

By the Committees on Fiscal Policy; and Education Pre-K -12

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1 A bill to be entitled
2 An act relating to deregulation of public
3 schools/assessment and accountability, instruction,
4 and education choice; amending s. 1002.31, F.S.;
5 revising how often a school district or charter school
6 must update its school capacity determination;
7 deleting a requirement relating to school capacity
8 determination by district school boards; amending s.
9 1002.3105, F.S.; deleting a requirement that a
10 performance contract be completed if a student
11 participates in an Academically Challenging Curriculum
12 to Enhance Learning option; providing that a
13 performance contract may be used at the discretion of
14 the principal; repealing s. 1002.311, F.S., relating
15 to single-gender programs; amending s. 1002.34, F.S.;
16 deleting a requirement for the Commissioner of
17 Education to provide for an annual comparative
18 evaluation of charter technical career centers and
19 public technical centers; amending s. 1002.45, F.S.;
20 deleting the requirement that a notification to
21 parents regarding virtual instruction be written;
22 providing construction; amending s. 1002.53, F.S.;
23 deleting a requirement for a school district to
24 provide for admission of certain students to a summer
25 prekindergarten program; amending s. 1002.61, F.S.;
26 authorizing, rather than requiring, a school district
27 to administer the Voluntary Prekindergarten Education
28 Program; providing that a student is eligible for
29 summer reading camp under certain conditions; amending

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30 s. 1002.63, F.S.; deleting a requirement for an early
31 learning coalition to verify that certain public
32 schools comply with specified provisions; amending s.
33 1002.71, F.S.; deleting a requirement for school
34 district funding for certain programs; deleting a
35 requirement for district school board attendance
36 policies for Voluntary Prekindergarten Education
37 Programs; requiring a school district to certify its
38 attendance records for a Voluntary Prekindergarten
39 Education Program; amending s. 1003.4282, F.S.;
40 revising requirements for assessments needed for a
41 student to earn a high school diploma; deleting a
42 requirement for a student who transfers into a public
43 high school to take specified assessments; revising
44 the courses for which the transferring course final
45 grade must be honored for a transfer student under
46 certain conditions; amending s. 1003.433, F.S.;
47 deleting requirements that must be met by students who
48 transfer to a public school for 11th or 12th grade;
49 amending s. 1003.435, F.S.; deleting an exception for
50 the high school equivalency diploma program; requiring
51 school districts to adopt a policy that allows
52 specified students to take the high school equivalency
53 examination; amending s. 1003.4935, F.S.; deleting a
54 requirement that the Department of Education collect
55 and report certain data relating to a middle school
56 career and professional academy or career-themed
57 course; repealing s. 1003.4995, F.S., relating to the
58 fine arts report prepared by the Commissioner of

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59 Education; repealing s. 1003.4996, F.S., relating to
60 the Competency-Based Education Pilot Program; amending
61 s. 1003.49965, F.S.; authorizing, rather than
62 requiring, a school district to hold an Art in the
63 Capitol Competition; amending s. 1003.51, F.S.;
64 deleting a requirement regarding assessment procedures
65 for Department of Juvenile Justice education programs;
66 revising requirements for which assessment results
67 must be included in a student's discharge packet;
68 revising requirements for when a district school board
69 must face sanctions for unsatisfactory performance in
70 its Department of Juvenile Justice programs; amending
71 s. 1003.621, F.S.; deleting a requirement for
72 academically high-performing school districts to
73 submit an annual report to the State Board of
74 Education and the Legislature; amending s. 1006.28,
75 F.S.; revising the definition of the term "adequate
76 instructional materials"; revising a timeframe
77 requirement for each district school superintendent to
78 notify the department about instructional materials;
79 deleting a requirement for such notification;
80 authorizing, rather than requiring, a school principal
81 to collect the purchase price of instructional
82 materials lost, destroyed, or damaged by a student;
83 amending s. 1006.283, F.S.; revising a timeframe
84 requirement for a district school superintendent to
85 certify to the Department of Education that
86 instructional materials are aligned with state
87 standards; amending s. 1006.33, F.S.; requiring the

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88 Department of Education to advertise bids or proposals
89 for instructional materials within a specified
90 timeframe beginning in a specified instructional
91 materials adoption cycle; requiring the department to
92 publish specifications for subject areas within a
93 specified timeframe; amending s. 1006.34, F.S.;

94 requiring the commissioner to publish a list of
95 adopted instructional materials within a specified
96 timeframe beginning in a specified instructional
97 materials adoption cycle; amending s. 1006.40, F.S.;

98 authorizing district school boards to approve an
99 exemption to the purchase of certain instructional
100 materials; revising the timeframe between purchases of
101 instructional materials; amending s. 1008.212, F.S.;

102 providing that certain assessments are not subject to
103 specified requirements; amending s. 1008.22, F.S.;

104 deleting a requirement that a student pass a certain
105 assessment to earn a high school diploma; deleting
106 requirements relating to a uniform calendar that must
107 be published by the commissioner each year; revising a
108 time requirement for each school district to establish
109 schedules for the administration of statewide,
110 standardized assessments; revising the information
111 that must be included with the schedules; conforming
112 provisions to changes made by the act; deleting a
113 requirement for the commissioner to identify which SAT
114 and ACT scores would satisfy graduation requirements;

115 deleting a requirement for the commissioner to
116 identify comparative scores for the Algebra I end-of-

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117 course assessment; amending s. 1008.25, F.S.;

118 providing conditions under which a student must be

119 promoted to grade 4; requiring two administrations of

120 the coordinated screening and progress monitoring

121 system for students in a summer prekindergarten

122 program; conforming cross-references; amending s.

123 1008.33, F.S.; prohibiting a school from being

124 required to use a certain parameter as the sole

125 determining factor to recruit instructional personnel;

126 providing requirements for a rule adopted by the State

127 Board of Education; revising the date by which a

128 school district must submit a memorandum of

129 understanding to the Department of Education;

130 increasing the length of time for which certain school

131 districts must continue a turnaround plan; revising an

132 authorization for the state board to allow a school

133 additional time before implementing a turnaround

134 option; revising requirements for schools that

135 complete a plan cycle; providing additional options

136 for a school that completes a plan cycle but does meet

137 certain requirements; providing that implementation of

138 a turnaround option is not required under certain

139 conditions; amending s. 1008.332, F.S.; revising a

140 provision of the No Child Left Behind Act to conform

141 to the Every Student Succeeds Act; deleting a

142 requirement for certain committee members to annually

143 report to specified entities; amending s. 1008.34,

144 F.S.; requiring that certain changes made by the state

145 board to the school grades model or school grading

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146 scale go into effect in the following school year or
147 later; conforming cross-references; amending s.
148 1008.345, F.S.; deleting a requirement for the
149 Department of Education to develop an annual feedback
150 report; deleting a requirement for the Commissioner of
151 Education to review specified feedback reports and
152 submit findings to the State Board of Education;
153 deleting certain requirements for a report the
154 commissioner produces annually for the state board;
155 conforming a cross reference; amending s. 1000.05,
156 F.S.; conforming cross-references; providing effective
157 dates.

158
159 Be It Enacted by the Legislature of the State of Florida:

160
161 Section 1. Paragraph (b) of subsection (2) of section
162 1002.31, Florida Statutes, is amended to read:

163 1002.31 Controlled open enrollment; public school parental
164 choice.—

165 (2)

166 (b) Each school district and charter school capacity
167 determinations for its schools, by grade level, must be updated
168 at least twice annually ~~every 12 weeks~~ and be identified on the
169 school district and charter school's websites. ~~In determining~~
170 ~~the capacity of each district school, the district school board~~
171 ~~shall incorporate the specifications, plans, elements, and~~
172 ~~commitments contained in the school district educational~~
173 ~~facilities plan and the long-term work programs required under~~
174 ~~s. 1013.35.~~ Each charter school governing board shall determine

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175 capacity based upon its charter school contract. Each virtual
176 charter school and each school district with a contract with an
177 approved virtual instruction program provider shall determine
178 capacity based upon the enrollment requirements established
179 under s. 1002.45(1)(e)4.

180 Section 2. Paragraphs (c) and (d) of subsection (4) of
181 section 1002.3105, Florida Statutes, are amended to read:

182 1002.3105 Academically Challenging Curriculum to Enhance
183 Learning (ACCEL) options.—

184 (4) ACCEL REQUIREMENTS.—

185 (c) If a student participates in an ACCEL option pursuant
186 to the parental request under subparagraph (b)1., a performance
187 contract is not required but may be used at the discretion of
188 the principal ~~must be executed by the student, the parent, and~~
189 ~~the principal. At a minimum, the performance contract must~~
190 ~~require compliance with:~~

191 ~~1. Minimum student attendance requirements.~~

192 ~~2. Minimum student conduct requirements.~~

193 ~~3. ACCEL option requirements established by the principal,~~
194 ~~which may include participation in extracurricular activities,~~
195 ~~educational outings, field trips, interscholastic competitions,~~
196 ~~and other activities related to the ACCEL option selected.~~

197 ~~(d)~~ If a principal initiates a student's participation in
198 an ACCEL option, the student's parent must be notified. A
199 performance contract, ~~pursuant to paragraph (c),~~ is not required
200 when a principal initiates participation but may be used at the
201 discretion of the principal.

202 Section 3. Section 1002.311, Florida Statutes, is repealed.

203 Section 4. Subsection (19) of section 1002.34, Florida

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204 Statutes, is amended to read:

205 1002.34 Charter technical career centers.—

206 ~~(19) EVALUATION; REPORT.—The Commissioner of Education~~
207 ~~shall provide for an annual comparative evaluation of charter~~
208 ~~technical career centers and public technical centers. The~~
209 ~~evaluation may be conducted in cooperation with the sponsor,~~
210 ~~through private contracts, or by department staff. At a minimum,~~
211 ~~the comparative evaluation must address the demographic and~~
212 ~~socioeconomic characteristics of the students served, the types~~
213 ~~and costs of services provided, and the outcomes achieved. By~~
214 ~~December 30 of each year, the Commissioner of Education shall~~
215 ~~submit to the Governor, the President of the Senate, the Speaker~~
216 ~~of the House of Representatives, and the Senate and House~~
217 ~~committees that have responsibility for secondary and~~
218 ~~postsecondary career and technical education a report of the~~
219 ~~comparative evaluation completed for the previous school year.~~

220 Section 5. Paragraph (b) of subsection (1) and paragraph
221 (d) of subsection (3) of section 1002.45, Florida Statutes, are
222 amended to read:

223 1002.45 Virtual instruction programs.—

224 (1) PROGRAM.—

225 (b)1. Each school district shall provide at least one
226 option for part-time and full-time virtual instruction for
227 students residing within the school district. All school
228 districts must provide parents with timely ~~written~~ notification
229 of at least one open enrollment period for full-time students of
230 90 days or more which ends 30 days before the first day of the
231 school year. A school district virtual instruction program shall
232 consist of the following:

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233 a. Full-time and part-time virtual instruction for students
234 enrolled in kindergarten through grade 12.

235 b. Full-time or part-time virtual instruction for students
236 enrolled in dropout prevention and academic intervention
237 programs under s. 1003.53, Department of Juvenile Justice
238 education programs under s. 1003.52, core-curricula courses to
239 meet class size requirements under s. 1003.03, or Florida
240 College System institutions under this section.

241 2. Each virtual instruction program established under
242 paragraph (c) by a school district either directly or through a
243 contract with an approved virtual instruction program provider
244 shall operate under its own Master School Identification Number
245 as prescribed by the department.

246 (3) VIRTUAL INSTRUCTION PROGRAM REQUIREMENTS.—Each virtual
247 instruction program under this section must:

248 (d) Provide each full-time student enrolled in the virtual
249 instruction program who qualifies for free or reduced-price
250 school lunches under the National School Lunch Act, or who is on
251 the direct certification list, and who does not have a computer
252 or Internet access in his or her home with:

253 1. All equipment necessary for participants in the virtual
254 instruction program, including, but not limited to, a computer,
255 computer monitor, and printer, if a printer is necessary to
256 participate in the virtual instruction program; and

257 2. Access to or reimbursement for all Internet services
258 necessary for online delivery of instruction.

259

260 This paragraph does not prohibit a school district virtual
261 instruction program from providing such equipment to any student

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262 enrolled in a virtual instruction program.

263 Section 6. Paragraph (b) of subsection (6) of section
264 1002.53, Florida Statutes, is amended to read:

265 1002.53 Voluntary Prekindergarten Education Program;
266 eligibility and enrollment.-

267 (6)

268 (b) A parent may enroll his or her child with any public
269 school within the school district which is eligible to deliver
270 the Voluntary Prekindergarten Education Program under this part,
271 subject to available space. Each school district may limit the
272 number of students admitted by any public school for enrollment
273 in the ~~school-year~~ program; ~~however, the school district must~~
274 ~~provide for the admission of every eligible child within the~~
275 ~~district whose parent enrolls the child in a summer~~
276 ~~prekindergarten program delivered by a public school under s.~~
277 ~~1002.61.~~

278 Section 7. Paragraph (a) of subsection (1) and paragraph
279 (a) of subsection (10) of section 1002.61, Florida Statutes, are
280 amended, and subsection (11) is added to that section, to read:

281 1002.61 Summer prekindergarten program delivered by public
282 schools and private prekindergarten providers.-

283 (1) (a) Each school district may ~~shall~~ administer the
284 Voluntary Prekindergarten Education Program at the district
285 level for students enrolled under s. 1002.53(3)(b) in a summer
286 prekindergarten program delivered by a public school.

287 (10) (a) Each early learning coalition shall verify that
288 each private prekindergarten provider ~~and public school~~
289 delivering the Voluntary Prekindergarten Education Program
290 within the coalition's county or multicounty region complies

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291 with this part.

292 (11) A student who did not attend the school year Voluntary
293 Prekindergarten Education Program and lacks access to summer
294 prekindergarten in the county in which he or she resides is
295 eligible to enroll in the summer reading camp provided by the
296 district school board under s. 1008.25.

297 Section 8. Subsection (9) of section 1002.63, Florida
298 Statutes, is amended to read:

299 1002.63 School-year prekindergarten program delivered by
300 public schools.—

301 ~~(9)(a) Each early learning coalition shall verify that each~~
302 ~~public school delivering the Voluntary Prekindergarten Education~~
303 ~~Program within the coalition's service area complies with this~~
304 ~~part.~~

305 ~~(b)~~ If a public school fails or refuses to comply with this
306 part or engages in misconduct, the department must ~~shall~~ require
307 that the school district ~~to~~ remove the school from eligibility
308 to deliver the Voluntary Prekindergarten Education Program and
309 receive state funds under this part for a period of at least 2
310 years but no more than 5 years.

311 Section 9. Paragraph (d) of subsection (3), paragraph (b)
312 of subsection (6), and subsection (7) of section 1002.71,
313 Florida Statutes, are amended to read:

314 1002.71 Funding; financial and attendance reporting.—

315 (3)

316 ~~(d) For programs offered by school districts pursuant to s.~~
317 ~~1002.61, each district's funding shall be based on a student~~
318 ~~enrollment that is evenly divisible by 12. If the result of~~
319 ~~dividing a district's student enrollment by 12 is not a whole~~

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320 ~~number, the district's enrollment calculation shall be adjusted~~
 321 ~~by adding the minimum number of students to produce a student~~
 322 ~~enrollment calculation that is evenly divisible by 12.~~

323 (6)

324 (b)1. Each private prekindergarten provider's ~~and district~~
 325 ~~school board's~~ attendance policy must require the parent of each
 326 student in the Voluntary Prekindergarten Education Program to
 327 verify, each month, the student's attendance on the prior
 328 month's certified student attendance.

329 2. The parent must submit the verification of the student's
 330 attendance to the private prekindergarten provider ~~or public~~
 331 ~~school~~ on forms prescribed by the department. The forms must
 332 include, in addition to the verification of the student's
 333 attendance, a certification, in substantially the following
 334 form, that the parent continues to choose the private
 335 prekindergarten provider or public school in accordance with s.
 336 1002.53 and directs that payments for the program be made to the
 337 provider or school:

338
 339 VERIFICATION OF STUDENT'S ATTENDANCE
 340 AND CERTIFICATION OF PARENTAL CHOICE

341
 342 I, ...(Name of Parent)..., swear (or affirm) that my child,
 343 ...(Name of Student)..., attended the Voluntary Prekindergarten
 344 Education Program on the days listed above and certify that I
 345 continue to choose ...(Name of Provider or School)... to deliver
 346 the program for my child and direct that program funds be paid
 347 to the provider or school for my child.

348 ...(Signature of Parent)...

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...(Date)...

349
350
351 3. The private prekindergarten provider ~~or public school~~
352 must keep each original signed form for at least 2 years. Each
353 private prekindergarten provider must permit the early learning
354 coalition, ~~and each public school must permit the school~~
355 ~~district,~~ to inspect the original signed forms during normal
356 business hours. The department shall adopt procedures for early
357 learning coalitions ~~and school districts~~ to review the original
358 signed forms against the certified student attendance. The
359 review procedures must ~~shall~~ provide for the use of selective
360 inspection techniques, including, but not limited to, random
361 sampling. Each early learning coalition ~~and the school districts~~
362 must comply with the review procedures.

363 (7) The department shall require that administrative
364 expenditures be kept to the minimum necessary for efficient and
365 effective administration of the Voluntary Prekindergarten
366 Education Program. Administrative policies and procedures must
367 ~~shall be revised,~~ to the maximum extent practicable, be revised
368 to incorporate the use of automation and electronic submission
369 of forms, including those required for child eligibility and
370 enrollment, provider and class registration, and monthly
371 certification of attendance for payment. A school district may
372 use its automated daily attendance reporting system for the
373 purpose of maintaining and transmitting attendance records to
374 the early learning coalition in a mutually agreed-upon format.
375 Each school district shall certify the correctness of attendance
376 data submitted to the single point of entry system described in
377 paragraph (5) (a) as required by the department. In addition,

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378 actions must ~~shall~~ be taken to reduce paperwork, eliminate the
379 duplication of reports, and eliminate other duplicative
380 activities. Each early learning coalition may retain and expend
381 no more than 4.0 percent of the funds paid by the coalition to
382 private prekindergarten providers and public schools under
383 paragraph (5) (b). Funds retained by an early learning coalition
384 under this subsection may be used only for administering the
385 Voluntary Prekindergarten Education Program and may not be used
386 for the school readiness program or other programs.

387 Section 10. Effective upon becoming a law, paragraphs (a)
388 and (b) of subsection (3), paragraph (c) of subsection (5), and
389 subsection (6) of section 1003.4282, Florida Statutes, are
390 amended to read:

391 1003.4282 Requirements for a standard high school diploma.—

392 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
393 REQUIREMENTS.—

394 (a) *Four credits in English Language Arts (ELA).*—The four
395 credits must be in ELA I, II, III, and IV. ~~A student must pass~~
396 ~~the statewide, standardized grade 10 ELA assessment, or earn a~~
397 ~~concordant score, in order to earn a standard high school~~
398 ~~diploma.~~ A student's performance on the statewide, standardized
399 grade 10 ELA assessment constitutes 30 percent of the student's
400 final course grade.

401 (b) *Four credits in mathematics.*—

402 1. A student must earn one credit in Algebra I and one
403 credit in Geometry. A student's performance on the statewide,
404 standardized Algebra I end-of-course (EOC) assessment
405 constitutes 30 percent of the student's final course grade. A
406 ~~student must pass the statewide, standardized Algebra I EOC~~

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407 ~~assessment, or earn a comparative score, in order to earn a~~
408 ~~standard high school diploma.~~ A student's performance on the
409 statewide, standardized Geometry EOC assessment constitutes 30
410 percent of the student's final course grade.

411 2. A student who earns an industry certification for which
412 there is a statewide college credit articulation agreement
413 approved by the State Board of Education may substitute the
414 certification for one mathematics credit. Substitution may occur
415 for up to two mathematics credits, except for Algebra I and
416 Geometry. A student may earn two mathematics credits by
417 successfully completing Algebra I through two full-year courses.
418 A certified school counselor or the principal's designee shall
419 ~~must~~ advise the student that admission to a state university may
420 require the student to earn 3 additional mathematics credits
421 that are at least as rigorous as Algebra I.

422 3. A student who earns a computer science credit may
423 substitute the credit for up to one credit of the mathematics
424 requirement, with the exception of Algebra I and Geometry, if
425 the commissioner identifies the computer science credit as being
426 equivalent in rigor to the mathematics credit. An identified
427 computer science credit may not be used to substitute for both a
428 mathematics and a science credit. A student who earns an
429 industry certification in 3D rapid prototype printing may
430 satisfy up to two credits of the mathematics requirement, with
431 the exception of Algebra I, if the commissioner identifies the
432 certification as being equivalent in rigor to the mathematics
433 credit or credits.

434 (5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—

435 (c) A student who earns the required 24 credits, or the

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436 required 18 credits under s. 1002.3105(5), but fails to ~~pass the~~
437 ~~assessments required under s. 1008.22(3) or~~ achieve a 2.0 GPA
438 shall be awarded a certificate of completion in a form
439 prescribed by the State Board of Education. However, a student
440 who is otherwise entitled to a certificate of completion may
441 elect to remain in high school either as a full-time student or
442 a part-time student for up to 1 additional year and receive
443 special instruction designed to remedy his or her identified
444 deficiencies.

445 (6) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS. ~~Beginning with~~
446 ~~the 2012-2013 school year, if a student transfers to a Florida~~
447 ~~public high school from out of country, out of state, a private~~
448 ~~school, or a home education program and the student's transcript~~
449 ~~shows a credit in Algebra I, the student must pass the~~
450 ~~statewide, standardized Algebra I EOC assessment in order to~~
451 ~~earn a standard high school diploma unless the student earned a~~
452 ~~comparative score, passed a statewide assessment in Algebra I~~
453 ~~administered by the transferring entity, or passed the statewide~~
454 ~~mathematics assessment the transferring entity uses to satisfy~~
455 ~~the requirements of the Elementary and Secondary Education Act,~~
456 ~~as amended by the Every Student Succeeds Act (ESSA), 20 U.S.C.~~
457 ~~ss. 6301 et seq. If a student's transcript shows a credit in~~
458 ~~high school reading or English Language Arts II or III, in order~~
459 ~~to earn a standard high school diploma, the student must take~~
460 ~~and pass the statewide, standardized grade 10 ELA assessment, or~~
461 ~~earn a concordant score. If a transfer student's transcript~~
462 ~~shows a final course grade and course credit in Algebra I,~~
463 ~~Geometry, Biology I, ~~or~~ United States History, or the equivalent~~
464 ~~of a grade 10 ELA course, the transferring course final grade~~

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465 and credit must ~~shall~~ be honored without the student taking the
466 requisite statewide, standardized ~~EOC~~ assessment and without the
467 assessment results constituting 30 percent of the student's
468 final course grade.

469 Section 11. Effective upon becoming a law, section
470 1003.433, Florida Statutes, is amended to read:

471 1003.433 Learning opportunities for out-of-state and out-
472 of-country transfer students and students needing additional
473 instruction to meet high school graduation requirements.-

474 ~~(1)~~ Students who enter a Florida public school at the 11th
475 or 12th grade from out of state or out of country may ~~shall~~ not
476 be required to spend additional time in a Florida public school
477 in order to meet the high school course requirements if the
478 student has met all requirements of the school district, state,
479 or country from which he or she is transferring. Such students
480 who are not proficient in English should receive immediate and
481 intensive instruction in English language acquisition. However,
482 to receive a standard high school diploma, a transfer student
483 must earn a 2.0 grade point average ~~and meet the requirements~~
484 ~~under s. 1008.22.~~

485 ~~(2) Students who earn the required 24 credits for the~~
486 ~~standard high school diploma except for passage of any must-pass~~
487 ~~assessment under s. 1003.4282 or s. 1008.22 or an alternate~~
488 ~~assessment by the end of grade 12 must be provided the following~~
489 ~~learning opportunities:~~

490 ~~(a) Participation in an accelerated high school equivalency~~
491 ~~diploma preparation program during the summer.~~

492 ~~(b) Upon receipt of a certificate of completion, be allowed~~
493 ~~to take the College Placement Test and be admitted to~~

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494 ~~developmental education or credit courses at a Florida College~~
495 ~~System institution, as appropriate.~~

496 ~~(c) Participation in an adult general education program as~~
497 ~~provided in s. 1004.93 for such time as the student requires to~~
498 ~~master English, reading, mathematics, or any other subject~~
499 ~~required for high school graduation. A student attending an~~
500 ~~adult general education program shall have the opportunity to~~
501 ~~take any must-pass assessment under s. 1003.4282 or s. 1008.22~~
502 ~~an unlimited number of times in order to receive a standard high~~
503 ~~school diploma.~~

504 ~~(3) Students who have been enrolled in an ESOL program for~~
505 ~~less than 2 school years and have met all requirements for the~~
506 ~~standard high school diploma except for passage of any must-pass~~
507 ~~assessment under s. 1003.4282 or s. 1008.22 or alternate~~
508 ~~assessment may:~~

509 ~~(a) Receive immersion English language instruction during~~
510 ~~the summer following their senior year. Students receiving such~~
511 ~~instruction are eligible to take the required assessment or~~
512 ~~alternate assessment and receive a standard high school diploma~~
513 ~~upon passage of the required assessment or alternate assessment.~~
514 ~~This paragraph shall be implemented to the extent funding is~~
515 ~~provided in the General Appropriations Act.~~

516 ~~(b) Beginning with the 2022-2023 school year, meet the~~
517 ~~requirement to pass the statewide, standardized grade 10 English~~
518 ~~Language Arts assessment by satisfactorily demonstrating grade-~~
519 ~~level expectations on formative assessments, in accordance with~~
520 ~~state board rule.~~

521 Section 12. Paragraph (a) of subsection (4) of section
522 1003.435, Florida Statutes, is amended to read:

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523 1003.435 High school equivalency diploma program.—

524 (4) (a) A candidate for a high school equivalency diploma
525 must ~~shall~~ be at least 18 years of age on the date of the
526 examination, except that ~~in extraordinary circumstances, as~~
527 ~~provided for in rules of the district school board of the~~
528 ~~district in which the candidate resides or attends school, a~~
529 candidate may take the examination after reaching the age of 16
530 with the written permission of his or her parent or guardian.
531 School districts shall adopt a policy to allow for such written
532 permission by a parent or guardian.

533 Section 13. Subsection (3) of section 1003.4935, Florida
534 Statutes, is amended to read:

535 1003.4935 Middle grades career and professional academy
536 courses and career-themed courses.—

537 ~~(3) Beginning with the 2012-2013 school year, if a school~~
538 ~~district implements a middle school career and professional~~
539 ~~academy or a career-themed course, the Department of Education~~
540 ~~shall collect and report student achievement data pursuant to~~
541 ~~performance factors identified under s. 1003.492(3) for students~~
542 ~~enrolled in an academy or a career-themed course.~~

543 Section 14. Section 1003.4995, Florida Statutes, is
544 repealed.

545 Section 15. Section 1003.4996, Florida Statutes, is
546 repealed.

547 Section 16. Subsection (2) of section 1003.49965, Florida
548 Statutes, is amended to read:

549 1003.49965 Art in the Capitol Competition.—

550 (2) A ~~Each~~ school district may ~~shall~~ annually hold an Art
551 in the Capitol Competition for all public, private, and home

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552 education students in grades 6 through 8. Submissions must ~~shall~~
553 be judged by a selection committee consisting of art teachers
554 whose students have not submitted artwork for consideration.

555 Section 17. Paragraphs (g) and (r) of subsection (2) of
556 section 1003.51, Florida Statutes, are amended to read:

557 1003.51 Other public educational services.—

558 (2) The State Board of Education shall adopt rules
559 articulating expectations for effective education programs for
560 students in Department of Juvenile Justice programs, including,
561 but not limited to, education programs in juvenile justice
562 prevention, day treatment, residential, and detention programs.
563 The rule shall establish policies and standards for education
564 programs for students in Department of Juvenile Justice programs
565 and shall include the following:

566 (g) Assessment procedures, which+

567 ~~1. For prevention, day treatment, and residential programs,~~
568 ~~include appropriate academic and career assessments administered~~
569 ~~at program entry and exit that are selected by the Department of~~
570 ~~Education in partnership with representatives from the~~
571 ~~Department of Juvenile Justice, district school boards, and~~
572 ~~education providers. Assessments must be completed within the~~
573 ~~first 10 school days after a student's entry into the program.~~

574 2. provide for determination of the areas of academic need
575 and strategies for appropriate intervention and instruction for
576 each student in a detention facility within 5 school days after
577 the student's entry into the program and administer a research-
578 based assessment that will assist the student in determining his
579 or her educational and career options and goals within 22 school
580 days after the student's entry into the program.

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581

582 The results of the ~~these~~ assessments required under this
583 paragraph and under s. 1003.52(3)(d), together with a portfolio
584 depicting the student's academic and career accomplishments,
585 must ~~shall~~ be included in the discharge packet assembled for
586 each student.

587 (r) A series of graduated sanctions for district school
588 boards whose educational programs in Department of Juvenile
589 Justice programs are considered to be unsatisfactory and for
590 instances in which district school boards fail to meet standards
591 prescribed by law, rule, or State Board of Education policy.
592 These sanctions must ~~shall~~ include the option of requiring a
593 district school board to contract with a provider or another
594 district school board if the educational program at the
595 Department of Juvenile Justice program is performing below
596 minimum standards ~~and, after 6 months, is still performing below~~
597 ~~minimum standards.~~

598 Section 18. Subsection (4) of section 1003.621, Florida
599 Statutes, is amended to read:

600 1003.621 Academically high-performing school districts.—It
601 is the intent of the Legislature to recognize and reward school
602 districts that demonstrate the ability to consistently maintain
603 or improve their high-performing status. The purpose of this
604 section is to provide high-performing school districts with
605 flexibility in meeting the specific requirements in statute and
606 rules of the State Board of Education.

607 ~~(4) REPORTS. The academically high-performing school~~
608 ~~district shall submit to the State Board of Education and the~~
609 ~~Legislature an annual report on December 1 which delineates the~~

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610 ~~performance of the school district relative to the academic~~
611 ~~performance of students at each grade level in reading, writing,~~
612 ~~mathematics, science, and any other subject that is included as~~
613 ~~a part of the statewide assessment program in s. 1008.22. The~~
614 ~~annual report shall be submitted in a format prescribed by the~~
615 ~~Department of Education and shall include:~~

616 ~~(a) Longitudinal performance of students on statewide,~~
617 ~~standardized assessments taken under s. 1008.22;~~

618 ~~(b) Longitudinal performance of students by grade level and~~
619 ~~subgroup on statewide, standardized assessments taken under s.~~
620 ~~1008.22;~~

621 ~~(c) Longitudinal performance regarding efforts to close the~~
622 ~~achievement gap;~~

623 ~~(d)1. Number and percentage of students who take an~~
624 ~~Advanced Placement Examination; and~~

625 ~~2. Longitudinal performance regarding students who take an~~
626 ~~Advanced Placement Examination by demographic group,~~
627 ~~specifically by age, gender, race, and Hispanic origin, and by~~
628 ~~participation in the National School Lunch Program;~~

629 ~~(e) Evidence of compliance with subsection (1); and~~

630 ~~(f) A description of each waiver and the status of each~~
631 ~~waiver.~~

632 Section 19. Paragraph (a) of subsection (1), paragraph (b)
633 of subsection (3), and paragraph (b) of subsection (4) of
634 section 1006.28, Florida Statutes, are amended to read:

635 1006.28 Duties of district school board, district school
636 superintendent; and school principal regarding K-12
637 instructional materials.—

638 (1) DEFINITIONS.—

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639 (a) As used in this section, the term:

640 1. "Adequate instructional materials" means a sufficient
641 number of student or site licenses or sets of materials that are
642 available in bound, unbound, kit, or package form and may
643 consist of hardbacked or softbacked textbooks, electronic
644 content, consumables, learning laboratories, manipulatives,
645 electronic media, and computer courseware or software that serve
646 as the basis for instruction ~~for each student~~ in the core
647 subject areas of mathematics, language arts, social studies,
648 science, reading, and literature.

649 2. "Instructional materials" has the same meaning as in s.
650 1006.29(2).

651 3. "Library media center" means any collection of books,
652 ebooks, periodicals, or videos maintained and accessible on the
653 site of a school, including in classrooms.

654 (3) DISTRICT SCHOOL SUPERINTENDENT.—

655 (b) Each district school superintendent shall annually
656 notify the department ~~by April 1 of each year~~ the state-adopted
657 instructional materials that will be requisitioned for use in
658 his or her school district. ~~The notification shall include a~~
659 ~~district school board plan for instructional materials use to~~
660 ~~assist in determining if adequate instructional materials have~~
661 ~~been requisitioned.~~

662 (4) SCHOOL PRINCIPAL.—The school principal has the
663 following duties for the management and care of materials at the
664 school:

665 (b) *Money collected for lost or damaged instructional*
666 *materials; enforcement.*—The school principal may ~~shall~~ collect
667 from each student or the student's parent the purchase price of

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668 any instructional material the student has lost, destroyed, or
669 unnecessarily damaged and to report and transmit the money
670 collected to the district school superintendent. The failure to
671 collect such sum upon reasonable effort by the school principal
672 may result in the suspension of the student from participation
673 in extracurricular activities or satisfaction of the debt by the
674 student through community service activities at the school site
675 as determined by the school principal, pursuant to policies
676 adopted by district school board rule.

677 Section 20. Subsection (1) of section 1006.283, Florida
678 Statutes, is amended to read:

679 1006.283 District school board instructional materials
680 review process.—

681 (1) A district school board or consortium of school
682 districts may implement an instructional materials program that
683 includes the review, recommendation, adoption, and purchase of
684 instructional materials. The district school superintendent
685 shall annually certify to the department ~~by March 31 of each~~
686 ~~year~~ that all instructional materials for core courses used by
687 the district are aligned with applicable state standards. A list
688 of the core instructional materials that will be used or
689 purchased for use by the school district shall be included in
690 the certification.

691 Section 21. Paragraph (a) of subsection (1) of section
692 1006.33, Florida Statutes, is amended to read:

693 1006.33 Bids or proposals; advertisement and its contents.—

694 (1) (a) 1. Beginning on or before May 15 of any year in which
695 an instructional materials adoption is to be initiated, the
696 department shall advertise in the Florida Administrative

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697 Register 4 weeks preceding the date on which the bids shall be
698 received, that at a certain designated time, not later than June
699 15, sealed bids or proposals to be deposited with the department
700 will be received from publishers or manufacturers for the
701 furnishing of instructional materials proposed to be adopted as
702 listed in the advertisement beginning April 1 following the
703 adoption.

704 2. Beginning with the 2026 instructional materials adoption
705 cycle, on or before October 15 of any year and 2 years before
706 any instructional materials adoption period, the department
707 shall advertise in the Florida Administrative Register 4 weeks
708 preceding the date on which the bids must be received that at a
709 certain designated time not later than November 15, sealed bids
710 or proposals to be deposited with the department will be
711 received from publishers or manufacturers for the furnishing of
712 instructional materials proposed to be adopted as listed in the
713 advertisement beginning April 1 following the adoption. The
714 department shall publish its specifications for each subject for
715 which instructional materials are to be adopted a minimum of 180
716 days before the date on which it will place such advertisement.

717 Section 22. Paragraph (a) of subsection (2) of section
718 1006.34, Florida Statutes, is amended to read:

719 1006.34 Powers and duties of the commissioner and the
720 department in selecting and adopting instructional materials.—

721 (2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—

722 (a) The department shall notify all publishers and
723 manufacturers of instructional materials who have submitted bids
724 that within 3 weeks after the deadline for receiving bids, at a
725 designated time and place, it will open the bids submitted and

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726 deposited with it. At the time and place designated, the bids
727 must ~~shall~~ be opened, read, and tabulated in the presence of the
728 bidders or their representatives. No one may revise his or her
729 bid after the bids have been filed. When all bids have been
730 carefully considered, the commissioner shall, from the list of
731 suitable, usable, and desirable instructional materials reported
732 by the state instructional materials reviewers, select and adopt
733 instructional materials for each grade and subject field in the
734 curriculum of public elementary, middle, and high schools in
735 which adoptions are made and in the subject areas designated in
736 the advertisement. Beginning with the 2026 instructional
737 materials adoption cycle, the commissioner shall publish the
738 list of adopted instructional materials not later than July 31
739 of the year preceding the beginning of the adoption period. The
740 adoption must ~~shall~~ continue for the period specified in the
741 advertisement, beginning on the ensuing April 1. The adoption
742 may ~~shall~~ not prevent the extension of a contract as provided in
743 subsection (3). The commissioner shall always reserve the right
744 to reject any and all bids. The commissioner may ask for new
745 sealed bids from publishers or manufacturers whose instructional
746 materials were recommended by the state instructional materials
747 reviewers as suitable, usable, and desirable; specify the dates
748 for filing such bids and the date on which they must ~~shall~~ be
749 opened; and proceed in all matters regarding the opening of bids
750 and the awarding of contracts as required by this part. In all
751 cases, bids must ~~shall~~ be accompanied by a cash deposit or
752 certified check of from \$500 to \$2,500, as the department may
753 direct. The department shall, in adopting instructional
754 materials, ~~shall~~ give due consideration both to the prices bid

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755 for furnishing instructional materials and to the report and
756 recommendations of the state instructional materials reviewers.
757 When the commissioner has finished with the report of the state
758 instructional materials reviewers, the report must ~~shall~~ be
759 filed and preserved with the department and must ~~shall~~ be
760 available at all times for public inspection.

761 Section 23. Subsection (2) of section 1006.40, Florida
762 Statutes, is amended to read:

763 1006.40 Purchase of instructional materials.—

764 (2) Each district school board must purchase current
765 instructional materials to provide students ~~each student~~ in
766 kindergarten through grade 12 with a major tool of instruction
767 in core courses of the subject areas of mathematics, language
768 arts, science, social studies, reading, and literature. If
769 deemed appropriate by the district school board, it may approve
770 an exemption to such purchase for certain courses. Such purchase
771 must be made within the first 5 ~~3~~ years after the effective date
772 of the adoption cycle unless a district school board or a
773 consortium of school districts has implemented an instructional
774 materials program pursuant to s. 1006.283.

775 Section 24. Subsection (2) of section 1008.212, Florida
776 Statutes, is amended to read:

777 1008.212 Students with disabilities; extraordinary
778 exemption.—

779 (2) A student with a disability for whom the individual
780 education plan (IEP) team determines is prevented by a
781 circumstance or condition from physically demonstrating the
782 mastery of skills that have been acquired and are measured by
783 the statewide standardized assessment, a statewide standardized

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784 end-of-course assessment, or an alternate assessment pursuant to
785 s. 1008.22(3)(d) shall be granted an extraordinary exemption
786 from the administration of the assessment. A learning,
787 emotional, behavioral, or significant cognitive disability, or
788 the receipt of services through the homebound or hospitalized
789 program in accordance with rule 6A-6.03020, Florida
790 Administrative Code, is not, in and of itself, an adequate
791 criterion for the granting of an extraordinary exemption. The
792 first two administrations of the coordinated screening and
793 progress monitoring system under s. 1008.25(9) or any alternate
794 assessments used in lieu of such administrations are not subject
795 to the requirements of this section.

796 Section 25. Paragraphs (a) and (d) of subsection (3),
797 paragraphs (b), (d), (e), (h) of subsection (7), and subsections
798 (9) and (10) of section 1008.22, Florida Statutes, are amended
799 to read:

800 1008.22 Student assessment program for public schools.—

801 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
802 Commissioner of Education shall design and implement a
803 statewide, standardized assessment program aligned to the core
804 curricular content established in the state academic standards.
805 The commissioner also must develop or select and implement a
806 common battery of assessment tools that will be used in all
807 juvenile justice education programs in the state. These tools
808 must accurately measure the core curricular content established
809 in the state academic standards. Participation in the assessment
810 program is mandatory for all school districts and all students
811 attending public schools, including adult students seeking a
812 standard high school diploma under s. 1003.4282 and students in

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813 Department of Juvenile Justice education programs, except as
814 otherwise provided by law. If a student does not participate in
815 the assessment program, the school district must notify the
816 student's parent and provide the parent with information
817 regarding the implications of such nonparticipation. The
818 statewide, standardized assessment program shall be designed and
819 implemented as follows:

820 (a) *Statewide, standardized comprehensive assessments.*—

821 1. The statewide, standardized English Language Arts (ELA)
822 assessments shall be administered to students in grades 3
823 through 10. Retake opportunities for the grade 10 ELA assessment
824 must be provided. Reading passages and writing prompts for ELA
825 assessments shall incorporate grade-level core curricula content
826 from social studies. The statewide, standardized Mathematics
827 assessments shall be administered annually in grades 3 through
828 8. The statewide, standardized Science assessment shall be
829 administered annually at least once at the elementary and middle
830 grades levels. ~~In order to earn a standard high school diploma,~~
831 ~~a student who has not earned a passing score on the grade 10 ELA~~
832 ~~assessment must earn a passing score on the assessment retake or~~
833 ~~earn a concordant score as authorized under subsection (9).~~

834 2. Beginning with the 2022-2023 school year, the end-of-
835 year comprehensive progress monitoring assessment administered
836 pursuant to s. 1008.25(9)(b)2. is the statewide, standardized
837 ELA assessment for students in grades 3 through 10 and the
838 statewide, standardized Mathematics assessment for students in
839 grades 3 through 8.

840 (d) *Students with disabilities; Florida Alternate*
841 *Assessment.*—

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842 1. Each district school board must provide instruction to
843 prepare students with disabilities in the core content knowledge
844 and skills necessary for successful grade-to-grade progression
845 and high school graduation.

846 2. A student with a disability, as defined in s. 1007.02,
847 for whom the individual education plan (IEP) team determines
848 that the statewide, standardized assessments under this section
849 cannot accurately measure the student's abilities, taking into
850 consideration all allowable accommodations, shall have
851 assessment results waived for the purpose of receiving a course
852 grade ~~and a standard high school diploma~~. Such waiver shall be
853 designated on the student's transcript. The statement of waiver
854 shall be limited to a statement that performance on an
855 assessment was waived for the purpose of receiving a course
856 grade ~~or a standard high school diploma~~, as applicable.

857 3. The State Board of Education shall adopt rules, based
858 upon recommendations of the commissioner, for the provision of
859 assessment accommodations for students with disabilities and for
860 students who have limited English proficiency.

861 a. Accommodations that negate the validity of a statewide,
862 standardized assessment are not allowed during the
863 administration of the assessment. However, instructional
864 accommodations are allowed in the classroom if identified in a
865 student's IEP. Students using instructional accommodations in
866 the classroom that are not allowed on a statewide, standardized
867 assessment may have assessment results waived if the IEP team
868 determines that the assessment cannot accurately measure the
869 student's abilities.

870 b. If a student is provided with instructional

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871 accommodations in the classroom that are not allowed as
872 accommodations for statewide, standardized assessments, the
873 district must inform the parent in writing and provide the
874 parent with information regarding the impact on the student's
875 ability to meet expected performance levels. A parent must
876 provide signed consent for a student to receive classroom
877 instructional accommodations that would not be available or
878 permitted on a statewide, standardized assessment and
879 acknowledge in writing that he or she understands the
880 implications of such instructional accommodations.

881 c. If a student's IEP states that online administration of
882 a statewide, standardized assessment will significantly impair
883 the student's ability to perform, the assessment must ~~shall~~ be
884 administered in hard copy.

885 4. For students with significant cognitive disabilities,
886 the Department of Education shall provide for implementation of
887 the Florida Alternate Assessment to accurately measure the core
888 curricular content established in the state academic standards.

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

890 (b) By January of each year, the commissioner shall publish
891 on the department's website a uniform calendar that includes the
892 assessment and reporting schedules for, at a minimum, the next 2
893 school years. ~~The uniform calendar must be provided to school
894 districts in an electronic format that allows each school
895 district and public school to populate the calendar with, at
896 minimum, the following information for reporting the district
897 assessment schedules under paragraph (d):~~

898 ~~1. Whether the assessment is a district-required assessment
899 or a state-required assessment.~~

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900 ~~2. The specific date or dates that each assessment will be~~
901 ~~administered, including administrations of the coordinated~~
902 ~~screening and progress monitoring system under s. 1008.25(9) (b).~~

903 ~~3. The time allotted to administer each assessment.~~

904 ~~4. Whether the assessment is a computer-based assessment or~~
905 ~~a paper-based assessment.~~

906 ~~5. The grade level or subject area associated with the~~
907 ~~assessment.~~

908 ~~6. The date that the assessment results are expected to be~~
909 ~~available to teachers and parents.~~

910 ~~7. The type of assessment, the purpose of the assessment,~~
911 ~~and the use of the assessment results.~~

912 ~~8. A glossary of assessment terminology.~~

913 ~~9. Estimates of average time for administering state-~~
914 ~~required and district-required assessments, by grade level.~~

915 (d) Each school district shall, by November 1 of each year,
916 establish schedules for the administration of any statewide,
917 standardized assessments and district-required assessments and
918 approve the schedules as an agenda item at a district school
919 board meeting. Each school district shall publish ~~the~~ testing
920 schedules on its website which specify whether an assessment is
921 a state-required or district-required assessment and the grade
922 bands or subject area associated with the assessments ~~using the~~
923 ~~uniform calendar, including all information required under~~
924 ~~paragraph (b), and submit the schedules to the Department of~~
925 ~~Education by October 1 of each year.~~ Each public school shall
926 publish schedules for statewide, standardized assessments and
927 district-required assessments on its website ~~using the uniform~~
928 ~~calendar, including all information required under paragraph~~

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929 ~~(b)~~. The school board-approved assessment ~~uniform~~ calendar must
930 be included in the parent guide required by s. 1002.23(5).

931 (e) A school district may not schedule more than 5 percent
932 of a student's total school hours in a school year to administer
933 statewide, standardized assessments; the coordinated screening
934 and progress monitoring system under s. 1008.25(9)(b)2.; and
935 district-required local assessments. The district shall ~~must~~
936 secure written consent from a student's parent before
937 administering district-required local assessments that, after
938 applicable statewide, standardized assessments and coordinated
939 screening and progress monitoring are scheduled, exceed the 5
940 percent test administration limit for that student under this
941 paragraph. The 5 percent test administration limit for a student
942 under this paragraph may be exceeded as needed to provide test
943 accommodations that are required by an IEP or are appropriate
944 for an English language learner who is currently receiving
945 services in a program operated in accordance with an approved
946 English language learner district plan pursuant to s. 1003.56.
947 Notwithstanding this paragraph, a student may choose within a
948 school year to take an examination or assessment adopted by
949 State Board of Education rule pursuant to this section and ss.
950 1007.27, 1008.30, and 1008.44.

951 (h) The results of statewide, standardized assessment in
952 ELA and mathematics, science, and social studies, including
953 assessment retakes, must ~~shall~~ be reported in an easy-to-read
954 and understandable format and delivered in time to provide
955 useful, actionable information to students, parents, and each
956 student's current teacher of record and teacher of record for
957 the subsequent school year; however, in any case, the district

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958 shall provide the results pursuant to this paragraph within 1
959 week after receiving the results from the department. A report
960 of student assessment results must, at a minimum, contain:

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

963 2. Information identifying the student's areas of strength
964 and areas in need of improvement.

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

969 4. Longitudinal information, if available, on the student's
970 progress in each subject area based on previous statewide,
971 standardized assessment data.

972 5. Comparative information showing the student's score
973 compared to other students in the school district, in the state,
974 or, if available, in other states.

975 6. Predictive information, if available, showing the
976 linkage between the scores attained by the student on the
977 statewide, standardized assessments and the scores he or she may
978 potentially attain on nationally recognized college entrance
979 examinations.

980
981 The information included under this paragraph relating to
982 results from the statewide, standardized ELA assessments for
983 grades 3 through 10 and Mathematics assessments for grades 3
984 through 8 must be included in individual student reports under
985 s. 1008.25(9)(c).

986 ~~(9) CONCORDANT SCORES. The Commissioner of Education must~~

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987 ~~identify scores on the SAT and ACT that if achieved satisfy the~~
988 ~~graduation requirement that a student pass the grade 10 ELA~~
989 ~~assessment. The commissioner may identify concordant scores on~~
990 ~~assessments other than the SAT and ACT. If the content or~~
991 ~~scoring procedures change for the grade 10 ELA assessment, new~~
992 ~~concordant scores must be determined. If new concordant scores~~
993 ~~are not timely adopted, the last-adopted concordant scores~~
994 ~~remain in effect until such time as new scores are adopted. The~~
995 ~~state board shall adopt concordant scores in rule.~~

996 ~~(10) COMPARATIVE SCORES FOR END-OF-COURSE (EOC)~~
997 ~~ASSESSMENT. The Commissioner of Education must identify one or~~
998 ~~more comparative scores for the Algebra I EOC assessment. If the~~
999 ~~content or scoring procedures change for the EOC assessment, new~~
1000 ~~comparative scores must be determined. If new comparative scores~~
1001 ~~are not timely adopted, the last-adopted comparative scores~~
1002 ~~remain in effect until such time as new scores are adopted. The~~
1003 ~~state board shall adopt comparative scores in rule.~~

1004 Section 26. Effective upon becoming a law, paragraph (c) of
1005 subsection (5), paragraphs (b) and (c) of subsections (7), and
1006 subsection (9) of section 1008.25, Florida Statutes, are amended
1007 to read:

1008 1008.25 Public school student progression; student support;
1009 coordinated screening and progress monitoring; reporting
1010 requirements.—

1011 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

1012 (c) To be promoted to grade 4, a student must score a Level
1013 2 or higher on the statewide, standardized English Language Arts
1014 assessment required under s. 1008.22 for grade 3. If a student's
1015 reading deficiency is not remedied by the end of grade 3, as

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1016 demonstrated by scoring Level 2 or higher on the statewide,
1017 standardized assessment required under s. 1008.22 for grade 3,
1018 the student must be retained unless the parent determines
1019 retention is not in the best interest of the student and
1020 approves a good cause exemption pursuant to paragraph (7) (b).

1021 (7) ELIMINATION OF SOCIAL PROMOTION.—

1022 (b) The district school board may only exempt students from
1023 mandatory retention, as provided in paragraph (5) (c), for good
1024 cause. A student who is promoted to grade 4 with a good cause
1025 exemption shall be provided intensive reading instruction and
1026 intervention that include specialized diagnostic information and
1027 specific reading strategies to meet the needs of each student so
1028 promoted. The school district shall assist schools and teachers
1029 with the implementation of explicit, systematic, and
1030 multisensory reading instruction and intervention strategies for
1031 students promoted with a good cause exemption which research has
1032 shown to be successful in improving reading among students who
1033 have reading difficulties. Good cause exemptions are limited to
1034 the following:

1035 1. Limited English proficient students who have had less
1036 than 2 years of instruction in an English for Speakers of Other
1037 Languages program based on the initial date of entry into a
1038 school in the United States.

1039 2. Students with disabilities whose individual education
1040 plan indicates that participation in the statewide assessment
1041 program is not appropriate, consistent with the requirements of
1042 s. 1008.212.

1043 3. Students who demonstrate an acceptable level of
1044 performance on an alternative standardized reading or English

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1045 Language Arts assessment approved by the State Board of
1046 Education.

1047 4. A student who demonstrates through a student portfolio
1048 that he or she is performing at least at Level 2 on the
1049 statewide, standardized English Language Arts assessment.

1050 5. Students with disabilities who take the statewide,
1051 standardized English Language Arts assessment and who have an
1052 individual education plan or a Section 504 plan that reflects
1053 that the student has received intensive instruction in reading
1054 or English Language Arts for more than 2 years but still
1055 demonstrates a deficiency and was previously retained in
1056 prekindergarten, kindergarten, grade 1, grade 2, or grade 3.

1057 6. Students who have received intensive reading
1058 intervention for 2 or more years but still demonstrate a
1059 deficiency in reading and who were previously retained in
1060 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
1061 years. A student may not be retained more than once in grade 3.

1062 7. A student must be promoted to grade 4 if the parent
1063 determines promotion is in the best interest of the student. The
1064 parent and the school must develop a student intervention plan.
1065 The intervention plan must be approved by the parent and may
1066 include, but is not limited to, interventions and supports under
1067 paragraph (5) (e) and subsection (8).

1068 (c) Requests for good cause exemptions for students from
1069 the mandatory retention requirement as described in
1070 subparagraphs (b)3. and 4. shall be made consistent with the
1071 following:

1072 1. Documentation shall be submitted from the student's
1073 teacher to the school principal that indicates that the

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1074 promotion of the student is appropriate and is based upon the
1075 student's academic record. In order to minimize paperwork
1076 requirements, such documentation shall consist only of the
1077 existing progress monitoring plan, individual educational plan,
1078 if applicable, report card, or student portfolio.

1079 2. The school principal shall review and discuss such
1080 recommendation with the teacher and make the determination as to
1081 whether the student should be promoted or retained, subject to a
1082 parent's permission pursuant to subparagraph (b)7. If the school
1083 principal determines that the student should be promoted, the
1084 school principal shall make such recommendation in writing to
1085 the district school superintendent. The district school
1086 superintendent shall accept or reject the school principal's
1087 recommendation in writing.

1088 (9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

1089 (a) The Department of Education, in collaboration with the
1090 Office of Early Learning, shall procure and require the use of a
1091 statewide, standardized coordinated screening and progress
1092 monitoring system for the Voluntary Prekindergarten Education
1093 Program and public schools. The system must:

1094 1. Measure student progress in meeting the appropriate
1095 expectations in early literacy and mathematics skills and in
1096 English Language Arts and mathematics standards as required by
1097 ss. 1002.67(1)(a) and 1003.41 and identify the educational
1098 strengths and needs of students.

1099 2. For students in the Voluntary Prekindergarten Education
1100 Program through grade 3, measure student performance in oral
1101 language development, phonological and phonemic awareness,
1102 knowledge of print and letters, decoding, fluency, vocabulary,

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1103 and comprehension, as applicable by grade level, and, at a
1104 minimum, provide interval level and norm-referenced data that
1105 measures equivalent levels of growth.

1106 3. Be a valid, reliable, and developmentally appropriate
1107 computer-based direct instrument that provides screening and
1108 diagnostic capabilities for monitoring student progress;
1109 identifies students who have a substantial deficiency in reading
1110 or mathematics, including identifying students with
1111 characteristics of dyslexia, dyscalculia, and other learning
1112 disorders; and informs instruction. Any student identified by
1113 the system as having characteristics of dyslexia or dyscalculia
1114 shall undergo further screening. Beginning with the 2023-2024
1115 school year, the coordinated screening and progress monitoring
1116 system must be computer-adaptive.

1117 4. Provide data for Voluntary Prekindergarten Education
1118 Program accountability as required under s. 1002.68.

1119 5. Provide Voluntary Prekindergarten Education Program
1120 providers, school districts, schools, teachers, and parents with
1121 data and resources that enhance differentiated instruction and
1122 parent communication.

1123 6. Provide baseline data to the department of each
1124 student's readiness for kindergarten. The determination of
1125 kindergarten readiness must be based on the results of each
1126 student's initial progress monitoring assessment in
1127 kindergarten. The methodology for determining a student's
1128 readiness for kindergarten must be developed by the department
1129 and aligned to the methodology adopted pursuant to s.
1130 1002.68(4).

1131 7. Assess how well educational goals and curricular

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1132 standards are met at the provider, school, district, and state
1133 levels and provide information to the department to aid in the
1134 development of educational programs, policies, and supports for
1135 providers, districts, and schools.

1136 (b) Beginning with the 2022-2023 school year, private
1137 Voluntary Prekindergarten Education Program providers and public
1138 schools must participate in the coordinated screening and
1139 progress monitoring system pursuant to this paragraph.

1140 1. For students in the Voluntary Prekindergarten Education
1141 Program through grade 2, the coordinated screening and progress
1142 monitoring system must be administered at least three times
1143 within a ~~program year or school year, as applicable~~, with the
1144 first administration occurring no later than the first 30
1145 instructional days after a student's enrollment or the start of
1146 the ~~program year or school year~~, the second administration
1147 occurring midyear, and the third administration occurring within
1148 the last 30 days of the ~~program or school year~~ pursuant to state
1149 board rule. The state board may adopt alternate timeframes to
1150 address nontraditional school year calendars or summer programs
1151 to ensure the coordinated screening and progress monitoring
1152 program is administered a minimum of three times within a year
1153 or program.

1154 2. For students in the summer prekindergarten program, the
1155 coordinated screening and progress monitoring system must be
1156 administered two times, with the first administration occurring
1157 no later than the first 10 instructional days after a student's
1158 enrollment or the start of the summer prekindergarten program,
1159 and the second administration occurring within the last 10 days
1160 of the summer prekindergarten program pursuant to state board

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1161 rule.

1162 3. For grades 3 through 10 English Language Arts and grades
1163 3 through 8 Mathematics, the coordinated screening and progress
1164 monitoring system must be administered at the beginning, middle,
1165 and end of the school year pursuant to state board rule. The
1166 end-of-year administration of the coordinated screening and
1167 progress monitoring system must be a comprehensive progress
1168 monitoring assessment administered in accordance with the
1169 scheduling requirements under s. 1008.22(7) ~~s. 1008.22(7)(e)~~.

1170 (c) To facilitate timely interventions and supports
1171 pursuant to subsection (4), the system must provide results from
1172 the first two administrations of the progress monitoring to a
1173 student's teacher within 1 week and to the student's parent
1174 within 2 weeks of the administration of the progress monitoring.
1175 Delivery of results from the comprehensive, end-of-year progress
1176 monitoring ELA assessment for grades 3 through 10 and
1177 Mathematics assessment for grades 3 through 8 must be in
1178 accordance with s. 1008.22(7) ~~s. 1008.22(7)(h)~~.

1179 1. A student's results from the coordinated screening and
1180 progress monitoring system must be recorded in a written, easy-
1181 to-comprehend individual student report. Each school district
1182 shall provide a parent secure access to his or her child's
1183 individual student reports through a web-based portal as part of
1184 its student information system. Each early learning coalition
1185 shall provide parents the individual student report in a format
1186 determined by state board rule.

1187 2. In addition to the information under subparagraph (a)5.,
1188 the report must also include parent resources that explain the
1189 purpose of progress monitoring, assist the parent in

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1190 interpreting progress monitoring results, and support informed
1191 parent involvement. Parent resources may include personalized
1192 video formats.

1193 3. The department shall annually update school districts
1194 and early learning coalitions on new system features and
1195 functionality and collaboratively identify with school districts
1196 and early learning coalitions strategies for meaningfully
1197 reporting to parents results from the coordinated screening and
1198 progress monitoring system. The department shall develop ways to
1199 increase the utilization, by instructional staff and parents, of
1200 student assessment data and resources.

1201 4. An individual student report must be provided in a
1202 printed format upon a parent's request.

1203 (d) Screening and progress monitoring system results,
1204 including the number of students who demonstrate characteristics
1205 of dyslexia and dyscalculia, shall be reported to the department
1206 pursuant to state board rule and maintained in the department's
1207 Education Data Warehouse. Results must be provided to a
1208 student's teacher and parent in a timely manner as required in
1209 s. 1008.22(7)(g).

1210 (e) The department, in collaboration with the Office of
1211 Early Learning, shall provide training and support for effective
1212 implementation of the screening and progress monitoring system.

1213 Section 27. Paragraph (c) of subsection (3) and subsection
1214 (4) of section 1008.33, Florida Statutes, are amended to read:

1215 1008.33 Authority to enforce public school improvement.—

1216 (3)

1217 (c) The state board shall adopt by rule a differentiated
1218 matrix of intervention and support strategies for assisting

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1219 traditional public schools identified under this section and
1220 rules for implementing s. 1002.33(9)(n), relating to charter
1221 schools. The intervention and support strategies must address
1222 student performance and may include improvement planning;
1223 leadership quality improvement; educator quality improvement;
1224 professional development; curriculum review, pacing, and
1225 alignment across grade levels to improve background knowledge in
1226 social studies, science, and the arts; and the use of continuous
1227 improvement and monitoring plans and processes. In addition, the
1228 state board may prescribe reporting requirements to review and
1229 monitor the progress of the schools. The rule must define the
1230 intervention and support strategies for school improvement for
1231 schools earning a grade of "D" or "F" and the roles for the
1232 district and department. A school may not be required to use the
1233 measure of student learning growth in s. 1012.34(7) as the sole
1234 determinant to recruit instructional personnel. The rule must
1235 create a timeline for a school district's school improvement
1236 plan or district-managed turnaround plan to be approved and for
1237 the school improvement funds under Title I to be released to the
1238 school district. The timeline established in rule for the
1239 release of school improvement funding under Title I may not
1240 exceed 20 calendar days after the approval of the school
1241 improvement plan or district-managed turnaround plan.

1242 (4) (a) The state board shall apply intensive intervention
1243 and support strategies tailored to the needs of schools earning
1244 two consecutive grades of "D" or a grade of "F." In the first
1245 full school year after a school initially earns a grade of "D,"
1246 the school district must immediately implement intervention and
1247 support strategies prescribed in rule under paragraph (3) (c).

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1248 For a school that initially earns a grade of "F" or a second
1249 consecutive grade of "D," the school district must either
1250 continue implementing or immediately begin implementing
1251 intervention and support strategies prescribed in rule under
1252 paragraph (3) (c) and provide the department, by September 15 ~~±~~,
1253 with the memorandum of understanding negotiated pursuant to s.
1254 1001.42(21) and, by October 1, a district-managed turnaround
1255 plan for approval by the state board. The district-managed
1256 turnaround plan may include a proposal for the district to
1257 implement an extended school day, a summer program, a
1258 combination of an extended school day and a summer program, or
1259 any other option authorized under paragraph (b) for state board
1260 approval. A school district is not required to wait until a
1261 school earns a second consecutive grade of "D" to submit a
1262 turnaround plan for approval by the state board under this
1263 paragraph. Upon approval by the state board, the school district
1264 must implement the plan for the remainder of the school year and
1265 continue the plan for 4 ~~±~~ full school years ~~year~~. The state
1266 board may allow a school an additional year of implementation
1267 before the school must implement a turnaround option required
1268 under paragraph (b) if the school earns a first grade of "C" or
1269 higher after the fourth ~~it determines that the school is likely~~
1270 ~~to improve to a grade of "C" or higher after the first full~~
1271 ~~school~~ year of implementation.

1272 (b) ~~Unless an additional year of implementation is provided~~
1273 ~~pursuant to paragraph (a),~~ A school that, during the ~~completes a~~
1274 plan cycle under paragraph (a), ~~and~~ does not improve to a grade
1275 of "B" or higher or does not improve and maintain ~~to~~ a grade of
1276 "C" for 2 consecutive years ~~or higher~~ must implement one of the

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1277 following:

1278 1. Reassign students to another school and monitor the
1279 progress of each reassigned student;

1280 2. Close the school and reopen the school as one or more
1281 charter schools, each with a governing board that has a
1282 demonstrated record of effectiveness; or

1283 3. Contract with an outside entity that has a demonstrated
1284 record of effectiveness to provide turnaround services
1285 identified in state board rule, which may include school
1286 leadership, educational modalities, teacher and leadership
1287 professional development, curriculum, operation and management
1288 services, school-based administrative staffing, budgeting,
1289 scheduling, other educational service provider functions, or any
1290 combination thereof. Selection of an outside entity may include
1291 one or a combination of the following:

1292 a. An external operator, which may be a district-managed
1293 charter school or a high-performing charter school network in
1294 which all instructional personnel are not employees of the
1295 school district, but are employees of an independent governing
1296 board composed of members who did not participate in the review
1297 or approval of the charter.

1298 b. A contractual agreement that allows for a charter school
1299 network or any of its affiliated subsidiaries to provide
1300 individualized consultancy services tailored to address the
1301 identified needs of one or more schools under this section.

1302 4. Implementation of a community school model as defined in
1303 s. 1003.64(2)(c).

1304 a. A school district that intends to implement a community
1305 school model must apply for a planning grant under s. 1003.64(3)

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1306 by the application deadline established by the center during the
1307 second year of implementing the district-managed turnaround
1308 plan. A school district that is not awarded a grant may reapply
1309 by the application deadline during the third year of
1310 implementing the district-managed turnaround plan but may not
1311 receive an extension to implement the community school model.

1312 b. Notwithstanding paragraph (c), a school district that
1313 receives a grant under s. 1003.64(3) must continue planning to
1314 implement the community school model regardless of whether the
1315 school successfully exits the district-managed turnaround plan
1316 under paragraph (a).

1317 c. A school district must implement the community school
1318 model no later than the school year following the fourth year of
1319 the district managed turnaround plan.

1320 d. For a school that does not meet the requirements to exit
1321 turnaround under paragraph (a) and fails to implement a
1322 community school model, the school district must select another
1323 turnaround option under paragraph (b).

1324
1325 A school district and outside entity under ~~this~~ subparagraph 3.
1326 must ~~enter~~, at minimum, enter a 2-year, performance-based
1327 contract. The contract must include school performance and
1328 growth metrics the outside entity must meet on an annual basis.
1329 The state board may require the school district to modify or
1330 cancel the contract.

1331 (c) Implementation of a turnaround option is not required
1332 if the school improved and maintained a grade of "C" or higher
1333 for 2 consecutive years, under paragraph (a). Implementation of
1334 the turnaround option is not ~~no longer~~ required if the school

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1335 improves to a grade of "C" or higher, under paragraph (b).

1336 (d) If a school earning two consecutive grades of "D" or a
1337 grade of "F" does not improve to a grade of "C" or higher after
1338 2 school years of implementing the turnaround option selected by
1339 the school district under paragraph (b), the school district
1340 must implement another turnaround option. Implementation of the
1341 turnaround option must begin the school year following the
1342 implementation period of the existing turnaround option, unless
1343 the state board determines that the school is likely to improve
1344 to a grade of "C" or higher if additional time is provided to
1345 implement the existing turnaround option.

1346 Section 28. Section 1008.332, Florida Statutes, is amended
1347 to read:

1348 1008.332 Committee of practitioners pursuant to federal
1349 Every Student Succeeds ~~No Child Left Behind~~ Act.—The Department
1350 of Education shall establish a committee of practitioners
1351 pursuant to federal requirements of the Every Student Succeeds
1352 ~~No Child Left Behind~~ Act of 2015 ~~2001~~. The committee members
1353 shall be appointed by the Commissioner of Education ~~and shall~~
1354 ~~annually report to the Governor, the President of the Senate,~~
1355 ~~and the Speaker of the House of Representatives by January 1.~~
1356 The committee shall meet regularly and is authorized to review
1357 potential rules and policies that will be considered by the
1358 State Board of Education.

1359 Section 29. Paragraph (c) of subsection (3) and subsection
1360 (5) of section 1008.34, Florida Statutes, are amended to read:

1361 1008.34 School grading system; school report cards;
1362 district grade.—

1363 (3) DESIGNATION OF SCHOOL GRADES.—

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1364 (c)1. The calculation of a school grade shall be based on
1365 the percentage of points earned from the components listed in
1366 subparagraph (b)1. and, if applicable, subparagraph (b)2. The
1367 State Board of Education shall adopt in rule a school grading
1368 scale that sets the percentage of points needed to earn each of
1369 the school grades listed in subsection (2). There shall be at
1370 least five percentage points separating the percentage
1371 thresholds needed to earn each of the school grades. The state
1372 board shall annually review the percentage of school grades of
1373 "A" and "B" for the school year to determine whether to adjust
1374 the school grading scale upward for the following school year's
1375 school grades. The first adjustment would occur no earlier than
1376 the 2023-2024 school year. An adjustment must be made if the
1377 percentage of schools earning a grade of "A" or "B" in the
1378 current year represents 75 percent or more of all graded schools
1379 within a particular school type, which consists of elementary,
1380 middle, high, and combination. The adjustment must reset the
1381 minimum required percentage of points for each grade of "A,"
1382 "B," "C," or "D" at the next highest percentage ending in the
1383 numeral 5 or 0, whichever is closest to the current percentage.
1384 Annual reviews of the percentage of schools earning a grade of
1385 "A" or "B" and adjustments to the required points must be
1386 suspended when the following grading scale for a specific school
1387 type is achieved:

- 1388 a. Ninety percent or more of the points for a grade of "A."
- 1389 b. Eighty to eighty-nine percent of the points for a grade
1390 of "B."
- 1391 c. Seventy to seventy-nine percent of the points for a
1392 grade of "C."

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1393 d. Sixty to sixty-nine percent of the points for a grade of
1394 "D."
1395

1396 When the state board adjusts the grading scale upward, the state
1397 board must inform the public of the degree of the adjustment and
1398 its anticipated impact on school grades. Any changes made by the
1399 state board to components in the school grades model or to the
1400 school grading scale shall go into effect, at the earliest, in
1401 the following school year.

1402 2. The calculation of school grades may not include any
1403 provision that would raise or lower the school's grade beyond
1404 the percentage of points earned. Extra weight may not be added
1405 in the calculation of any components.

1406 (5) DISTRICT GRADE.—Beginning with the 2014-2015 school
1407 year, a school district's grade shall include a district-level
1408 calculation of the components under paragraph (3) (b). This
1409 calculation methodology captures each eligible student in the
1410 district who may have transferred among schools within the
1411 district or is enrolled in a school that does not receive a
1412 grade. The department shall develop a district report card that
1413 includes the district grade; the information required under s.
1414 1008.345(3) ~~s. 1008.345(5)~~; measures of the district's progress
1415 in closing the achievement gap between higher-performing student
1416 subgroups and lower-performing student subgroups; measures of
1417 the district's progress in demonstrating Learning Gains of its
1418 highest-performing students; measures of the district's success
1419 in improving student attendance; the district's grade-level
1420 promotion of students scoring achievement levels 1 and 2 on
1421 statewide, standardized English Language Arts and Mathematics

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1422 assessments; and measures of the district's performance in
1423 preparing students for the transition from elementary to middle
1424 school, middle to high school, and high school to postsecondary
1425 institutions and careers.

1426 Section 30. Subsections (3), (4), and (5) of section
1427 1008.345, Florida Statutes, are amended to read:

1428 1008.345 Implementation of state system of school
1429 improvement and education accountability.—

1430 ~~(3) The annual feedback report shall be developed by the~~
1431 ~~Department of Education.~~

1432 ~~(4) The commissioner shall review each district school~~
1433 ~~board's feedback report and submit findings to the State Board~~
1434 ~~of Education. If adequate progress is not being made toward~~
1435 ~~implementing and maintaining a system of school improvement and~~
1436 ~~education accountability, the State Board of Education shall~~
1437 ~~direct the commissioner to prepare and implement a corrective~~
1438 ~~action plan. The commissioner and State Board of Education shall~~
1439 ~~monitor the development and implementation of the corrective~~
1440 ~~action plan.~~

1441 (3)(5) The commissioner shall annually report to the State
1442 Board of Education and the Legislature and recommend changes in
1443 state policy necessary to foster school improvement and
1444 education accountability. The report must ~~shall~~ include:

1445 ~~(a)~~ for each school district:

1446 (a)1. The percentage of students, by school and grade
1447 level, demonstrating learning growth in English Language Arts
1448 and mathematics.

1449 (b)2. The percentage of students, by school and grade
1450 level, in both the highest and lowest quartiles demonstrating

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1451 learning growth in English Language Arts and mathematics.

1452 ~~(c)3.~~ The information contained in the school district's
1453 annual report required pursuant to s. 1008.25(10).

1454 ~~(b) Intervention and support strategies used by school
1455 districts whose students in both the highest and lowest
1456 quartiles exceed the statewide average learning growth for
1457 students in those quartiles.~~

1458 ~~(c) Intervention and support strategies used by school
1459 districts whose schools provide educational services to youth in
1460 Department of Juvenile Justice programs that demonstrate
1461 learning growth in English Language Arts and mathematics that
1462 exceeds the statewide average learning growth for students in
1463 those subjects.~~

1464 ~~(d) Based upon a review of each school district's reading
1465 instruction plan submitted pursuant to s. 1003.4201,
1466 intervention and support strategies used by school districts
1467 that were effective in improving the reading performance of
1468 students, as indicated by student performance data, who are
1469 identified as having a substantial reading deficiency pursuant
1470 to s. 1008.25(5)(a).~~

1471
1472 School reports must ~~shall~~ be distributed pursuant to this
1473 subsection and s. 1001.42(18)(c) and according to rules adopted
1474 by the State Board of Education.

1475 Section 31. Paragraph (d) of subsection (2) of section
1476 1000.05, Florida Statutes, is amended to read:

1477 1000.05 Discrimination against students and employees in
1478 the Florida K-20 public education system prohibited; equality of
1479 access required.-

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(2)

(d) Students may be separated by sex for a single-gender program ~~as provided under s. 1002.311,~~ for any portion of a class that deals with human reproduction, or during participation in bodily contact sports. For the purpose of this section, bodily contact sports include wrestling, boxing, rugby, ice hockey, football, basketball, and other sports in which the purpose or major activity involves bodily contact.

Section 32. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2024.