

1 A bill to be entitled
2 An act relating to K-12 assessments and
3 accountability; amending s. 411.227, F.S.; conforming
4 provisions to changes made by the act; amending s.
5 1000.21, F.S.; renaming the "Next Generation Sunshine
6 State Standards" as the "state academic standards";
7 amending ss. 1002.37, 1002.45, 1002.53, 1002.67,
8 1002.68, 1003.41, and 1003.53 F.S.; conforming
9 provisions to changes made by the act; providing a
10 directive to the Division of Law Revision; amending s.
11 1008.2125, F.S.; deleting provisions relating to the
12 coordinated screening and progress monitoring program;
13 conforming cross-references to changes made by the
14 act; amending s. 1008.22, F.S.; conforming provisions
15 to changes made by the act; providing that certain
16 end-of-year comprehensive progress monitoring
17 assessments are the statewide, standardized ELA and
18 Mathematics assessments for certain students;
19 providing that achievement levels on specified
20 assessments shall measure grade-level performance,
21 rather than satisfactory performance; requiring
22 certain assessment results to be provided by a
23 specified date beginning with a certain school year;
24 including the coordinated screening and progress
25 monitoring system in the limitation on the school

26 | hours authorized for testing; revising the timeframe
27 | results for district-required local assessments must
28 | be provided to a student's parent; requiring such
29 | results to be provided in specified formats; requiring
30 | specified information to be included on individual
31 | student reports; requiring the Commissioner of
32 | Education to provide specified recommendations from an
33 | independent review of the coordinated screening and
34 | progress monitoring system to the Governor and
35 | Legislature by a specified date; providing
36 | requirements for the review and recommendations;
37 | providing for the future repeal of such requirements;
38 | amending s. 1008.25, F.S.; conforming provisions to
39 | changes made by the act; requiring the coordinated
40 | screening and progress monitoring system to identify
41 | the educational strengths and needs of students;
42 | revising requirements for such system; providing
43 | requirements for the administration of the coordinated
44 | screenings and progress monitoring and the reporting
45 | of results; requiring a specified annual report to be
46 | accessible through certain web-based options; deleting
47 | a requirement that district school boards print
48 | specified information in a local newspaper; amending
49 | s. 1008.33, F.S.; making editorial changes; requiring
50 | a school district to take specified actions for a

51 school that earns an initial school grade of "D";
52 revising the options available to a school district
53 that must implement a turnaround plan for a school;
54 authorizing a school district to submit a turnaround
55 plan for a school that has earned an initial school
56 grade of "D"; revising the options available to a
57 school district with a school that implemented a
58 turnaround plan and did not improve its school grade;
59 requiring certain schools that exit turnaround status
60 and earn a specified school grade within a certain
61 time period to continue with a turnaround option;
62 prohibiting a school district from selecting a
63 turnaround option that has already been used by a
64 school; providing exceptions; amending s. 1008.34,
65 F.S.; providing a transition for the calculation of
66 school and district grades for the 2022-2023 school
67 year; providing requirements for the calculation of
68 such grades and exemption schools from specified
69 provisions; providing requirements for determining
70 grade 3 retention and high school graduation
71 requirements for such school year; providing for the
72 future repeal of specified provisions; providing that
73 school improvements rating will not be calculated for
74 the 2022-2023 school year; providing for the future
75 repeal of specified provisions; providing an effective

76 | date.

77 |

78 | Be It Enacted by the Legislature of the State of Florida:

79 |

80 | Section 1. Paragraph (d) of subsection (1) and paragraph
81 | (b) of subsection (3) of section 411.227, Florida Statutes, are
82 | amended to read:

83 | 411.227 Components of the Learning Gateway.—The Learning
84 | Gateway system consists of the following components:

85 | (1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED
86 | ACCESS.—

87 | (d) In collaboration with other local resources, the
88 | demonstration projects shall develop public awareness strategies
89 | to disseminate information about developmental milestones,
90 | precursors of learning problems and other developmental delays,
91 | and the service system that is available. The information should
92 | target parents of children from birth through age 9 and should
93 | be distributed to parents, health care providers, and caregivers
94 | of children from birth through age 9. A variety of media should
95 | be used as appropriate, such as print, television, radio, and a
96 | community-based Internet website, as well as opportunities such
97 | as those presented by parent visits to physicians for well-child
98 | checkups. The Learning Gateway Steering Committee shall provide
99 | technical assistance to the local demonstration projects in
100 | developing and distributing educational materials and

101 information.

102 1. Public awareness strategies targeting parents of
103 children from birth through age 5 shall be designed to provide
104 information to public and private preschool programs, child care
105 providers, pediatricians, parents, and local businesses and
106 organizations. These strategies should include information on
107 the school readiness performance standards adopted by the
108 Department of Education.

109 2. Public awareness strategies targeting parents of
110 children from ages 6 through 9 must be designed to disseminate
111 training materials and brochures to parents and public and
112 private school personnel, and must be coordinated with the local
113 school board and the appropriate school advisory committees in
114 the demonstration projects. The materials should contain
115 information on state and district achievement ~~proficiency~~ levels
116 for grades K-3.

117 (3) EARLY EDUCATION, SERVICES AND SUPPORTS.—

118 (b) Demonstration projects shall develop strategies to
119 increase the use of appropriate intervention practices with
120 children who have learning problems and learning disabilities
121 within public and private early care and education programs and
122 K-3 public and private school settings. Strategies may include
123 training and technical assistance teams. Intervention must be
124 coordinated and must focus on providing effective supports to
125 children and their families within their regular education and

126 | community environment. These strategies must incorporate, as
 127 | appropriate, school and district activities related to the
 128 | student's progress monitoring plan and must provide parents with
 129 | greater access to community-based services that should be
 130 | available beyond the traditional school day. Academic
 131 | expectations for public school students in grades K-3 must be
 132 | based upon the local school board's adopted achievement
 133 | ~~proficiency~~ levels. When appropriate, school personnel shall
 134 | consult with the local Learning Gateway to identify other
 135 | community resources for supporting the child and the family.

136 | Section 2. Subsection (7) of section 1000.21, Florida
 137 | Statutes, is amended to read:

138 | 1000.21 Systemwide definitions.—As used in the Florida
 139 | Early Learning-20 Education Code:

140 | (7) "~~Next Generation Sunshine State~~ academic standards"
 141 | means the state's public K-12 curricular standards adopted under
 142 | s. 1003.41.

143 | Section 3. Paragraph (f) of subsection (3) and paragraphs
 144 | (a) and (d) of subsection (10) of section 1002.37, Florida
 145 | Statutes, are amended to read:

146 | 1002.37 The Florida Virtual School.—

147 | (3) Funding for the Florida Virtual School shall be
 148 | provided as follows:

149 | (f) The Florida Virtual School shall receive state funds
 150 | for operating purposes as provided in the General Appropriations

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151 Act. The calculation to determine the amount of state funds
152 includes: the sum of the base Florida Education Finance Program
153 funding, the state-funded discretionary contribution and a per-
154 full-time equivalent share of the discretionary millage
155 compression supplement, the exceptional student education
156 guaranteed allocation, the instructional materials allocation,
157 the evidence-based ~~research-based~~ reading instruction
158 allocation, the mental health assistance allocation, and the
159 teacher salary increase allocation. For the purpose of
160 calculating the state-funded discretionary contribution,
161 multiply the maximum allowable nonvoted discretionary millage
162 for operations pursuant to s. 1011.71(1) and (3) by the value of
163 96 percent of the current year's taxable value for school
164 purposes for the state; divide the result by the total full-time
165 equivalent membership of the state; and multiply the result by
166 the full-time equivalent membership of the school. Funds may not
167 be provided for the purpose of fulfilling the class size
168 requirements in ss. 1003.03 and 1011.685.

169 (10) (a) Public school students receiving full-time
170 instruction in kindergarten through grade 12 by the Florida
171 Virtual School must take all statewide assessments required
172 pursuant to s. 1008.22 and participate in the coordinated
173 screening and progress monitoring system under s. 1008.25(8).

174 (d) Unless an alternative testing site is mutually agreed
175 to by the Florida Virtual School and the school district or as

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176 contracted under s. 1008.24, all industry certification
177 examinations, national assessments, progress monitoring under s.
178 1008.25(8), and statewide assessments must be taken at the
179 school to which the student would be assigned according to
180 district school board attendance areas. A school district must
181 provide the student with access to the school's testing
182 facilities and the date and time of the administration of
183 progress monitoring and each examination or assessment.

184 Section 4. Paragraph (b) of subsection (6) of section
185 1002.45, Florida Statutes, is amended to read:

186 1002.45 Virtual instruction programs.—

187 (6) STUDENT PARTICIPATION REQUIREMENTS.—Each student
188 enrolled in a virtual instruction program or virtual charter
189 school must:

190 (b) Take statewide assessments pursuant to s. 1008.22 and
191 participate in the coordinated screening and progress monitoring
192 system under s. 1008.25(8). Statewide assessments and progress
193 monitoring may be administered within the school district in
194 which such student resides, or as specified in the contract in
195 accordance with s. 1008.24(3). If requested by the approved
196 provider or virtual charter school, the district of residence
197 must provide the student with access to the district's testing
198 facilities.

199 Section 5. Paragraph (d) of subsection (6) of section
200 1002.53, Florida Statutes, is amended to read:

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201 1002.53 Voluntary Prekindergarten Education Program;
 202 eligibility and enrollment.—

203 (6)

204 (d) Each parent who enrolls his or her child in the
 205 Voluntary Prekindergarten Education Program must allow his or
 206 her child to participate in the coordinated screening and
 207 progress monitoring program under s. 1008.25(8) ~~s. 1008.2125~~.

208 Section 6. Paragraph (b) of subsection (2) of section
 209 1002.67, Florida Statutes, is amended to read:

210 1002.67 Performance standards and curricula.—

211 (2)

212 (b) Each private prekindergarten provider's and public
 213 school's curriculum must be developmentally appropriate and
 214 must:

215 1. Be designed to prepare a student for early literacy and
 216 provide for instruction in early math skills;

217 2. Enhance the age-appropriate progress of students in
 218 attaining the performance standards adopted by the department
 219 under subsection (1); and

220 3. Support student learning gains through differentiated
 221 instruction that shall be measured by the coordinated screening
 222 and progress monitoring program under s. 1008.25(8) ~~s.~~
 223 ~~1008.2125~~.

224 Section 7. Paragraphs (a) and (b) of subsection (1),
 225 paragraphs (b) and (e) of subsection (4), and paragraph (c) of

226 subsection (6) of section 1002.68, Florida Statutes, are amended
 227 to read:

228 1002.68 Voluntary Prekindergarten Education Program
 229 accountability.—

230 (1)(a) Beginning with the 2022-2023 program year, each
 231 private prekindergarten provider and public school participating
 232 in the Voluntary Prekindergarten Education Program must
 233 participate in the coordinated screening and progress monitoring
 234 program in accordance with s. 1008.25(8) ~~s. 1008.2125~~. The
 235 coordinated screening and progress monitoring program results
 236 shall be used by the department to identify student learning
 237 gains, index development learning outcomes upon program
 238 completion relative to the performance standards established
 239 under s. 1002.67 and representative norms, and inform a private
 240 prekindergarten provider's and public school's performance
 241 metric.

242 (b) At a minimum, the initial and final progress
 243 monitoring or screening must be administered by individuals
 244 meeting requirements adopted by the department under s.
 245 1008.2125.

246 (4)

247 (b) The methodology for calculating a provider's
 248 performance metric may not include students who are not
 249 administered the coordinated screening and progress monitoring
 250 program under s. 1008.25(8) ~~s. 1008.2125~~.

251 (e) Subject to an appropriation, the department shall
 252 provide for a differential payment to a private prekindergarten
 253 provider and public school based on the provider's designation.
 254 The maximum differential payment may not exceed a total of 15
 255 percent of the base student allocation per full-time equivalent
 256 student under s. 1002.71 attending in the consecutive program
 257 year for that program. A private prekindergarten provider or
 258 public school may not receive a differential payment if it
 259 receives a designation of "proficient" or lower. Before the
 260 adoption of the methodology, the department shall confer with
 261 the Council for Early Grade Success under s. 1008.2125 before
 262 receiving approval from the State Board of Education for the
 263 final recommendations on the designation system and differential
 264 payments.

265 (6)

266 (c) The department shall adopt criteria for granting good
 267 cause exemptions. Such criteria must include, but are not
 268 limited to, all of the following:

269 1. Child demographic data that evidences a private
 270 prekindergarten provider or public school serves a statistically
 271 significant population of children with special needs who have
 272 individual education plans and can demonstrate progress toward
 273 meeting the goals outlined in the students' individual education
 274 plans.

275 2. Learning gains of children served in the Voluntary

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276 Prekindergarten Education Program by the private prekindergarten
277 provider or public school on an alternative measure that has
278 comparable validity and reliability of the coordinated screening
279 and progress monitoring program in accordance with s. 1008.25(8)
280 ~~s. 1008.2125.~~

281 3. Program assessment data under subsection (2) which
282 demonstrates effective teaching practices as recognized by the
283 tool developer.

284 4. Verification that local and state health and safety
285 requirements are met.

286 Section 8. Subsections (1) and (2) of section 1003.41,
287 Florida Statutes, are amended to read:

288 1003.41 ~~Next Generation Sunshine State~~ academic
289 standards.—

290 (1) ~~The Next Generation Sunshine~~ state academic standards
291 establish the core content of the curricula to be taught in the
292 state and specify the core content knowledge and skills that K-
293 12 public school students are expected to acquire. Standards
294 must be rigorous and relevant and provide for the logical,
295 sequential progression of core curricular content that
296 incrementally increases a student's core content knowledge and
297 skills over time. Curricular content for all subjects must
298 integrate critical-thinking, problem-solving, and workforce-
299 literacy skills; communication, reading, and writing skills;
300 mathematics skills; collaboration skills; contextual and

301 applied-learning skills; technology-literacy skills; information
302 and media-literacy skills; and civic-engagement skills. The
303 standards must include distinct grade-level expectations for the
304 core content knowledge and skills that a student is expected to
305 have acquired by each individual grade level from kindergarten
306 through grade 8. The standards for grades 9 through 12 may be
307 organized by grade clusters of more than one grade level except
308 as otherwise provided for visual and performing arts, physical
309 education, health, and foreign language standards.

310 (2) ~~The Next Generation Sunshine~~ state academic standards
311 must meet the following requirements:

312 (a) English Language Arts standards must establish
313 specific curricular content for, at a minimum, reading, writing,
314 speaking and listening, and language.

315 (b) Science standards must establish specific curricular
316 content for, at a minimum, the nature of science, earth and
317 space science, physical science, and life science.

318 (c) Mathematics standards must establish specific
319 curricular content for, at a minimum, algebra, geometry,
320 statistics and probability, number and quantity, functions, and
321 modeling.

322 (d) Social Studies standards must establish specific
323 curricular content for, at a minimum, geography, United States
324 and world history, government, civics, humanities, economics,
325 and financial literacy.

326 (e) Visual and performing arts, physical education,
327 health, and foreign language standards must establish specific
328 curricular content and include distinct grade level expectations
329 for the core content knowledge and skills that a student is
330 expected to have acquired by each individual grade level from
331 kindergarten through grade 5. The standards for grades 6 through
332 12 may be organized by grade clusters of more than one grade
333 level.

334 Section 9. Paragraph (c) of subsection (1) of section
335 1003.53, Florida Statutes, is amended to read:

336 1003.53 Dropout prevention and academic intervention.—

337 (1)

338 (c) A student shall be identified as being eligible to
339 receive services funded through the dropout prevention and
340 academic intervention program based upon one of the following
341 criteria:

342 1. The student is academically unsuccessful as evidenced
343 by low test scores, retention, failing grades, low grade point
344 average, falling behind in earning credits, or not meeting the
345 state or district achievement ~~proficiency~~ levels in reading,
346 mathematics, or writing.

347 2. The student has a pattern of excessive absenteeism or
348 has been identified as a habitual truant.

349 3. The student has a history of disruptive behavior in
350 school or has committed an offense that warrants out-of-school

351 suspension or expulsion from school according to the district
352 school board's code of student conduct. For the purposes of this
353 program, "disruptive behavior" is behavior that:

354 a. Interferes with the student's own learning or the
355 educational process of others and requires attention and
356 assistance beyond that which the traditional program can provide
357 or results in frequent conflicts of a disruptive nature while
358 the student is under the jurisdiction of the school either in or
359 out of the classroom; or

360 b. Severely threatens the general welfare of students or
361 others with whom the student comes into contact.

362 4. The student is identified by a school's early warning
363 system pursuant to s. 1001.42(18)(b).

364 Section 10. The Division of Law Revision is directed to
365 replace the phrase "Next Generation Sunshine State Standards"
366 wherever it occurs in the Florida Statutes with the phrase
367 "state academic standards."

368 Section 11. Subsection (4) of section 1008.2125, Florida
369 Statutes, is renumbered as subsection (1), subsection (3) is
370 renumbered as subsection (2), and subsections (5) through (7)
371 are renumbered as subsections (3) through (5), respectively, and
372 subsections (1) and (2) and present subsections (3), (4), and
373 (5) of that section are amended, to read:

374 1008.2125 The Council for Early Grade Success ~~Coordinated~~
375 ~~screening and progress monitoring program for students in the~~

376 ~~Voluntary Prekindergarten Education Program through grade 3.-~~

377 ~~(1) The primary purpose of the coordinated screening and~~
378 ~~progress monitoring program for students in the Voluntary~~
379 ~~Prekindergarten Education Program through grade 3 is to provide~~
380 ~~information on students' progress in mastering the appropriate~~
381 ~~grade-level standards and to provide information on their~~
382 ~~progress to parents, teachers, and school and program~~
383 ~~administrators. Data shall be used by Voluntary Prekindergarten~~
384 ~~Education Program providers and school districts to improve~~
385 ~~instruction, by parents and teachers to guide learning~~
386 ~~objectives and provide timely and appropriate supports and~~
387 ~~interventions to students not meeting grade-level expectations,~~
388 ~~and by the public to assess the cost benefit of the expenditure~~
389 ~~of taxpayer dollars. The coordinated screening and progress~~
390 ~~monitoring program must:~~

391 ~~(a) Measure student progress in the Voluntary~~
392 ~~Prekindergarten Education Program through grade 3 in meeting the~~
393 ~~appropriate expectations in early literacy and math skills and~~
394 ~~in English Language Arts and mathematics, as required by ss.~~
395 ~~1002.67(1)(a) and 1003.41.~~

396 ~~(b) Provide data for accountability of the Voluntary~~
397 ~~Prekindergarten Education Program, as required by s. 1002.68.~~

398 ~~(c) Provide baseline data to the department of each~~
399 ~~student's readiness for kindergarten, which must be based on~~
400 ~~each kindergarten student's progress monitoring results that was~~

401 ~~administered no later than the first 30 instructional days in~~
402 ~~accordance with paragraph (2) (a). The methodology for~~
403 ~~determining a student's readiness for kindergarten shall be~~
404 ~~developed by the department and aligned to the methodology~~
405 ~~adopted pursuant to s. 1002.68(4).~~

406 ~~(d) Identify the educational strengths and needs of~~
407 ~~students in the Voluntary Prekindergarten Education Program~~
408 ~~through grade 3.~~

409 ~~(e) Provide teachers with progress monitoring data to~~
410 ~~provide timely interventions and supports pursuant to s.~~
411 ~~1008.25(4).~~

412 ~~(f) Assess how well educational goals and curricular~~
413 ~~standards are met at the provider, school, district, and state~~
414 ~~levels.~~

415 ~~(g) Provide information to aid in the evaluation and~~
416 ~~development of educational programs and policies.~~

417 ~~(2) The Commissioner of Education shall design a~~
418 ~~statewide, standardized coordinated screening and progress~~
419 ~~monitoring program to assess early literacy and mathematics~~
420 ~~skills and the English Language Arts and mathematics standards~~
421 ~~established in ss. 1002.67(1)(a) and 1003.41, respectively. The~~
422 ~~coordinated screening and progress monitoring program must~~
423 ~~provide interval level and norm-referenced data that measures~~
424 ~~equivalent levels of growth; be a developmentally appropriate,~~
425 ~~valid, and reliable direct assessment; be able to capture data~~

426 ~~on students who may be performing below grade or developmental~~
427 ~~level and which may enable the identification of early~~
428 ~~indicators of dyslexia or other developmental delays; accurately~~
429 ~~measure the core content in the applicable grade level~~
430 ~~standards; document learning gains for the achievement of these~~
431 ~~standards; and provide teachers with progress monitoring~~
432 ~~supports and materials that enhance differentiated instruction~~
433 ~~and parent communication. Participation in the coordinated~~
434 ~~screening and progress monitoring program is mandatory for all~~
435 ~~students in the Voluntary Prekindergarten Education Program and~~
436 ~~enrolled in a public school in kindergarten through grade 3. The~~
437 ~~coordinated screening and progress monitoring program shall be~~
438 ~~implemented beginning in the 2022-2023 school year for students~~
439 ~~in the Voluntary Prekindergarten Education Program and~~
440 ~~kindergarten students, as follows:~~

441 ~~(a) The coordinated screening and progress monitoring~~
442 ~~program shall be administered within the first 30 days after~~
443 ~~enrollment, midyear, and within the last 30 days of the program~~
444 ~~or school year, in accordance with the rules adopted by the~~
445 ~~State Board of Education. The state board may adopt alternate~~
446 ~~timeframes to address nontraditional school year calendars or~~
447 ~~summer programs to ensure the coordinated screening and progress~~
448 ~~monitoring program is administered a minimum of three times~~
449 ~~within a year or program.~~

450 ~~(b) The results of the coordinated screening and progress~~

451 ~~monitoring program shall be reported to the department, in~~
452 ~~accordance with the rules adopted by the state board, and~~
453 ~~maintained in the department's educational data warehouse.~~

454 (1)~~(4)~~ The Council for Early Grade Success, a council as
455 defined in s. 20.03(7), is created within the Department of
456 Education to oversee the coordinated screening and progress
457 monitoring program under s. 1008.25(8) for students in the
458 Voluntary Prekindergarten Education Program through grade 3 and,
459 except as otherwise provided in this section, shall operate
460 consistent with s. 20.052.

461 (a) The council shall be responsible for reviewing the
462 implementation of, training for, and outcomes from the
463 coordinated screening and progress monitoring program to provide
464 recommendations to the department that support grade 3 students
465 reading at or above grade level. The council, at a minimum,
466 shall:

467 1. Provide recommendations on the implementation of the
468 coordinated screening and progress monitoring program, including
469 reviewing any procurement solicitation documents and criteria
470 before being published.

471 2. Develop training plans and timelines for such training.

472 3. Identify appropriate personnel, processes, and
473 procedures required for the administration of the coordinated
474 screening and progress monitoring program.

475 4. Provide input on the methodology for calculating a

476 provider's or school's performance metric and designations under
477 s. 1002.68(4).

478 5. Work with the department to review the methodology for
479 determining a child's kindergarten readiness.

480 6. Review data on age-appropriate learning gains by grade
481 level that a student would need to attain in order to
482 demonstrate proficiency in reading by grade 3.

483 7. Continually review anonymized data from the results of
484 the coordinated screening and progress monitoring program for
485 students in the Voluntary Prekindergarten Education Program
486 through grade 3 to help inform recommendations to the department
487 that support practices that will enable grade 3 students to read
488 at or above grade level.

489 (b) The council shall be composed of 17 members who are
490 residents of the state and appointed as follows:

491 1. Three members appointed by the Governor, as follows:

492 a. One representative from the Department of Education.

493 b. One parent of a child who is 4 to 9 years of age.

494 c. One representative that is an elementary school
495 administrator.

496 2. Seven members appointed by the President of the Senate,
497 as follows:

498 a. One senator who serves at the pleasure of the President
499 of the Senate.

500 b. One representative of an urban school district.

- 501 c. One representative of a rural early learning coalition.
- 502 d. One representative of a faith-based early learning
- 503 provider who offers the Voluntary Prekindergarten Education
- 504 Program.
- 505 e. One representative who is a second grade teacher who
- 506 has at least 5 years of teaching experience.
- 507 f. Two representatives with subject matter expertise in
- 508 early learning, early grade success, or child assessments.
- 509 3. Seven members appointed by the Speaker of the House of
- 510 Representatives, as follows:
- 511 a. One member of the House of Representatives who serves
- 512 at the pleasure of the Speaker of the House.
- 513 b. One representative of a rural school district.
- 514 c. One representative of an urban early learning
- 515 coalition.
- 516 d. One representative of an early learning provider who
- 517 offers the Voluntary Prekindergarten Education Program.
- 518 e. One member who is a kindergarten teacher who has at
- 519 least 5 years of teaching experience.
- 520 f. Two representatives with subject matter expertise in
- 521 early learning, early grade success, or child assessment.
- 522 4. The four representatives with subject matter expertise
- 523 in sub-subparagraphs 2.f. and 3.f. may not be direct
- 524 stakeholders within the early learning or public school systems.
- 525 (2)~~(3)~~ The Commissioner of Education shall:

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526 (a) Develop a plan, in coordination with the Council for
527 Early Grade Success, for implementing the coordinated screening
528 and progress monitoring program in consideration of timelines
529 for implementing new early literacy and mathematics skills and
530 the English Language Arts and mathematics standards established
531 in ss. 1002.67(1)(a) and 1003.41, as appropriate.

532 (b) Provide data, reports, and information as requested to
533 the Council for Early Grade Success.

534 (3)~~(5)~~ The council shall elect a chair and vice chair, one
535 of whom must be a member who has subject matter expertise in
536 early learning, early grade success, or child assessments. The
537 vice chair must be a member appointed by the President of the
538 Senate or the Speaker of the House of Representatives who is not
539 one of the four members with subject matter expertise in early
540 learning, early grade success, or child assessments appointed
541 pursuant to sub-subparagraphs (2)(b)2.f. and 3.f. ~~(4)(b)2.f. and~~
542 ~~3.f.~~ Members of the council shall serve without compensation but
543 are entitled to reimbursement for per diem and travel expenses
544 pursuant to s. 112.061.

545 Section 12. Subsection (13) of section 1008.22, Florida
546 Statutes, is renumbered as subsection (14), subsections (3) and
547 (6) and paragraphs (a), (b), (c), (e), (g), (h), and (i) of
548 subsection (7) are amended, and a new subsection (13) is added
549 to that section, to read:

550 1008.22 Student assessment program for public schools.—

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551 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
552 Commissioner of Education shall design and implement a
553 statewide, standardized assessment program aligned to the core
554 curricular content established in the ~~Next Generation Sunshine~~
555 state academic standards. The commissioner also must develop or
556 select and implement a common battery of assessment tools that
557 will be used in all juvenile justice education programs in the
558 state. These tools must accurately measure the core curricular
559 content established in the ~~Next Generation Sunshine~~ state
560 academic standards. Participation in the assessment program is
561 mandatory for all school districts and all students attending
562 public schools, including adult students seeking a standard high
563 school diploma under s. 1003.4282 and students in Department of
564 Juvenile Justice education programs, except as otherwise
565 provided by law. If a student does not participate in the
566 assessment program, the school district must notify the
567 student's parent and provide the parent with information
568 regarding the implications of such nonparticipation. The
569 statewide, standardized assessment program shall be designed and
570 implemented as follows:

571 (a) Statewide, standardized comprehensive assessments.—

572 1. The statewide, standardized English Language Arts (ELA)
573 assessments shall be administered to students in grades 3
574 through 10. Retake opportunities for the grade 10 ELA assessment
575 must be provided. Reading passages and writing prompts for ELA

576 assessments shall incorporate grade-level core curricula content
577 from social studies. The statewide, standardized Mathematics
578 assessments shall be administered annually in grades 3 through
579 8. The statewide, standardized Science assessment shall be
580 administered annually at least once at the elementary and middle
581 grades levels. In order to earn a standard high school diploma,
582 a student who has not earned a passing score on the grade 10 ELA
583 assessment must earn a passing score on the assessment retake or
584 earn a concordant score as authorized under subsection (9).
585 ~~Statewide, standardized ELA and Mathematics assessments in~~
586 ~~grades 3 through 6 must be delivered in a paper-based format.~~

587 2. Beginning with the 2022-2023 school year, the end-of-
588 year comprehensive progress monitoring assessment administered
589 pursuant to s. 1008.25(8)(b)2. is the statewide, standardized
590 ELA assessment for students in grades 3 through 10 and the
591 statewide, standardized Mathematics assessment for students in
592 grades 3 through 8.

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

596 1. EOC assessments for Algebra I, Geometry, Biology I,
597 United States History, and Civics shall be administered to
598 students enrolled in such courses as specified in the course
599 code directory.

600 2. Students enrolled in a course, as specified in the

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601 course code directory, with an associated statewide,
602 standardized EOC assessment must take the EOC assessment for
603 such course and may not take the corresponding subject or grade-
604 level statewide, standardized assessment pursuant to paragraph
605 (a). Sections 1003.4156 and 1003.4282 govern the use of
606 statewide, standardized EOC assessment results for students.

607 3. The commissioner may select one or more nationally
608 developed comprehensive examinations, which may include
609 examinations for a College Board Advanced Placement course,
610 International Baccalaureate course, or Advanced International
611 Certificate of Education course, or industry-approved
612 examinations to earn national industry certifications identified
613 in the CAPE Industry Certification Funding List, for use as EOC
614 assessments under this paragraph if the commissioner determines
615 that the content knowledge and skills assessed by the
616 examinations meet or exceed the grade-level expectations for the
617 core curricular content established for the course in the ~~Next~~
618 ~~Generation Sunshine~~ state academic standards. Use of any such
619 examination as an EOC assessment must be approved by the state
620 board in rule.

621 4. Contingent upon funding provided in the General
622 Appropriations Act, including the appropriation of funds
623 received through federal grants, the commissioner may establish
624 an implementation schedule for the development and
625 administration of additional statewide, standardized EOC

626 assessments that must be approved by the state board in rule. If
 627 approved by the state board, student performance on such
 628 assessments constitutes 30 percent of a student's final course
 629 grade.

630 5. All statewide, standardized EOC assessments must be
 631 administered online except as otherwise provided in paragraph
 632 (d).

633 6. A student enrolled in an Advanced Placement (AP),
 634 International Baccalaureate (IB), or Advanced International
 635 Certificate of Education (AICE) course who takes the respective
 636 AP, IB, or AICE assessment and earns the minimum score necessary
 637 to earn college credit, as identified in s. 1007.27(2), meets
 638 the requirements of this paragraph and does not have to take the
 639 EOC assessment for the corresponding course.

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

646 (d) Students with disabilities; Florida Alternate
 647 Assessment.—

648 1. Each district school board must provide instruction to
 649 prepare students with disabilities in the core content knowledge
 650 and skills necessary for successful grade-to-grade progression

651 and high school graduation.

652 2. A student with a disability, as defined in s. 1007.02,
653 for whom the individual education plan (IEP) team determines
654 that the statewide, standardized assessments under this section
655 cannot accurately measure the student's abilities, taking into
656 consideration all allowable accommodations, shall have
657 assessment results waived for the purpose of receiving a course
658 grade and a standard high school diploma. Such waiver shall be
659 designated on the student's transcript. The statement of waiver
660 shall be limited to a statement that performance on an
661 assessment was waived for the purpose of receiving a course
662 grade or a standard high school diploma, as applicable.

663 3. The State Board of Education shall adopt rules, based
664 upon recommendations of the commissioner, for the provision of
665 assessment accommodations for students with disabilities and for
666 students who have limited English proficiency.

667 a. Accommodations that negate the validity of a statewide,
668 standardized assessment are not allowed during the
669 administration of the assessment. However, instructional
670 accommodations are allowed in the classroom if identified in a
671 student's IEP. Students using instructional accommodations in
672 the classroom that are not allowed on a statewide, standardized
673 assessment may have assessment results waived if the IEP team
674 determines that the assessment cannot accurately measure the
675 student's abilities.

676 b. If a student is provided with instructional
677 accommodations in the classroom that are not allowed as
678 accommodations for statewide, standardized assessments, the
679 district must inform the parent in writing and provide the
680 parent with information regarding the impact on the student's
681 ability to meet expected performance levels. A parent must
682 provide signed consent for a student to receive classroom
683 instructional accommodations that would not be available or
684 permitted on a statewide, standardized assessment and
685 acknowledge in writing that he or she understands the
686 implications of such instructional accommodations.

687 c. If a student's IEP states that online administration of
688 a statewide, standardized assessment will significantly impair
689 the student's ability to perform, the assessment shall be
690 administered in hard copy.

691 4. For students with significant cognitive disabilities,
692 the Department of Education shall provide for implementation of
693 the Florida Alternate Assessment to accurately measure the core
694 curricular content established in the ~~Next Generation Sunshine~~
695 state academic standards.

696 (e) Assessment scores and achievement levels.—

697 1. All statewide, standardized EOC assessments and ELA,
698 mathematics, and Science assessments shall use scaled scores and
699 achievement levels. Achievement levels shall range from 1
700 through 5, with level 1 being the lowest achievement level,

701 level 5 being the highest achievement level, and level 3
702 indicating grade-level ~~satisfactory~~ performance on an
703 assessment.

704 2. The state board shall designate by rule a passing
705 score, indicating grade-level performance, for each statewide,
706 standardized assessment.

707 3. If the commissioner seeks to revise a statewide,
708 standardized assessment and the revisions require the state
709 board to modify performance level scores, including the passing
710 score, the commissioner shall provide a copy of the proposed
711 scores and implementation plan to the President of the Senate
712 and the Speaker of the House of Representatives at least 45 ~~90~~
713 days before submission to the state board for review. Until the
714 state board adopts the modifications by rule, the commissioner
715 shall use calculations for scoring the assessment that adjust
716 student scores on the revised assessment for statistical
717 equivalence to student scores on the former assessment. The
718 state board shall adopt by rule the passing score for the
719 revised assessment that is statistically equivalent to the
720 passing score on the discontinued assessment for a student who
721 is required to attain a passing score on the discontinued
722 assessment. The commissioner may, with approval of the state
723 board, discontinue administration of the former assessment upon
724 the graduation, based on normal student progression, of students
725 participating in the final regular administration of the former

726 assessment. If the commissioner revises a statewide,
727 standardized assessment and the revisions require the state
728 board to modify the passing score, only students taking the
729 assessment for the first time after the rule is adopted are
730 affected.

731 (f) Prohibited activities.—A district school board shall
732 prohibit each public school from suspending a regular program of
733 curricula for purposes of administering practice assessments or
734 engaging in other assessment-preparation activities for a
735 statewide, standardized assessment. However, a district school
736 board may authorize a public school to engage in the following
737 assessment-preparation activities:

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

740 2. Providing individualized instruction in assessment-
741 taking strategies, without suspending the school's regular
742 program of curricula, for a student who scores Level 1 or Level
743 2 on a prior administration of an assessment.

744 3. Providing individualized instruction in the content
745 knowledge and skills assessed, without suspending the school's
746 regular program of curricula, for a student who scores Level 1
747 or Level 2 on a prior administration of an assessment or a
748 student who, through a diagnostic assessment administered by the
749 school district, is identified as having a deficiency in the
750 content knowledge and skills assessed.

751 4. Administering a practice assessment or engaging in
 752 other assessment-preparation activities that are determined
 753 necessary to familiarize students with the organization of the
 754 assessment, the format of assessment items, and the assessment
 755 directions or that are otherwise necessary for the valid and
 756 reliable administration of the assessment, as set forth in rules
 757 adopted by the State Board of Education with specific reference
 758 to this paragraph.

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

771 (6) LOCAL ASSESSMENT OF STUDENT PERFORMANCE ON STATE
 772 STANDARDS.—Measurement of student performance is the
 773 responsibility of school districts except in those subjects and
 774 grade levels measured under the statewide, standardized
 775 assessment program described in this section and the coordinated

776 screening and progress monitoring system under s. 1008.25(8).
777 When available, instructional personnel must be provided with
778 information on student achievement of standards and benchmarks
779 in order to improve instruction.

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

781 (a) The Commissioner of Education shall establish
782 schedules for the administration of statewide, standardized
783 assessments and the reporting of student assessment results. The
784 commissioner shall consider the observance of religious and
785 school holidays when developing the schedules. The assessment
786 and reporting schedules must provide the earliest possible
787 reporting of student assessment results to the school districts.
788 Assessment results for the statewide, standardized ELA and
789 Mathematics assessments and all statewide, standardized EOC
790 assessments must be made available no later than June 30, except
791 for results for the grade 3 statewide, standardized ELA
792 assessment, which must be made available no later than May 31.
793 Beginning with the 2023-2024 school year, assessment results for
794 the statewide, standardized ELA and Mathematics assessments must
795 be available no later than May 31. School districts shall
796 administer statewide, standardized assessments in accordance
797 with the schedule established by the commissioner.

798 (b) By January of each year, the commissioner shall
799 publish on the department's website a uniform calendar that
800 includes the assessment and reporting schedules for, at a

801 minimum, the next 2 school years. The uniform calendar must be
802 provided to school districts in an electronic format that allows
803 each school district and public school to populate the calendar
804 with, at minimum, the following information for reporting the
805 district assessment schedules under paragraph (d):

806 1. Whether the assessment is a district-required
807 assessment or a state-required assessment.

808 2. The specific date or dates that each assessment will be
809 administered, including administrations of the coordinated
810 screening and progress monitoring system under s. 1008.25(8)(b).

811 3. The time allotted to administer each assessment.

812 4. Whether the assessment is a computer-based assessment
813 or a paper-based assessment.

814 5. The grade level or subject area associated with the
815 assessment.

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

818 7. The type of assessment, the purpose of the assessment,
819 and the use of the assessment results.

820 8. A glossary of assessment terminology.

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

823 (c) The spring administration of the statewide,
824 standardized assessments in paragraphs (3)(a) and (b), excluding
825 assessment retakes, must be in accordance with the following

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826 | schedule:

827 | 1. The grade 3 statewide, standardized ELA assessment and
828 | the writing portion of the statewide, standardized ELA
829 | assessment must be administered no earlier than April 1 each
830 | year within an assessment window not to exceed 2 weeks.

831 | 2. With the exception of assessments identified in
832 | subparagraph 1., any statewide, standardized assessment that is
833 | delivered in a paper-based format must be administered no
834 | earlier than May 1 each year within an assessment window not to
835 | exceed 2 weeks.

836 | 3. With the exception of assessments identified in
837 | subparagraphs 1. and 2., any statewide, standardized assessment
838 | must be administered within a 4-week assessment window that
839 | opens no earlier than May 1 each year.

840 | (e) A school district may not schedule more than 5 percent
841 | of a student's total school hours in a school year to administer
842 | statewide, standardized assessments, the coordinated screening
843 | and progress monitoring system under s. 1008.25(8)(b)2., and
844 | district-required local assessments. The district must secure
845 | written consent from a student's parent before administering
846 | district-required local assessments that, after applicable
847 | statewide, standardized assessments and coordinated screening
848 | and progress monitoring are scheduled, exceed the 5 percent test
849 | administration limit for that student under this paragraph. The
850 | 5 percent test administration limit for a student under this

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851 paragraph may be exceeded as needed to provide test
852 accommodations that are required by an IEP or are appropriate
853 for an English language learner who is currently receiving
854 services in a program operated in accordance with an approved
855 English language learner district plan pursuant to s. 1003.56.
856 Notwithstanding this paragraph, a student may choose within a
857 school year to take an examination or assessment adopted by
858 State Board of Education rule pursuant to this section and ss.
859 1007.27, 1008.30, and 1008.44.

860 (g) A school district must provide a student's performance
861 results on district-required local assessments to the student's
862 teachers and parent within 1 week ~~and to the student's parents~~
863 ~~no later than 30 days~~ after administering such assessments,
864 unless the superintendent determines in writing that extenuating
865 circumstances exist and reports the extenuating circumstances to
866 the district school board. Results must be made available
867 through a web-based portal as part of the school district's
868 learning management system and in a printed format upon request
869 by a student's parent.

870 (h) The results of statewide, standardized assessment in
871 ELA and mathematics, science, and social studies, including
872 assessment retakes, shall be reported in an easy-to-read and
873 understandable format and delivered in time to provide useful,
874 actionable information to students, parents, and each student's
875 current teacher of record and teacher of record for the

876 subsequent school year; however, in any case, the district shall
877 provide the results pursuant to this paragraph within 1 week
878 after receiving the results from the department. A report of
879 student assessment results must, at a minimum, contain:

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

882 2. Information identifying the student's areas of strength
883 and areas in need of improvement.

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

888 4. Longitudinal information, if available, on the
889 student's progress in each subject area based on previous
890 statewide, standardized assessment data.

891 5. Comparative information showing the student's score
892 compared to other students in the school district, in the state,
893 or, if available, in other states.

894 6. Predictive information, if available, showing the
895 linkage between the scores attained by the student on the
896 statewide, standardized assessments and the scores he or she may
897 potentially attain on nationally recognized college entrance
898 examinations.

899

900 The information included under this paragraph relating to

901 results from the statewide, standardized ELA assessments for
902 grades 3 through 10 and Mathematics assessments for grades 3
903 through 8 must be included in individual student reports under
904 s. 1008.25(8)(c).

905 (i) The State Board of Education shall adopt rules for the
906 development of the uniform calendar that, at minimum, define
907 terms that must be used in the calendar to describe various
908 assessments, including the terms "progress monitoring,"
909 "summative assessment," "formative assessment," and "interim
910 assessment."

911 (13) INDEPENDENT REVIEW.-By January 31, 2025, the
912 Commissioner of Education shall provide recommendations to the
913 Governor, the President of the Senate, and the Speaker of the
914 House of Representatives based on an independent review of the
915 coordinated screening and progress monitoring system under s.
916 1008.25(8). At a minimum, the review and recommendations must
917 address:

918 (a) The feasibility and validity of using results from
919 either the first or second administrations of progress
920 monitoring, or both, in lieu of using the comprehensive, end-of-
921 year progress monitoring assessment for purposes of
922 demonstrating a passing score, promotion to grade 4, meeting
923 graduation requirements, and calculating school grades in
924 accordance with s. 1008.34.

925 (b) Options for further reducing the statewide,

926 standardized assessment footprint while maintaining valid and
927 reliable data for purposes of school accountability and
928 providing school and student supports, including the use of
929 computer-adaptive assessments, consistent with the requirements
930 of the federal Elementary and Secondary Education Act, 20 U.S.C.
931 ss. 6301 et seq. and its implementing regulations.

932 (c) The feasibility and validity of remotely administering
933 statewide, standardized assessments and the coordinated
934 screening and progress monitoring system.

935 (d) Accelerating student progression based on results from
936 the coordinated screening and progress monitoring system, as
937 academically and developmentally appropriate.

938 (e) The incorporation of content from ELA instructional
939 materials adopted by the Commissioner of Education pursuant to
940 s. 1006.34 in test items within the coordinated screening and
941 progress monitoring system under s. 1008.25(8).

942 (f) The impact of the coordinated screening and progress
943 monitoring system on student learning growth data as measured by
944 the formula approved under s. 1012.34(7).

945
946 This subsection is repealed July 1, 2025.

947 Section 13. Paragraph (a) of subsection (4), paragraphs
948 (b), (d), and (e) of subsection (5), paragraph (b) of subsection
949 (7), paragraphs (a), (b), and (c) of subsection (8), and
950 subsection (9) of section 1008.25, Florida Statutes, are amended

951 to read:

952 1008.25 Public school student progression; student
 953 support; coordinated screening and progress monitoring;
 954 reporting requirements.—

955 (4) ASSESSMENT AND SUPPORT.—

956 (a) Each student must participate in the statewide,
 957 standardized assessment program required under s. 1008.22 and
 958 the ~~Voluntary Prekindergarten Education Program through grade 8~~
 959 coordinated screening and progress monitoring system required
 960 under subsection (8). Each student who does not achieve a Level
 961 3 or above on the statewide, standardized English Language Arts
 962 assessment, the statewide, standardized Mathematics assessment,
 963 or the Algebra I EOC assessment must be evaluated to determine
 964 the nature of the student's difficulty, the areas of academic
 965 need, and strategies for providing academic supports to improve
 966 the student's performance.

967 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

968 (b) A Voluntary Prekindergarten Education Program student
 969 who exhibits a substantial deficiency in early literacy skills
 970 in accordance with the standards under s. 1002.67(1)(a) and
 971 based upon the results of the administration of the final
 972 coordinated screening and progress monitoring under subsection
 973 (8) ~~s. 1008.2125~~ shall be referred to the local school district
 974 and may be eligible to receive intensive reading interventions
 975 before participating in kindergarten. Such intensive reading

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976 interventions shall be paid for using funds from the district's
977 evidence-based ~~research-based~~ reading instruction allocation in
978 accordance with s. 1011.62(8) ~~s. 1011.62(9)~~.

979 (d) The parent of any student who exhibits a substantial
980 deficiency in reading, as described in paragraph (a), must be
981 notified in writing of the following:

982 1. That his or her child has been identified as having a
983 substantial deficiency in reading, including a description and
984 explanation, in terms understandable to the parent, of the exact
985 nature of the student's difficulty in learning and lack of
986 achievement in reading.

987 2. A description of the current services that are provided
988 to the child.

989 3. A description of the proposed intensive interventions
990 and supports that will be provided to the child that are
991 designed to remediate the identified area of reading deficiency.

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

996 5. Strategies, including multisensory strategies, through
997 a read-at-home plan the parent can use in helping his or her
998 child succeed in reading. The read-at-home plan must provide
999 access to the resources identified in paragraph (e) ~~paragraph~~
1000 ~~(d)~~.

1001 6. That the statewide, standardized English Language Arts
 1002 assessment is not the sole determiner of promotion and that
 1003 additional evaluations, portfolio reviews, and assessments are
 1004 available to the child to assist parents and the school district
 1005 in knowing when a child is reading at or above grade level and
 1006 ready for grade promotion.

1007 7. The district's specific criteria and policies for a
 1008 portfolio as provided in subparagraph (6)(b)4. and the evidence
 1009 required for a student to demonstrate mastery of Florida's
 1010 academic standards for English Language Arts. A school must
 1011 immediately begin collecting evidence for a portfolio when a
 1012 student in grade 3 is identified as being at risk of retention
 1013 or upon the request of the parent, whichever occurs first.

1014 8. The district's specific criteria and policies for
 1015 midyear promotion. Midyear promotion means promotion of a
 1016 retained student at any time during the year of retention once
 1017 the student has demonstrated ability to read at grade level.

1018 9. Information about the student's eligibility for the New
 1019 Worlds Reading Initiative under s. 1003.485 and information on
 1020 parent training modules and other reading engagement resources
 1021 available through the initiative.

1022
 1023 After initial notification, the school shall apprise the parent
 1024 at least monthly of the student's progress in response to the
 1025 intensive interventions and supports. Such communications must

1026 | be in writing and must explain any additional interventions or
1027 | supports that will be implemented to accelerate the student's
1028 | progress if the interventions and supports already being
1029 | implemented have not resulted in improvement.

1030 | (e) The Department of Education shall compile resources
1031 | that each school district must incorporate into a read-at-home
1032 | plan provided to the parent of a student who is identified as
1033 | having a substantial reading deficiency pursuant to paragraph
1034 | (d) ~~paragraph (c)~~. The resources must be made available in an
1035 | electronic format that is accessible online and must include the
1036 | following:

1037 | 1. Developmentally appropriate, evidence-based strategies
1038 | and programming, including links to video training modules and
1039 | opportunities to sign up for at-home reading tips delivered
1040 | periodically via text and e-mail, which a parent can use to help
1041 | improve his or her child's literacy skills.

1042 | 2. An overview of the types of assessments used to
1043 | identify reading deficiencies and what those assessments measure
1044 | or do not measure, the frequency with which the assessments are
1045 | administered, and the requirements for interventions and
1046 | supports that districts must provide to students who do not make
1047 | adequate academic progress.

1048 | 3. An overview of the process for initiating and
1049 | conducting evaluations for exceptional education eligibility.
1050 | The overview must include an explanation that a diagnosis of a

1051 | medical condition alone is not sufficient to establish
 1052 | exceptional education eligibility but may be used to document
 1053 | how that condition relates to the student's eligibility
 1054 | determination and may be disclosed in an eligible student's
 1055 | individual education plan when necessary to inform school
 1056 | personnel responsible for implementing the plan.

1057 | 4. Characteristics of conditions associated with learning
 1058 | disorders, including dyslexia, dysgraphia, dyscalculia, and
 1059 | developmental aphasia.

1060 | 5. A list of resources that support informed parent
 1061 | involvement in decisionmaking processes for students who have
 1062 | difficulty in learning.

1063 |
 1064 | Upon the request of a parent, resources meeting the requirements
 1065 | of this paragraph must be provided to the parent in a hardcopy
 1066 | format.

1067 | (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
 1068 | STUDENTS.—

1069 | (b) Each school district shall:

1070 | 1. Provide written notification to the parent of a student
 1071 | who is retained under paragraph (5) (c) that his or her child has
 1072 | not met the achievement ~~proficiency~~ level required for promotion
 1073 | and the reasons the child is not eligible for a good cause
 1074 | exemption as provided in paragraph (6) (b). The notification must
 1075 | comply with paragraph (5) (d) and must include a description of

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1076 proposed interventions and supports that will be provided to the
1077 child to remediate the identified areas of reading deficiency.

1078 2. Implement a policy for the midyear promotion of a
1079 student retained under paragraph (5)(c) who can demonstrate that
1080 he or she is a successful and independent reader and performing
1081 at or above grade level in reading or, upon implementation of
1082 English Language Arts assessments, performing at or above grade
1083 level in English Language Arts. Tools that school districts may
1084 use in reevaluating a student retained may include subsequent
1085 assessments, alternative assessments, and portfolio reviews, in
1086 accordance with rules of the State Board of Education. Students
1087 promoted during the school year after November 1 must
1088 demonstrate achievement ~~proficiency~~ levels in reading equivalent
1089 to the level necessary for the beginning of grade 4. The rules
1090 adopted by the State Board of Education must include standards
1091 that provide a reasonable expectation that the student's
1092 progress is sufficient to master appropriate grade 4 level
1093 reading skills.

1094 3. Provide students who are retained under paragraph
1095 (5)(c), including students participating in the school
1096 district's summer reading camp under subparagraph (a)2., with a
1097 highly effective teacher who is certified or endorsed in reading
1098 and is rated highly effective as determined by the teacher's
1099 performance evaluation under s. 1012.34, ~~and, beginning July 1,~~
1100 ~~2020, the teacher must also be certified or endorsed in reading.~~

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1101 4. Establish at each school, when applicable, an intensive
 1102 reading acceleration course for any student retained in grade 3
 1103 who was previously retained in kindergarten, grade 1, or grade
 1104 2. The intensive reading acceleration course must provide the
 1105 following:

1106 a. Uninterrupted reading instruction for the majority of
 1107 student contact time each day and opportunities to master the
 1108 grade 4 ~~Next-Generation Sunshine~~ state academic standards in
 1109 other core subject areas through content-rich texts.

1110 b. Small group instruction.

1111 c. Reduced teacher-student ratios.

1112 d. The use of explicit, systematic, and multisensory
 1113 reading interventions, including intensive language, phonics,
 1114 and vocabulary instruction, and use of a speech-language
 1115 therapist if necessary, that have proven results in accelerating
 1116 student reading achievement within the same school year.

1117 e. A read-at-home plan.

1118 (8) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

1119 (a) The Department of Education, in collaboration with the
 1120 Office of Early Learning, shall procure and require the use of a
 1121 statewide, standardized coordinated screening and progress
 1122 monitoring system for the Voluntary Prekindergarten Education
 1123 Program and public schools ~~serving kindergarten through grade 8~~
 1124 ~~students~~. The system must:

1125 1. Measure student progress ~~in the Voluntary~~

1126 ~~Prekindergarten Education Program through grade 8~~ in meeting the
 1127 appropriate expectations in early literacy and mathematics
 1128 skills and in English Language Arts and mathematics standards as
 1129 required by ss. 1002.67(1)(a) and 1003.41 and identify the
 1130 educational strengths and needs of students.

1131 2. For students in the Voluntary Prekindergarten Education
 1132 Program through grade 3, measure student performance in oral
 1133 language development, phonological and phonemic awareness,
 1134 knowledge of print and letters, decoding, fluency, vocabulary,
 1135 and comprehension, as applicable by grade level, and, at a
 1136 minimum, provide interval level and norm-referenced data that
 1137 measures equivalent levels of growth.

1138 3. Be a valid, reliable, and developmentally appropriate
 1139 computer-adaptive direct instrument that provides screening and
 1140 diagnostic capabilities for monitoring student progress;
 1141 identifies students who have a substantial deficiency in
 1142 reading, including identifying students with characteristics of
 1143 dyslexia and other learning disorders; and informs instruction.

1144 4. Provide data for Voluntary Prekindergarten Education
 1145 Program accountability as required under s. 1002.68 ~~s. 1002.67.~~

1146 5. Provide Voluntary Prekindergarten Education Program
 1147 providers, school districts, schools, ~~and~~ teachers, and parents
 1148 with data and resources that enhance differentiated instruction
 1149 and parent communication.

1150 6. Provide baseline data to the department of each

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1151 student's readiness for kindergarten. The determination of
1152 kindergarten readiness must be based on the results of each
1153 student's initial progress monitoring assessment in
1154 kindergarten. The methodology for determining a student's
1155 readiness for kindergarten shall be developed by the department
1156 and aligned to the methodology adopted pursuant to s.
1157 1002.68(4).

1158 7.6. Assess how well educational goals and curricular
1159 standards are met at the provider, school, district, and state
1160 levels and provide information to the department to aid in the
1161 development of educational programs, policies, and supports for
1162 providers, districts, and schools.

1163 (b) Beginning with the 2022-2023 school year, private
1164 Voluntary Prekindergarten Education Program providers and public
1165 schools must participate in the coordinated screening and
1166 progress monitoring system pursuant to this paragraph.

1167 1. For students in the Voluntary Prekindergarten Education
1168 Program through grade 2, the coordinated screening and progress
1169 monitoring system must be administered at least three times
1170 within a program year or school year, as applicable, with the
1171 first administration occurring no later than the first 30
1172 instructional days after a student's enrollment or the start of
1173 the program year or school year, the second occurring midyear,
1174 and the third administration occurring within the last 30 days
1175 of the program or school year pursuant to state board rule. The

1176 state board may adopt alternate timeframes to address
1177 nontraditional school year calendars or summer programs to
1178 ensure the coordinated screening and progress monitoring program
1179 is administered a minimum of three times within a year or
1180 program.

1181 2. For grades 3 through 10 English Language Arts and
1182 grades 3 through 8 Mathematics, the coordinated screening and
1183 progress monitoring system must be administered at the
1184 beginning, middle, and end of the school year pursuant to state
1185 board rule. The end-of-year administration of the coordinated
1186 screening and progress monitoring system must be a comprehensive
1187 progress monitoring assessment administered in accordance with
1188 the scheduling requirements under s. 1008.22(7)(c).

1189 (c) To facilitate timely interventions and supports
1190 pursuant to subsection (4), the system must provide results from
1191 the first two administrations of the progress monitoring to a
1192 student's teacher within 1 week and to the student's parent
1193 within 2 weeks of the administration of the progress monitoring.
1194 Delivery of results from the comprehensive, end-of-year progress
1195 monitoring ELA assessment for grades 3 through 10 and
1196 Mathematics assessment for grades 3 through 8 must be in
1197 accordance with s. 1008.22(7)(h).

1198 1. A student's results from the coordinated screening and
1199 progress monitoring system must be recorded in a written, easy-
1200 to-comprehend individual student report. Each school district

1201 shall provide a parent secure access to his or her child's
1202 individual student reports through a web-based portal as part of
1203 its learning management system. Each early learning coalition
1204 shall provide parents the individual student report in a format
1205 determined by state board rule.

1206 2. In addition to the information under subparagraph
1207 (a)5., the report must also include parent resources that
1208 explain the purpose of progress monitoring, assist the parent in
1209 interpreting progress monitoring results, and support informed
1210 parent involvement. Parent resources may include personalized
1211 video formats.

1212 3. The department shall annually update school districts
1213 and early learning coalitions on new system features and
1214 functionality and collaboratively identify with school districts
1215 and early learning coalitions strategies for meaningfully
1216 reporting to parents results from the coordinated screening and
1217 progress monitoring system.

1218 4. An individual student report must be provided in a
1219 printed format upon a parent's request.

1220 ~~(c) A Voluntary Prekindergarten Education Program student~~
1221 ~~who is at risk of being identified as having a substantial~~
1222 ~~deficiency in early literacy skills, based upon results under~~
1223 ~~this subsection, must be referred to the school district in~~
1224 ~~which he or she resides and may be eligible to receive early~~
1225 ~~literacy instruction and interventions after program completion~~

1226 ~~and before participating in kindergarten. Such instruction and~~
1227 ~~interventions may be paid for using funds from the school~~
1228 ~~district's evidence-based reading instruction allocation in~~
1229 ~~accordance with s. 1011.62(9).~~

1230 (9) ANNUAL REPORT.—

1231 (a) In addition to the requirements in paragraph (5)(c),
1232 each district school board must annually report to the parent of
1233 each student the progress of the student toward achieving state
1234 and district expectations for proficiency in English Language
1235 Arts, science, social studies, and mathematics. The district
1236 school board must report to the parent the student's results on
1237 each statewide, standardized assessment and the coordinated
1238 screening and progress monitoring system under subsection (8).
1239 The evaluation of each student's progress must be based upon the
1240 student's classroom work, observations, tests, district and
1241 state assessments, response to intensive interventions provided
1242 under paragraph (5)(a), and other relevant information. Progress
1243 reporting must be provided to the parent in writing in a format
1244 adopted by the district school board and must be accessible
1245 through secure, web-based options.

1246 (b) Each district school board must annually publish on
1247 the district website ~~and in the local newspaper~~ the following
1248 information on the prior school year:

1249 1. The provisions of this section relating to public
1250 school student progression and the district school board's

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1251 policies and procedures on student retention and promotion.

1252 2. By grade, the number and percentage of all students in
1253 grades 3 through 10 performing at Levels 1 and 2 on the
1254 statewide, standardized English Language Arts assessment.

1255 3. By grade, the number and percentage of all students
1256 retained in kindergarten through grade 10.

1257 4. Information on the total number of students who were
1258 promoted for good cause, by each category of good cause as
1259 specified in paragraph (6)(b).

1260 5. Any revisions to the district school board's policies
1261 and procedures on student retention and promotion from the prior
1262 year.

1263 Section 14. Subsection (1), paragraph (a) of subsection
1264 (3), and subsection (4) of section 1008.33, Florida Statutes,
1265 are amended to read:

1266 1008.33 Authority to enforce public school improvement.—

1267 (1) The State Board of Education shall comply with the
1268 federal Elementary and Secondary Education Act (ESEA), 20 U.S.C.
1269 ss. 6301 et seq., its implementing regulations, and the ESEA
1270 plan flexibility waiver approved for Florida by the United
1271 States Secretary of Education. The state board may adopt rules
1272 to maintain compliance with the ESEA and the ESEA plan
1273 ~~flexibility waiver~~.

1274 (3)(a) The academic performance of all students has a
1275 significant effect on the state school system. Pursuant to Art.

1276 IX of the State Constitution, which prescribes the duty of the
 1277 State Board of Education to supervise Florida's public school
 1278 system, the state board shall equitably enforce the
 1279 accountability requirements of the state school system and may
 1280 impose state requirements on school districts in order to
 1281 improve the academic performance of all districts, schools, and
 1282 students based upon the provisions of the Florida Early
 1283 Learning-20 Education Code, chapters 1000-1013; the federal ESEA
 1284 and its implementing regulations; and the ESEA plan flexibility
 1285 ~~waiver~~ approved for Florida by the United States Secretary of
 1286 Education.

1287 (4) (a) The state board shall apply intensive intervention
 1288 and support strategies tailored to the needs of schools earning
 1289 two consecutive grades of "D" or a grade of "F." In the first
 1290 full school year after a school initially earns a grade of "D,"
 1291 ~~two consecutive grades of "D" or a grade of "F,"~~ the school
 1292 district must immediately implement intervention and support
 1293 strategies prescribed in rule under paragraph (3) (c). For a
 1294 school that initially earns a grade of "F" or a second
 1295 consecutive grade of "D," the school district must either
 1296 continue implementing or immediately begin implementing
 1297 intervention and support strategies prescribed in rule under
 1298 paragraph (3) (c) and, by September 1, provide the department, by
 1299 September 1, with the memorandum of understanding negotiated
 1300 pursuant to s. 1001.42 (21) and, by October 1, a district-managed

1301 turnaround plan for approval by the state board. The district-
1302 managed turnaround plan may include a proposal for the district
1303 to implement an extended school day, a summer program, ~~or~~ a
1304 combination of an extended school day and a summer program, or
1305 any other option authorized under paragraph (b) for state board
1306 approval. A school district is not required to wait until a
1307 school earns a second consecutive grade of "D" to submit a
1308 turnaround plan for approval by the state board under this
1309 paragraph. Upon approval by the state board, the school district
1310 must implement the plan for the remainder of the school year and
1311 continue the plan for 1 full school year. The state board may
1312 allow a school an additional year of implementation before the
1313 school must implement a turnaround option required under
1314 paragraph (b) if it determines that the school is likely to
1315 improve to a grade of "C" or higher after the first full school
1316 year of implementation.

1317 (b) Unless an additional year of implementation is
1318 provided pursuant to paragraph (a), a school that completes a
1319 plan cycle under paragraph (a) and does not improve to a grade
1320 of ~~earns three consecutive grades below a "C" or higher~~ must
1321 implement one of the following:

- 1322 1. Reassign students to another school and monitor the
1323 progress of each reassigned student;
- 1324 2. Close the school and reopen the school as one or more
1325 charter schools, each with a governing board that has a

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1326 demonstrated record of effectiveness; or

1327 3. Contract with an outside entity that has a demonstrated

1328 record of effectiveness to provide turnaround services

1329 identified in state board rule, which may include school

1330 leadership, educational modalities, teacher and leadership

1331 professional development, curriculum, operation and management

1332 services, school-based administrative staffing, budgeting,

1333 scheduling, other educational service provider functions, or any

1334 combination thereof ~~operate the school~~. Selection of an outside

1335 entity may include one or a combination of the following:

1336 a. An external operator, which may be a district-managed

1337 charter school or a high-performing charter school network in

1338 which all instructional personnel are not employees of the

1339 school district, but are employees of an independent governing

1340 board composed of members who did not participate in the review

1341 or approval of the charter.

1342 b. A contractual agreement that allows for a charter

1343 school network or any of its affiliated subsidiaries to provide

1344 individualized consultancy services tailored to address the

1345 identified needs of one or more schools under this section.

1346

1347 A school district and outside entity under this subparagraph

1348 must enter, at minimum, a 2-year, performance-based contract.

1349 The contract must include school performance and growth metrics

1350 the outside entity must meet on an annual basis. The state board

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1351 may unilaterally cancel a contract at any time.

1352 (c) Implementation of the turnaround option is no longer
1353 required if the school improves to a grade of "C" or higher.
1354 However, a school that exits turnaround status based on its
1355 school grade for the 2023-2024 school year or thereafter and
1356 earns a grade of "D" or "F" within 2 consecutive school years
1357 must continue with another turnaround option consistent with
1358 paragraph (d).

1359 (d) If a school earning two consecutive grades of "D" or a
1360 grade of "F" does not improve to a grade of "C" or higher after
1361 2 school years of implementing the turnaround option selected by
1362 the school district under paragraph (b), the school district
1363 must implement another turnaround option. Implementation of the
1364 turnaround option must begin the school year following the
1365 implementation period of the existing turnaround option, unless
1366 the state board determines that the school is likely to improve
1367 to a grade of "C" or higher if additional time is provided to
1368 implement the existing turnaround option. After a turnaround
1369 option under paragraph (b) has been implemented by a school
1370 district, it may not be selected again unless it was selected in
1371 accordance with paragraph (a) or the school exits turnaround
1372 status for 3 or more consecutive years.

1373 Section 15. Subsection (6) of section 1008.34, Florida
1374 Statutes, is renumbered as subsection (7), and a new subsection
1375 (6) is added to that section, to read:

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1376 1008.34 School grading system; school report cards;
1377 district grade.—

1378 (6) TRANSITION.—To assist in the transition to 2022-2023
1379 school grades and district grades calculated based on the
1380 comprehensive, end-of-year progress monitoring assessment under
1381 s. 1008.25(8), the 2022-2023 school grades and district grades
1382 shall serve as an informational baseline for schools and
1383 districts to work toward improved performance in future years.

1384 Accordingly, notwithstanding any other provision of law:

1385 (a) Due to the absence of Learning Gains data in the 2022-
1386 2023 school year, the initial school grading scale for the 2022-
1387 2023 informational baseline grades shall be set so that the
1388 percentage of schools that earn an "A," "B," "C," "D," and "F"
1389 is statistically equivalent to the 2021-2022 school grades
1390 results. When Learning Gains data become available in the 2023-
1391 2024 school year, the State Board of Education shall review the
1392 school grading scale and determine if the scale should be
1393 adjusted.

1394 (b) A school may not be required to select and implement a
1395 turnaround option pursuant to s. 1008.33 in the 2023-2024 school
1396 year based on the school's 2022-2023 grade. The benefits of s.
1397 1008.33(4)(c), relating to a school being released from
1398 implementation of the turnaround option, and s. 1008.33(4)(d),
1399 relating to a school implementing strategies identified in its
1400 school improvement plan, apply to a school using turnaround

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1401 options pursuant to s. 1008.33 which improves to a grade of "C"
1402 or higher during the 2022-2023 school year.

1403 (c) A school or approved provider under s. 1002.45 which
1404 receives the same or lower school grade for the 2022-2023 school
1405 year compared to the 2021-2022 school year is not subject to
1406 sanctions or penalties that would otherwise occur as a result of
1407 the 2022-2023 school grade or rating. A charter school system or
1408 school district designated as high performing may not lose the
1409 designation based on the 2022-2023 school grades of any of the
1410 schools within the charter school system or school district or
1411 based on the 2022-2023 district grade, as applicable.

1412 (d) For purposes of determining grade 3 retention pursuant
1413 to s. 1008.25(5) and high school graduation pursuant to s.
1414 1003.4282, student performance on the 2022-2023 comprehensive,
1415 end-of-year progress monitoring assessment under s. 1008.25(8)
1416 shall be linked to 2021-2022 student performance expectations.
1417 In addition to the good cause exemptions under s. 1008.25(6), a
1418 student may be promoted to grade 4 for the 2023-2024 school year
1419 if the student demonstrates an acceptable level of performance
1420 through means reasonably calculated by the school district to
1421 provide reliable evidence of the student's performance.

1422
1423 This subsection is repealed July 1, 2025.

1424 Section 16. Subsection (6) of section 1008.341, Florida
1425 Statutes, is renumbered as subsection (7), and a new subsection

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1426 (6) is added to that section, to read:

1427 1008.341 School improvement rating for alternative
1428 schools.—

1429 (6) TRANSITION.—Due to the absence of Learning Gains data
1430 in the 2022-2023 school year, school improvement ratings will
1431 not be calculated for the 2022-2023 school year. When Learning
1432 Gains data become available in the 2023-2024 school year, the
1433 State Board of Education shall set the scale for the
1434 "Commendable," "Maintaining," and "Unsatisfactory" ratings
1435 pursuant to rule.

1436
1437 This subsection is repealed July 1, 2025.

1438 Section 17. This act shall take effect July 1, 2021.