

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 amending s. 1008.34, F.S.; requiring the State Board
60 of Education to annually review the percentage of
61 schools earning certain school grades and determine if
62 the school grading scale must be adjusted; providing
63 requirements for such adjustments; requiring the state
64 board to provide specified information to the public;
65 providing a transition for the calculation of school
66 and district grades for the 2022-2023 school year;
67 providing requirements for the calculation of such
68 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; amending s.
73 1008.341, F.S.; providing that school improvements
74 rating will not be calculated for the 2022-2023 school
75 year; providing for the future repeal of specified

76 | provisions; providing an effective 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

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

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:

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

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 prepare a reviser's bill for the 2023 Regular Session of the
 366 Legislature to change the term "Next Generation Sunshine State
 367 Standards" to "state academic standards" wherever the term
 368 appears in the Florida Statutes.

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

375 1008.2125 The Council for Early Grade Success ~~Coordinated~~

376 ~~screening and progress monitoring program for students in the~~
377 ~~Voluntary Prekindergarten Education Program through grade 3.-~~

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

392 ~~(a) Measure student progress in the Voluntary~~
393 ~~Prekindergarten Education Program through grade 3 in meeting the~~
394 ~~appropriate expectations in early literacy and math skills and~~
395 ~~in English Language Arts and mathematics, as required by ss.~~
396 ~~1002.67(1)(a) and 1003.41.~~

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

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

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

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

410 ~~(e) Provide teachers with progress monitoring data to~~
411 ~~provide timely interventions and supports pursuant to s.~~
412 ~~1008.25(4).~~

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

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

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

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

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

451 ~~(b) The results of the coordinated screening and progress~~
452 ~~monitoring program shall be reported to the department, in~~
453 ~~accordance with the rules adopted by the state board, and~~
454 ~~maintained in the department's educational data warehouse.~~

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

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

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

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

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

476 4. Provide input on the methodology for calculating a
477 provider's or school's performance metric and designations under
478 s. 1002.68(4).

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

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

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

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

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

493 a. One representative from the Department of Education.

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

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

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

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

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

526 (2)~~(3)~~ The Commissioner of Education shall:

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

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

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

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

551 1008.22 Student assessment program for public schools.—
552 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
553 Commissioner of Education shall design and implement a
554 statewide, standardized assessment program aligned to the core
555 curricular content established in the ~~Next-Generation Sunshine~~
556 state academic standards. The commissioner also must develop or
557 select and implement a common battery of assessment tools that
558 will be used in all juvenile justice education programs in the
559 state. These tools must accurately measure the core curricular
560 content established in the ~~Next-Generation Sunshine~~ state
561 academic standards. Participation in the assessment program is
562 mandatory for all school districts and all students attending
563 public schools, including adult students seeking a standard high
564 school diploma under s. 1003.4282 and students in Department of
565 Juvenile Justice education programs, except as otherwise
566 provided by law. If a student does not participate in the
567 assessment program, the school district must notify the
568 student's parent and provide the parent with information
569 regarding the implications of such nonparticipation. The
570 statewide, standardized assessment program shall be designed and
571 implemented as follows:
572 (a) Statewide, standardized comprehensive assessments.—
573 1. The statewide, standardized English Language Arts (ELA)
574 assessments shall be administered to students in grades 3
575 through 10. Retake opportunities for the grade 10 ELA assessment

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

586 ~~Statewide, standardized ELA and Mathematics assessments in~~
587 ~~grades 3 through 6 must be delivered in a paper-based format.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

676 student's abilities.

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

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

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

697 (e) Assessment scores and achievement levels.—

698 1. All statewide, standardized EOC assessments and ELA,
699 mathematics, and Science assessments shall use scaled scores and
700 achievement levels. Achievement levels shall range from 1

701 through 5, with level 1 being the lowest achievement level,
702 level 5 being the highest achievement level, and level 3
703 indicating grade-level ~~satisfactory~~ performance on an
704 assessment.

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

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

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

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

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

741 2. Providing individualized instruction in assessment-
742 taking strategies, without suspending the school's regular
743 program of curricula, for a student who scores Level 1 or Level
744 2 on a prior administration of an assessment.

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

751 content knowledge and skills assessed.

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

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

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

776 assessment program described in this section and the coordinated
777 screening and progress monitoring system under s. 1008.25(8).

778 When available, instructional personnel must be provided with
779 information on student achievement of standards and benchmarks
780 in order to improve instruction.

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

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

799 (b) By January of each year, the commissioner shall
800 publish on the department's website a uniform calendar that

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

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

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

812 3. The time allotted to administer each assessment.

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

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

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

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

821 8. A glossary of assessment terminology.

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

824 (c) The spring administration of the statewide,
825 standardized assessments in paragraphs (3)(a) and (b), excluding

826 assessment retakes, must be in accordance with the following
827 schedule:

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

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

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

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

851 5 percent test administration limit for a student under this
852 paragraph may be exceeded as needed to provide test
853 accommodations that are required by an IEP or are appropriate
854 for an English language learner who is currently receiving
855 services in a program operated in accordance with an approved
856 English language learner district plan pursuant to s. 1003.56.
857 Notwithstanding this paragraph, a student may choose within a
858 school year to take an examination or assessment adopted by
859 State Board of Education rule pursuant to this section and ss.
860 1007.27, 1008.30, and 1008.44.

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

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

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

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

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

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

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

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

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

900

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

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

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

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

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

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

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

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

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

946

947 This subsection is repealed July 1, 2025.

948 Section 13. Paragraph (a) of subsection (4), paragraphs
949 (b), (d), and (e) of subsection (5), paragraph (b) of subsection
950 (7), paragraphs (a), (b), and (c) of subsection (8), and

951 subsection (9) of section 1008.25, Florida Statutes, are amended
 952 to read:

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

956 (4) ASSESSMENT AND SUPPORT.—

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

968 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

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

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

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

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

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

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

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

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

1001 ~~(d).~~

1002 6. That the statewide, standardized English Language Arts
 1003 assessment is not the sole determiner of promotion and that
 1004 additional evaluations, portfolio reviews, and assessments are
 1005 available to the child to assist parents and the school district
 1006 in knowing when a child is reading at or above grade level and
 1007 ready for grade promotion.

1008 7. The district's specific criteria and policies for a
 1009 portfolio as provided in subparagraph (6)(b)4. and the evidence
 1010 required for a student to demonstrate mastery of Florida's
 1011 academic standards for English Language Arts. A school must
 1012 immediately begin collecting evidence for a portfolio when a
 1013 student in grade 3 is identified as being at risk of retention
 1014 or upon the request of the parent, whichever occurs first.

1015 8. The district's specific criteria and policies for
 1016 midyear promotion. Midyear promotion means promotion of a
 1017 retained student at any time during the year of retention once
 1018 the student has demonstrated ability to read at grade level.

1019 9. Information about the student's eligibility for the New
 1020 Worlds Reading Initiative under s. 1003.485 and information on
 1021 parent training modules and other reading engagement resources
 1022 available through the initiative.

1023
 1024 After initial notification, the school shall apprise the parent
 1025 at least monthly of the student's progress in response to the

1026 intensive interventions and supports. Such communications must
1027 be in writing and must explain any additional interventions or
1028 supports that will be implemented to accelerate the student's
1029 progress if the interventions and supports already being
1030 implemented have not resulted in improvement.

1031 (e) The Department of Education shall compile resources
1032 that each school district must incorporate into a read-at-home
1033 plan provided to the parent of a student who is identified as
1034 having a substantial reading deficiency pursuant to paragraph
1035 (d) ~~paragraph (c)~~. The resources must be made available in an
1036 electronic format that is accessible online and must include the
1037 following:

1038 1. Developmentally appropriate, evidence-based strategies
1039 and programming, including links to video training modules and
1040 opportunities to sign up for at-home reading tips delivered
1041 periodically via text and e-mail, which a parent can use to help
1042 improve his or her child's literacy skills.

1043 2. An overview of the types of assessments used to
1044 identify reading deficiencies and what those assessments measure
1045 or do not measure, the frequency with which the assessments are
1046 administered, and the requirements for interventions and
1047 supports that districts must provide to students who do not make
1048 adequate academic progress.

1049 3. An overview of the process for initiating and
1050 conducting evaluations for exceptional education eligibility.

1051 The overview must include an explanation that a diagnosis of a
 1052 medical condition alone is not sufficient to establish
 1053 exceptional education eligibility but may be used to document
 1054 how that condition relates to the student's eligibility
 1055 determination and may be disclosed in an eligible student's
 1056 individual education plan when necessary to inform school
 1057 personnel responsible for implementing the plan.

1058 4. Characteristics of conditions associated with learning
 1059 disorders, including dyslexia, dysgraphia, dyscalculia, and
 1060 developmental aphasia.

1061 5. A list of resources that support informed parent
 1062 involvement in decisionmaking processes for students who have
 1063 difficulty in learning.

1064
 1065 Upon the request of a parent, resources meeting the requirements
 1066 of this paragraph must be provided to the parent in a hardcopy
 1067 format.

1068 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
 1069 STUDENTS.—

1070 (b) Each school district shall:

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

1076 | comply with paragraph (5) (d) and must include a description of
 1077 | proposed interventions and supports that will be provided to the
 1078 | child to remediate the identified areas of reading deficiency.

1079 | 2. Implement a policy for the midyear promotion of a
 1080 | student retained under paragraph (5)(c) who can demonstrate that
 1081 | he or she is a successful and independent reader and performing
 1082 | at or above grade level in reading or, upon implementation of
 1083 | English Language Arts assessments, performing at or above grade
 1084 | level in English Language Arts. Tools that school districts may
 1085 | use in reevaluating a student retained may include subsequent
 1086 | assessments, alternative assessments, and portfolio reviews, in
 1087 | accordance with rules of the State Board of Education. Students
 1088 | promoted during the school year after November 1 must
 1089 | demonstrate achievement ~~proficiency~~ levels in reading equivalent
 1090 | to the level necessary for the beginning of grade 4. The rules
 1091 | adopted by the State Board of Education must include standards
 1092 | that provide a reasonable expectation that the student's
 1093 | progress is sufficient to master appropriate grade 4 level
 1094 | reading skills.

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

1101 ~~2020, the teacher must also be certified or endorsed in reading.~~

1102 4. Establish at each school, when applicable, an intensive
 1103 reading acceleration course for any student retained in grade 3
 1104 who was previously retained in kindergarten, grade 1, or grade
 1105 2. The intensive reading acceleration course must provide the
 1106 following:

1107 a. Uninterrupted reading instruction for the majority of
 1108 student contact time each day and opportunities to master the
 1109 grade 4 ~~Next Generation Sunshine~~ state academic standards in
 1110 other core subject areas through content-rich texts.

1111 b. Small group instruction.

1112 c. Reduced teacher-student ratios.

1113 d. The use of explicit, systematic, and multisensory
 1114 reading interventions, including intensive language, phonics,
 1115 and vocabulary instruction, and use of a speech-language
 1116 therapist if necessary, that have proven results in accelerating
 1117 student reading achievement within the same school year.

1118 e. A read-at-home plan.

1119 (8) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

1120 (a) The Department of Education, in collaboration with the
 1121 Office of Early Learning, shall procure and require the use of a
 1122 statewide, standardized coordinated screening and progress
 1123 monitoring system for the Voluntary Prekindergarten Education
 1124 Program and public schools ~~servicing kindergarten through grade 8~~
 1125 ~~students~~. The system must:

1126 1. Measure student progress ~~in the Voluntary~~
1127 ~~Prekindergarten Education Program through grade 8~~ in meeting the
1128 appropriate expectations in early literacy and mathematics
1129 skills and in English Language Arts and mathematics standards as
1130 required by ss. 1002.67(1)(a) and 1003.41 and identify the
1131 educational strengths and needs of students.

1132 2. For students in the Voluntary Prekindergarten Education
1133 Program through grade 3, measure student performance in oral
1134 language development, phonological and phonemic awareness,
1135 knowledge of print and letters, decoding, fluency, vocabulary,
1136 and comprehension, as applicable by grade level, and, at a
1137 minimum, provide interval level and norm-referenced data that
1138 measures equivalent levels of growth.

1139 3. Be a valid, reliable, and developmentally appropriate
1140 computer-adaptive direct instrument that provides screening and
1141 diagnostic capabilities for monitoring student progress;
1142 identifies students who have a substantial deficiency in
1143 reading, including identifying students with characteristics of
1144 dyslexia and other learning disorders; and informs instruction.

1145 4. Provide data for Voluntary Prekindergarten Education
1146 Program accountability as required under s. 1002.68 ~~s. 1002.67.~~

1147 5. Provide Voluntary Prekindergarten Education Program
1148 providers, school districts, schools, ~~and~~ teachers, and parents
1149 with data and resources that enhance differentiated instruction
1150 and parent communication.

1151 6. Provide baseline data to the department of each
1152 student's readiness for kindergarten. The determination of
1153 kindergarten readiness must be based on the results of each
1154 student's initial progress monitoring assessment in
1155 kindergarten. The methodology for determining a student's
1156 readiness for kindergarten shall be developed by the department
1157 and aligned to the methodology adopted pursuant to s.
1158 1002.68 (4).

1159 ~~7.6.~~ Assess how well educational goals and curricular
1160 standards are met at the provider, school, district, and state
1161 levels and provide information to the department to aid in the
1162 development of educational programs, policies, and supports for
1163 providers, districts, and schools.

1164 (b) Beginning with the 2022-2023 school year, private
1165 Voluntary Prekindergarten Education Program providers and public
1166 schools must participate in the coordinated screening and
1167 progress monitoring system pursuant to this paragraph.

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

1176 of the program or school year pursuant to state board rule. The
1177 state board may adopt alternate timeframes to address
1178 nontraditional school year calendars or summer programs to
1179 ensure the coordinated screening and progress monitoring program
1180 is administered a minimum of three times within a year or
1181 program.

1182 2. For grades 3 through 10 English Language Arts and
1183 grades 3 through 8 Mathematics, the coordinated screening and
1184 progress monitoring system must be administered at the
1185 beginning, middle, and end of the school year pursuant to state
1186 board rule. The end-of-year administration of the coordinated
1187 screening and progress monitoring system must be a comprehensive
1188 progress monitoring assessment administered in accordance with
1189 the scheduling requirements under s. 1008.22(7) (c).

1190 (c) To facilitate timely interventions and supports
1191 pursuant to subsection (4), the system must provide results from
1192 the first two administrations of the progress monitoring to a
1193 student's teacher within 1 week and to the student's parent
1194 within 2 weeks of the administration of the progress monitoring.
1195 Delivery of results from the comprehensive, end-of-year progress
1196 monitoring ELA assessment for grades 3 through 10 and
1197 Mathematics assessment for grades 3 through 8 must be in
1198 accordance with s. 1008.22(7) (h).

1199 1. A student's results from the coordinated screening and
1200 progress monitoring system must be recorded in a written, easy-

1201 to-comprehend individual student report. Each school district
1202 shall provide a parent secure access to his or her child's
1203 individual student reports through a web-based portal as part of
1204 its learning management system. Each early learning coalition
1205 shall provide parents the individual student report in a format
1206 determined by state board rule.

1207 2. In addition to the information under subparagraph
1208 (a)5., the report must also include parent resources that
1209 explain the purpose of progress monitoring, assist the parent in
1210 interpreting progress monitoring results, and support informed
1211 parent involvement. Parent resources may include personalized
1212 video formats.

1213 3. The department shall annually update school districts
1214 and early learning coalitions on new system features and
1215 functionality and collaboratively identify with school districts
1216 and early learning coalitions strategies for meaningfully
1217 reporting to parents results from the coordinated screening and
1218 progress monitoring system.

1219 4. An individual student report must be provided in a
1220 printed format upon a parent's request.

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

1226 ~~literacy instruction and interventions after program completion~~
1227 ~~and before participating in kindergarten. Such instruction and~~
1228 ~~interventions may be paid for using funds from the school~~
1229 ~~district's evidence-based reading instruction allocation in~~
1230 ~~accordance with s. 1011.62(9).~~

1231 (9) ANNUAL REPORT.—

1232 (a) In addition to the requirements in paragraph (5)(c),
1233 each district school board must annually report to the parent of
1234 each student the progress of the student toward achieving state
1235 and district expectations for proficiency in English Language
1236 Arts, science, social studies, and mathematics. The district
1237 school board must report to the parent the student's results on
1238 each statewide, standardized assessment and the coordinated
1239 screening and progress monitoring system under subsection (8).
1240 The evaluation of each student's progress must be based upon the
1241 student's classroom work, observations, tests, district and
1242 state assessments, response to intensive interventions provided
1243 under paragraph (5)(a), and other relevant information. Progress
1244 reporting must be provided to the parent in writing in a format
1245 adopted by the district school board and must be accessible
1246 through secure, web-based options.

1247 (b) Each district school board must annually publish on
1248 the district website ~~and in the local newspaper~~ the following
1249 information on the prior school year:

1250 1. The provisions of this section relating to public

1251 school student progression and the district school board's
 1252 policies and procedures on student retention and promotion.

1253 2. By grade, the number and percentage of all students in
 1254 grades 3 through 10 performing at Levels 1 and 2 on the
 1255 statewide, standardized English Language Arts assessment.

1256 3. By grade, the number and percentage of all students
 1257 retained in kindergarten through grade 10.

1258 4. Information on the total number of students who were
 1259 promoted for good cause, by each category of good cause as
 1260 specified in paragraph (6)(b).

1261 5. Any revisions to the district school board's policies
 1262 and procedures on student retention and promotion from the prior
 1263 year.

1264 Section 14. Subsection (1), paragraph (a) of subsection
 1265 (3), and paragraphs (a) and (b) of subsection (4) of section
 1266 1008.33, Florida Statutes, are amended to read:

1267 1008.33 Authority to enforce public school improvement.—

1268 (1) The State Board of Education shall comply with the
 1269 federal Elementary and Secondary Education Act (ESEA), 20 U.S.C.
 1270 ss. 6301 et seq., its implementing regulations, and the ESEA
 1271 plan flexibility waiver approved for Florida by the United
 1272 States Secretary of Education. The state board may adopt rules
 1273 to maintain compliance with the ESEA and the ESEA plan
 1274 ~~flexibility waiver~~.

1275 (3)(a) The academic performance of all students has a

1276 significant effect on the state school system. Pursuant to Art.
 1277 IX of the State Constitution, which prescribes the duty of the
 1278 State Board of Education to supervise Florida's public school
 1279 system, the state board shall equitably enforce the
 1280 accountability requirements of the state school system and may
 1281 impose state requirements on school districts in order to
 1282 improve the academic performance of all districts, schools, and
 1283 students based upon the provisions of the Florida Early
 1284 Learning-20 Education Code, chapters 1000-1013; the federal ESEA
 1285 and its implementing regulations; and the ESEA plan flexibility
 1286 ~~waiver~~ approved for Florida by the United States Secretary of
 1287 Education.

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

1301 pursuant to s. 1001.42(21) and, by October 1, a district-managed
1302 turnaround plan for approval by the state board. The district-
1303 managed turnaround plan may include a proposal for the district
1304 to implement an extended school day, a summer program, ~~or~~ a
1305 combination of an extended school day and a summer program, or
1306 any other option authorized under paragraph (b) for state board
1307 approval. A school district is not required to wait until a
1308 school earns a second consecutive grade of "D" to submit a
1309 turnaround plan for approval by the state board under this
1310 paragraph. Upon approval by the state board, the school district
1311 must implement the plan for the remainder of the school year and
1312 continue the plan for 1 full school year. The state board may
1313 allow a school an additional year of implementation before the
1314 school must implement a turnaround option required under
1315 paragraph (b) if it determines that the school is likely to
1316 improve to a grade of "C" or higher after the first full school
1317 year of implementation.

1318 (b) Unless an additional year of implementation is
1319 provided pursuant to paragraph (a), a school that completes a
1320 plan cycle under paragraph (a) and does not improve to a grade
1321 of ~~earns three consecutive grades below a "C" or higher~~ must
1322 implement one of the following:

- 1323 1. Reassign students to another school and monitor the
1324 progress of each reassigned student;
- 1325 2. Close the school and reopen the school as one or more

1326 charter schools, each with a governing board that has a
1327 demonstrated record of effectiveness; or

1328 3. Contract with an outside entity that has a demonstrated
1329 record of effectiveness to provide turnaround services
1330 identified in state board rule, which may include school
1331 leadership, educational modalities, teacher and leadership
1332 professional development, curriculum, operation and management
1333 services, school-based administrative staffing, budgeting,
1334 scheduling, other educational service provider functions, or any
1335 combination thereof ~~operate the school~~. Selection of an outside
1336 entity may include one or a combination of the following:

1337 a. An external operator, which may be a district-managed
1338 charter school or a high-performing charter school network in
1339 which all instructional personnel are not employees of the
1340 school district, but are employees of an independent governing
1341 board composed of members who did not participate in the review
1342 or approval of the charter.

1343 b. A contractual agreement that allows for a charter
1344 school network or any of its affiliated subsidiaries to provide
1345 individualized consultancy services tailored to address the
1346 identified needs of one or more schools under this section.

1347

1348 A school district and outside entity under this subparagraph
1349 must enter, at minimum, a 2-year, performance-based contract.
1350 The contract must include school performance and growth metrics

1351 the outside entity must meet on an annual basis. The state board
 1352 may require the school district to modify or cancel the
 1353 contract.

1354 Section 15. Subsection (6) of section 1008.34, Florida
 1355 Statutes, is renumbered as subsection (7), paragraph (c) of
 1356 subsection (3) is amended, and a new subsection (6) is added to
 1357 that section, to read:

1358 1008.34 School grading system; school report cards;
 1359 district grade.—

1360 (3) DESIGNATION OF SCHOOL GRADES.—

1361 (c)1. The calculation of a school grade shall be based on
 1362 the percentage of points earned from the components listed in
 1363 subparagraph (b)1. and, if applicable, subparagraph (b)2. The
 1364 State Board of Education shall adopt in rule a school grading
 1365 scale that sets the percentage of points needed to earn each of
 1366 the school grades listed in subsection (2). There shall be at
 1367 least five percentage points separating the percentage
 1368 thresholds needed to earn each of the school grades. The state
 1369 board shall annually ~~periodically~~ review the percentage of
 1370 school grades of "A" and "B" for the school year to determine
 1371 whether to adjust the school grading scale upward for the
 1372 following school year's school grades. The first adjustment
 1373 would occur no earlier than the 2023-2024 school year. An
 1374 adjustment must be made if the percentage of schools earning a
 1375 grade of "A" or "B" in the current year represents 75 percent or

1376 more of all graded schools within a particular school type,
1377 which consists of elementary, middle, high, and combination. The
1378 adjustment must reset the minimum required percentage of points
1379 for each grade of "A", "B", "C", or "D" at the next highest
1380 percentage ending in the numeral 5 or 0, whichever is closest to
1381 the current percentage. Annual reviews of the percentage of
1382 schools earning a grade of "A" or "B" and adjustments to the
1383 required points must be suspended when the following grading
1384 scale for a specific school type is achieved:

1385 a. Ninety percent or more of the points for a grade of
1386 "A".

1387 b. Eighty to eighty-nine percent of the points for a grade
1388 of "B".

1389 c. Seventy to seventy-nine percent of the points for a
1390 grade of "C".

1391 d. Sixty to sixty-nine percent of the points for a grade
1392 of "D."

1393

1394 ~~When the school grading scale to determine if the scale should~~
1395 ~~be adjusted upward to meet raised expectations and encourage~~
1396 ~~increased student performance. If the state board adjusts the~~
1397 ~~grading scale upward, the state board must inform the public and~~
1398 ~~the school districts of the reasons for and degree of the~~
1399 ~~adjustment and its anticipated impact on school grades.~~

1400 2. The calculation of school grades may not include any

1401 provision that would raise or lower the school's grade beyond
1402 the percentage of points earned. Extra weight may not be added
1403 in the calculation of any components.

1404 (6) TRANSITION.-To assist in the transition to 2022-2023
1405 school grades and district grades calculated based on the
1406 comprehensive, end-of-year progress monitoring assessment under
1407 s. 1008.25(8), the 2022-2023 school grades and district grades
1408 shall serve as an informational baseline for schools and
1409 districts to work toward improved performance in future years.
1410 Accordingly, notwithstanding any other provision of law:

1411 (a) Due to the absence of Learning Gains data in the 2022-
1412 2023 school year, the initial school grading scale for the 2022-
1413 2023 informational baseline grades shall be set so that the
1414 percentage of schools that earn an "A," "B," "C," "D," and "F"
1415 is statistically equivalent to the 2021-2022 school grades
1416 results. When Learning Gains data become available in the 2023-
1417 2024 school year, the State Board of Education shall review the
1418 school grading scale and determine if the scale should be
1419 adjusted.

1420 (b) A school may not be required to select and implement a
1421 turnaround option pursuant to s. 1008.33 in the 2023-2024 school
1422 year based on the school's 2022-2023 grade. The benefits of s.
1423 1008.33(4)(c), relating to a school being released from
1424 implementation of the turnaround option, and s. 1008.33(4)(d),
1425 relating to a school implementing strategies identified in its

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1426 school improvement plan, apply to a school using turnaround
1427 options pursuant to s. 1008.33 which improves to a grade of "C"
1428 or higher during the 2022-2023 school year.

1429 (c) A school or approved provider under s. 1002.45 which
1430 receives the same or lower school grade for the 2022-2023 school
1431 year compared to the 2021-2022 school year is not subject to
1432 sanctions or penalties that would otherwise occur as a result of
1433 the 2022-2023 school grade or rating. A charter school system or
1434 school district designated as high performing may not lose the
1435 designation based on the 2022-2023 school grades of any of the
1436 schools within the charter school system or school district or
1437 based on the 2022-2023 district grade, as applicable.

1438 (d) For purposes of determining grade 3 retention pursuant
1439 to s. 1008.25(5) and high school graduation pursuant to s.
1440 1003.4282, student performance on the 2022-2023 comprehensive,
1441 end-of-year progress monitoring assessment under s. 1008.25(8)
1442 shall be linked to 2021-2022 student performance expectations.
1443 In addition to the good cause exemptions under s. 1008.25(6), a
1444 student may be promoted to grade 4 for the 2023-2024 school year
1445 if the student demonstrates an acceptable level of performance
1446 through means reasonably calculated by the school district to
1447 provide reliable evidence of the student's performance.

1448
1449 This subsection is repealed July 1, 2025.

1450 Section 16. Subsection (6) of section 1008.341, Florida

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1451 Statutes, is renumbered as subsection (7), and a new subsection
1452 (6) is added to that section, to read:

1453 1008.341 School improvement rating for alternative
1454 schools.—

1455 (6) TRANSITION.—Due to the absence of Learning Gains data
1456 in the 2022-2023 school year, school improvement ratings will
1457 not be calculated for the 2022-2023 school year. When Learning
1458 Gains data become available in the 2023-2024 school year, the
1459 State Board of Education shall set the scale for the
1460 "Commendable," "Maintaining," and "Unsatisfactory" ratings
1461 pursuant to rule. This subsection is repealed July 1, 2025.

1462 Section 17. This act shall take effect July 1, 2022.