
 616 has acquired in a particular subject as measured by a statewide,  
 617 standardized assessment administered pursuant to s.

618 1008.22(3)(a) and (b). There are five achievement levels. Level  
 619 1 is the lowest achievement level, level 5 is the highest  
 620 achievement level, and level 3 indicates satisfactory

621 performance. A student passes an assessment if the student  
 622 achieves a level 3, level 4, or level 5. For purposes of the  
 623 Florida Alternate Assessment administered pursuant to s.

624 1008.22(3)(d) ~~s. 1008.22(3)(c)~~, the state board shall provide,  
 625 in rule, the number of achievement levels and identify the

626 achievement levels that are considered passing.

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

629 1008.3415 School grade or school improvement rating for  
630 exceptional student education centers.—

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

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

642 1009.286 Additional student payment for hours exceeding  
643 baccalaureate degree program completion requirements at state  
644 universities.—

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

648 (i) Credit hours earned to meet the requirements of s.  
649 1007.25(4).

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