A bill to be entitled
An act relating to deregulation of public
schools/assessment and accountability, instruction,
and education choice; amending s. 1002.31, F.S.;
revising how often a school district or charter school
must update its school capacity determination;
deleting a requirement relating to school capacity
determination by district school boards; amending s.
1002.3105, F.S.; deleting a requirement that a
performance contract be completed if a student
participates in an Academically Challenging Curriculum
to Enhance Learning option; providing that a
performance contract may be used at the discretion of
the principal; repealing s. 1002.311, F.S., relating
to single-gender programs; amending s. 1002.34, F.S.;
deleting a requirement for the Commissioner of
Education to provide for an annual comparative
evaluation of charter technical career centers and
public technical centers; amending s. 1002.45, F.S.;
deleting the requirement that a notification to
parents regarding virtual instruction be written;
providing construction; amending s. 1002.53, F.S.;
deleting a requirement for a school district to
provide for admission of certain students to a summer
prekindergarten program; amending s. 1002.61, F.S.;
authorizing, rather than requiring, a school district
to administer the Voluntary Prekindergarten Education
Program; providing that a student is eligible for
summer reading camp under certain conditions; amending
s. 1002.63, F.S.; deleting a requirement for an early
learning coalition to verify that certain public
schools comply with specified provisions; amending s.
1002.71, F.S.; deleting a requirement for school
district funding for certain programs; deleting a
requirement for district school board attendance
policies for Voluntary Prekindergarten Education
Programs; requiring a school district to certify its
attendance records for a Voluntary Prekindergarten
Education Program; amending s. 1003.4282, F.S.;
revising requirements for assessments needed for a
student to earn a high school diploma; deleting a
requirement for a student who transfers into a public
high school to take specified assessments; amending s.
1003.433, F.S.; deleting requirements that must be met
by students who transfer to a public school for 11th
or 12th grade; amending s. 1003.435, F.S.; deleting an
exception for the high school equivalency diploma
program; requiring school districts to adopt a policy
that allows specified students to take the high school
equivalency examination; amending s. 1003.455, F.S.;
making technical changes to physical education
requirements; amending s. 1003.4935, F.S.; deleting a
requirement that the Department of Education collect
and report certain data relating to a middle school
career and professional academy or career-themed
course; repealing s. 1003.4995, F.S., relating to the
fine arts report prepared by the Commissioner of
Education; repealing s. 1003.4996, F.S., relating to
the Competency-Based Education Pilot Program; amending s. 1003.49965, F.S.; authorizing, rather than requiring, a school district to hold an Art in the Capitol Competition; amending s. 1003.51, F.S.; deleting a requirement regarding assessment procedures for Department of Juvenile Justice education programs; revising requirements for which assessment results must be included in a student’s discharge packet; revising requirements for when a district school board must face sanctions for unsatisfactory performance in its Department of Juvenile Justice programs; amending s. 1003.621, F.S.; deleting a requirement for academically high-performing school districts to submit an annual report to the State Board of Education; amending s. 1006.28, F.S.; revising the definition of the term “adequate instructional materials”; deleting a timeframe requirement for each district school superintendent to notify the department about instructional materials; deleting a requirement for such notification; authorizing, rather than requiring, a school principal to collect the purchase price of instructional materials lost, destroyed, or damaged by a student; amending s. 1006.283, F.S.; deleting a timeframe requirement for a district school superintendent to certify to the Department of Education that instructional materials meet state standards; amending s. 1006.33, F.S.; requiring the Department of Education to advertise bids or proposals for instructional materials within a
specified timeframe beginning in a specified
instructional materials adoption cycle; requiring the
department to publish specifications for subject areas
within a specified timeframe; amending s. 1006.34,
F.S.; requiring the commissioner to publish a list of
adopted instructional materials within a specified
timeframe beginning in a specified instructional
materials adoption cycle; amending s. 1006.40, F.S.;
authorizing district school boards to approve an
exemption to the purchase of certain instructional
materials; revising the timeframe between purchases of
instructional materials; amending s. 1008.212, F.S.;
revising deadline requirements for a certain written
request by an individualized education program team;
amending s. 1008.22, F.S.; deleting a requirement that
a student pass a certain assessment to earn a high
school diploma; deleting a requirement for the
commissioner to publish a calendar of assessment and
reporting schedules; revising a time requirement for
each school district to establish schedules for the
administration of statewide, standardized assessments;
revising the information that must be included with
the schedules; conforming provisions to changes made
by the act; deleting a requirement for the
commissioner to identify which SAT and ACT scores
would satisfy graduation requirements; deleting a
requirement for the commissioner to identify
comparative scores for the Algebra I end-of-course
assessment; amending s. 1008.25, F.S.; providing
conditions under which a student must be promoted to grade 4; revising timeframe requirements for administering the coordinated screening and progress monitoring system; requiring two administrations of the coordinated screening and progress monitoring system for students in a summer prekindergarten program; conforming a cross-reference; amending s. 1008.33, F.S.; prohibiting a school from being required to use a certain parameter as the sole determining factor to recruit instructional personnel; providing requirements for a rule adopted by the State Board of Education; revising the date by which a school district must submit a memorandum of understanding to the Department of Education; increasing the length of time for which certain school districts must continue a turnaround plan; revising an authorization for the state board to allow a school additional time before implementing a turnaround option; revising requirements for schools that complete a plan cycle; deleting a requirement for a school to implement another turnaround option under certain circumstances; amending s. 1008.332, F.S.; revising a provision relating to the No Child Left Behind Act to relate to the Every Student Succeeds Act; deleting a requirement for committee members to annually report to specified entities; amending s. 1008.34, F.S.; requiring that certain changes made by the state board to the school grades model or school grading scale go into effect in the following school
year or later; conforming cross-references; amending s. 1008.345, F.S.; deleting a requirement for the Department of Education to develop an annual feedback report; deleting a requirement for the Commissioner of Education to review specified feedback reports and submit findings to the State Board of Education; deleting certain requirements for a report the commissioner produces annually for the state board; conforming a cross reference; amending s. 1000.05, F.S.; conforming cross-references; providing an effective date.

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

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

1002.31 Controlled open enrollment; public school parental choice.—

(2)

(b) Each school district and charter school capacity
determinations for its schools, by grade level, must be updated at least twice annually every 12 weeks and be identified on the school district and charter school’s websites. In determining the capacity of each district school, the district school board shall incorporate the specifications, plans, elements, and commitments contained in the school district educational facilities plan and the long-term work programs required under s. 1013.35. Each charter school governing board shall determine capacity based upon its charter school contract. Each virtual
charter school and each school district with a contract with an approved virtual instruction program provider shall determine capacity based upon the enrollment requirements established under s. 1002.45(1)(e)4.

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

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

(4) ACCEL REQUIREMENTS.—

(c) If a student participates in an ACCEL option pursuant to the parental request under subparagraph (b)1., a performance contract is not required but may be used at the discretion of the principal. At a minimum, the performance contract must require compliance with:

1. Minimum student attendance requirements.

2. Minimum student conduct requirements.

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

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

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

Section 4. Subsection (19) of section 1002.34, Florida Statutes, is amended to read:
1002.34 Charter technical career centers.—

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

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

1002.45 Virtual instruction programs.—

(1) PROGRAM.—

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

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

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

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

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

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

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

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

This paragraph does not prohibit a school district virtual instruction program from providing such equipment to any student enrolled in a virtual instruction program.
Section 6. Paragraph (b) of subsection (6) of section 1002.53, Florida Statutes, is amended to read:

1002.53 Voluntary Prekindergarten Education Program; eligibility and enrollment.—

(6)

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

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

1002.61 Summer prekindergarten program delivered by public schools and private prekindergarten providers.—

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

(10)(a) Each early learning coalition shall verify that each private prekindergarten provider and public school delivering the Voluntary Prekindergarten Education Program within the coalition’s county or multicounty region complies with this part.
A student who did not attend the school year Voluntary Prekindergarten Education Program and lacks access to summer prekindergarten in the county in which he or she resides is eligible to enroll in the summer reading camp provided by the district school board under s. 1008.25.

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

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

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

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

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

1002.71 Funding; financial and attendance reporting.—

(3)

(d) For programs offered by school districts pursuant to s. 1002.61, each district’s funding shall be based on a student enrollment that is evenly divisible by 12. If the result of dividing a district’s student enrollment by 12 is not a whole number, the district’s enrollment calculation shall be adjusted...
by adding the minimum number of students to produce a student
enrollment calculation that is evenly divisible by 12.

(6)

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

2. The parent must submit the verification of the student’s
attendance to the private prekindergarten provider or public
school on forms prescribed by the department. The forms must
include, in addition to the verification of the student’s
attendance, a certification, in substantially the following
form, that the parent continues to choose the private
prekindergarten provider or public school in accordance with s.
1002.53 and directs that payments for the program be made to the
provider or school:

VERIFICATION OF STUDENT’S ATTENDANCE
AND CERTIFICATION OF PARENTAL CHOICE

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

...(Signature of Parent)...

...(Date)...

CODING: Words struck out are deletions; words underlined are additions.
3. The private prekindergarten provider or public school must keep each original signed form for at least 2 years. Each private prekindergarten provider must permit the early learning coalition, and each public school must permit the school district, to inspect the original signed forms during normal business hours. The department shall adopt procedures for early learning coalitions and school districts to review the original signed forms against the certified student attendance. The review procedures must provide for the use of selective inspection techniques, including, but not limited to, random sampling. Each early learning coalition and the school districts must comply with the review procedures.

(7) The department shall require that administrative expenditures be kept to the minimum necessary for efficient and effective administration of the Voluntary Prekindergarten Education Program. Administrative policies and procedures shall be revised, to the maximum extent practicable, to incorporate the use of automation and electronic submission of forms, including those required for child eligibility and enrollment, provider and class registration, and monthly certification of attendance for payment. A school district may use its automated daily attendance reporting system for the purpose of maintaining and transmitting attendance records to the early learning coalition in a mutually agreed-upon format. Each school district shall certify the correctness of attendance data submitted to the single point of entry system described in paragraph (5)(a) as required by the department. In addition, actions shall be taken to reduce paperwork, eliminate the
duplication of reports, and eliminate other duplicative activities. Each early learning coalition may retain and expend no more than 4.0 percent of the funds paid by the coalition to private prekindergarten providers and public schools under paragraph (5)(b). Funds retained by an early learning coalition under this subsection may be used only for administering the Voluntary Prekindergarten Education Program and may not be used for the school readiness program or other programs.

Section 10. Paragraphs (a) and (b) of subsection (3), paragraph (c) of subsection (5), and subsection (6) of section 1003.4282, Florida Statutes, are amended to read:

1003.4282 Requirements for a standard high school diploma.—

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

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

(b) Four credits in mathematics.—

1. A student must earn one credit in Algebra I and one credit in Geometry. A student’s performance on the statewide, standardized Algebra I end-of-course (EOC) assessment constitutes 30 percent of the student’s final course grade. A student must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score, in order to earn a standard high school diploma. A student’s performance on the statewide, standardized Geometry EOC assessment constitutes 30 percent of the student’s final course grade.
2. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry. A student may earn two mathematics credits by successfully completing Algebra I through two full-year courses. A certified school counselor or the principal’s designee shall advise the student that admission to a state university may require the student to earn 3 additional mathematics credits that are at least as rigorous as Algebra I.

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

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

(c) A student who earns the required 24 credits, or the required 18 credits under s. 1002.3105(5), but fails to pass the assessments required under s. 1008.22(3) or achieve a 2.0 GPA shall be awarded a certificate of completion in a form prescribed by the State Board of Education. However, a student
who is otherwise entitled to a certificate of completion may
elect to remain in high school either as a full-time student or
a part-time student for up to 1 additional year and receive
special instruction designed to remedy his or her identified
deficiencies.

(6) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning with
the 2012-2013 school year, if a student transfers to a Florida
public high school from out of country, out of state, a private
school, or a home education program and the student’s transcript
shows a credit in Algebra I, the student must pass the
statewide, standardized Algebra I EOC assessment in order to
earn a standard high school diploma unless the student earned a
comparative score, passed a statewide assessment in Algebra I
administered by the transferring entity, or passed the statewide
mathematics assessment the transferring entity uses to satisfy
the requirements of the Elementary and Secondary Education Act,
as amended by the Every Student Succeeds Act (ESSA), 20 U.S.C.
ss. 6301 et seq. If a student’s transcript shows a credit in
high school reading or English Language Arts II or III, in order
to earn a standard high school diploma, the student must take
and pass the statewide, standardized grade 10 ELA assessment, or
earn a concordant score. If a transfer student’s transcript
shows a final course grade and course credit in Algebra I,
Geometry, Biology I, or United States History, the transferring
course final grade and credit must be honored without the
student taking the requisite statewide, standardized EOC
assessment and without the assessment results constituting 30
percent of the student’s final course grade.

Section 11. Section 1003.433, Florida Statutes, is amended
1003.433 Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements.—

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

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

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

(b) Upon receipt of a certificate of completion, be allowed to take the College Placement Test and be admitted to developmental education or credit courses at a Florida College System institution, as appropriate.

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

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

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

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

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

1003.435 High school equivalency diploma program.—

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

Section 13. Subsection (6) of section 1003.455, Florida Statutes, is amended to read:

1003.455 Physical education; assessment.—

(6) In addition to the requirements in subsection (3), each district school board shall provide at least 100 minutes of supervised and safe, and unstructured free-play recess each week for students in kindergarten through grade 5 so that there are at least 20 consecutive minutes of free-play recess per day. This requirement does not apply to charter schools.

Section 14. Subsection (3) of section 1003.4935, Florida Statutes, is amended to read:

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

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

Section 15. Section 1003.4995, Florida Statutes, is repealed.

Section 16. Section 1003.4996, Florida Statutes, is repealed.

Section 17. Subsection (2) of section 1003.49965, Florida
Statutes, is amended to read:

1003.49965 Art in the Capitol Competition.—

(2) A Each school district may shall annually hold an Art
in the Capitol Competition for all public, private, and home
education students in grades 6 through 8. Submissions must shall
be judged by a selection committee consisting of art teachers
whose students have not submitted artwork for consideration.

Section 18. Paragraphs (g) and (r) of subsection (2) of
section 1003.51, Florida Statutes, are amended to read:

1003.51 Other public educational services.—

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

(g) Assessment procedures, which:

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

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

The results of the assessments required under this paragraph and under s. 1003.52(3)(d), together with a portfolio depicting the student’s academic and career accomplishments, must be included in the discharge packet assembled for each student.

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

Section 19. Subsection (4) of section 1003.621, Florida Statutes, is amended to read:

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

   (4) REPORTS. The academically high-performing school
district shall submit to the State Board of Education and the
Legislature an annual report on December 1 which delineates the
performance of the school district relative to the academic
performance of students at each grade level in reading, writing,
mathematics, science, and any other subject that is included as
a part of the statewide assessment program in s. 1008.22. The
annual report shall be submitted in a format prescribed by the
Department of Education and shall include:

   (a) Longitudinal performance of students on statewide,
standardized assessments taken under s. 1008.22;
   (b) Longitudinal performance of students by grade level and
subgroup on statewide, standardized assessments taken under s.
1008.22;
   (c) Longitudinal performance regarding efforts to close the
achievement gap;
   (d) 1. Number and percentage of students who take an
Advanced Placement Examination; and
   2. Longitudinal performance regarding students who take an
Advanced Placement Examination by demographic group,
   specifically by age, gender, race, and Hispanic origin, and by
participation in the National School Lunch Program;
   (e) Evidence of compliance with subsection (1); and
   (f) A description of each waiver and the status of each
waiver.

Section 20. Paragraph (a) of subsection (1), paragraph (b)
of subsection (3), and paragraph (b) of subsection (4) of
section 1006.28, Florida Statutes, are amended to read:
1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(1) DEFINITIONS.—

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

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

2. “Instructional materials” has the same meaning as in s. 1006.29(2).

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

(3) DISTRICT SCHOOL SUPERINTENDENT.—

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

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

    (b) Money collected for lost or damaged instructional materials; enforcement.—The school principal may shall collect from each student or the student’s parent the purchase price of any instructional material the student has lost, destroyed, or unnecessarily damaged and to report and transmit the money collected to the district school superintendent. The failure to collect such sum upon reasonable effort by the school principal may result in the suspension of the student from participation in extracurricular activities or satisfaction of the debt by the student through community service activities at the school site as determined by the school principal, pursuant to policies adopted by district school board rule.

Section 21. Subsection (1) of section 1006.283, Florida Statutes, is amended to read:

1006.283 District school board instructional materials review process.—

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

Section 22. Paragraph (a) of subsection (1) of section 1006.33, Florida Statutes, is amended to read:
1006.33 Bids or proposals; advertisement and its contents.—
(1)(a)1. Beginning on or before May 15 of any year in which an instructional materials adoption is to be initiated, the department shall advertise in the Florida Administrative Register 4 weeks preceding the date on which the bids shall be received, that at a certain designated time, not later than June 15, sealed bids or proposals to be deposited with the department will be received from publishers or manufacturers for the furnishing of instructional materials proposed to be adopted as listed in the advertisement beginning April 1 following the adoption.

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

Section 23. Paragraph (a) of subsection (2) of section 1006.34, Florida Statutes, is amended to read:

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

(2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—
(a) The department shall notify all publishers and manufacturers of instructional materials who have submitted bids that within 3 weeks after the deadline for receiving bids, at a designated time and place, it will open the bids submitted and deposited with it. At the time and place designated, the bids must be opened, read, and tabulated in the presence of the bidders or their representatives. No one may revise his or her bid after the bids have been filed. When all bids have been carefully considered, the commissioner shall, from the list of suitable, usable, and desirable instructional materials reported by the state instructional materials reviewers, select and adopt instructional materials for each grade and subject field in the curriculum of public elementary, middle, and high schools in which adoptions are made and in the subject areas designated in the advertisement. Beginning with the 2026 instructional materials adoption cycle, the commissioner shall publish the list of adopted instructional materials not later than July 31 of the year preceding the beginning of the adoption period. The adoption must continue for the period specified in the advertisement, beginning on the ensuing April 1. The adoption may not prevent the extension of a contract as provided in subsection (3). The commissioner shall always reserve the right to reject any and all bids. The commissioner may ask for new sealed bids from publishers or manufacturers whose instructional materials were recommended by the state instructional materials reviewers as suitable, usable, and desirable; specify the dates for filing such bids and the date on which they must be opened; and proceed in all matters regarding the opening of bids and the awarding of contracts as required by this part. In all
cases, bids must shall be accompanied by a cash deposit or certified check of from $500 to $2,500, as the department may direct. The department shall, in adopting instructional materials, shall give due consideration both to the prices bid for furnishing instructional materials and to the report and recommendations of the state instructional materials reviewers. When the commissioner has finished with the report of the state instructional materials reviewers, the report must shall be filed and preserved with the department and must shall be available at all times for public inspection.

Section 24. Subsection (2) of section 1006.40, Florida Statutes, is amended to read:

1006.40 Purchase of instructional materials.—
(2) Each district school board must purchase current instructional materials to provide students each student in kindergarten through grade 12 with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature. If deemed appropriate by the district school board, it may approve an exemption to such purchase for certain courses. Such purchase must be made within the first 5 3 years after the effective date of the adoption cycle unless a district school board or a consortium of school districts has implemented an instructional materials program pursuant to s. 1006.283.

Section 25. Subsection (3) of section 1008.212, Florida Statutes, is amended to read:

1008.212 Students with disabilities; extraordinary exemption.—
(3) The IEP team, which must include the parent, may submit
to the district school superintendent a written request for an extraordinary exemption at any time during the school year, subject to deadlines established by the district school superintendent but not later than 60 days before the current year’s assessment administration for which the request is made. A request must include all of the following:

(a) A written description of the student’s disabilities, including a specific description of the student’s impaired sensory, manual, or speaking skills.

(b) Written documentation of the most recent evaluation data.

(c) Written documentation, if available, of the most recent administration of the statewide standardized assessment, an end-of-course assessment, or an alternate assessment.

(d) A written description of the condition’s effect on the student’s participation in the statewide standardized assessment, an end-of-course assessment, or an alternate assessment.

(e) Written evidence that the student has had the opportunity to learn the skills being tested.

(f) Written evidence that the student has been provided appropriate instructional accommodations.

(g) Written evidence as to whether the student has had the opportunity to be assessed using the instructional accommodations on the student’s IEP which are allowable in the administration of the statewide standardized assessment, an end-of-course assessment, or an alternate assessment in prior assessments.

(h) Written evidence of the circumstance or condition as
Section 26. Paragraphs (a) and (d) of subsection (3), paragraphs (b), (d), (e), and (h) of subsection (7), and subsections (9) and (10) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the state academic standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the state academic standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including adult students seeking a standard high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law. If a student does not participate in the assessment program, the school district must notify the student’s parent and provide the parent with information regarding the implications of such nonparticipation. The statewide, standardized assessment program shall be designed and implemented as follows:

(a) Statewide, standardized comprehensive assessments.—

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

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

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

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

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

3. The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of assessment accommodations for students with disabilities and for students who have limited English proficiency.
   a. Accommodations that negate the validity of a statewide, standardized assessment are not allowed during the administration of the assessment. However, instructional accommodations are allowed in the classroom if identified in a student’s IEP. Students using instructional accommodations in the classroom that are not allowed on a statewide, standardized assessment may have assessment results waived if the IEP team determines that the assessment cannot accurately measure the student’s abilities.
   b. If a student is provided with instructional accommodations in the classroom that are not allowed as accommodations for statewide, standardized assessments, the district must inform the parent in writing and provide the parent with information regarding the impact on the student’s ability to meet expected performance levels. A parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on a statewide, standardized assessment and acknowledge in writing that he or she understands the implications of such instructional accommodations.
   c. If a student’s IEP states that online administration of

CODING: Words stricken are deletions; words underlined are additions.
a statewide, standardized assessment will significantly impair the student’s ability to perform, the assessment must **shall** be administered in hard copy.

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

(7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

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

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

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

3. The time allotted to administer each assessment.

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

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

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

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


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

(c) (e) Each school district shall, by November 1 of each
year, establish schedules for the administration of any
statewide, standardized assessments and district-required
assessments and approve the schedules as an agenda item at a
district school board meeting. Each school district shall
publish the testing schedules on its website which specify
whether an assessment is a state-required or district-required
assessment and the grade bands or subject area associated with
the assessments using the uniform calendar, including all
information required under paragraph (b), and submit the
schedules to the Department of Education by October 1 of each
year. Each public school shall publish schedules for statewide,
standardized assessments and district-required assessments on
its website using the uniform calendar, including all
information required under paragraph (b). The school board-
approved assessment uniform calendar must be included in the
parent guide required by s. 1002.23(5).

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

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

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

2. Information identifying the student’s areas of strength and areas in need of improvement.

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

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

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

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

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

(9) CONCORDANT SCORES. The Commissioner of Education must identify scores on the SAT and ACT that if achieved satisfy the graduation requirement that a student pass the grade 10 ELA assessment. The commissioner may identify concordant scores on assessments other than the SAT and ACT. If the content or scoring procedures change for the grade 10 ELA assessment, new concordant scores must be determined. If new concordant scores are not timely adopted, the last adopted concordant scores remain in effect until such time as new scores are adopted. The state board shall adopt concordant scores in rule.

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

Section 27. Paragraph (c) of subsection (5), paragraphs (b) and (c) of subsections (7), and subsection (9) of section 1008.25, Florida Statutes, are amended, to read:

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

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(c) To be promoted to grade 4, a student must score a Level 2 or higher on the statewide, standardized English Language Arts assessment required under s. 1008.22 for grade 3. If a student’s reading deficiency is not remedied by the end of grade 3, as demonstrated by scoring Level 2 or higher on the statewide, standardized assessment required under s. 1008.22 for grade 3, the student must be retained unless the parent determines retention is not in the best interest of the student and approves a good cause exemption pursuant to paragraph (7)(b).

(7) ELIMINATION OF SOCIAL PROMOTION.—

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

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

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

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.

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

5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in
6. Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.

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

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

1. Documentation shall be submitted from the student’s teacher to the school principal that indicates that the promotion of the student is appropriate and is based upon the student’s academic record. In order to minimize paperwork requirements, such documentation shall consist only of the existing progress monitoring plan, individual educational plan, if applicable, report card, or student portfolio.

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

(9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

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

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

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

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

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

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

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

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

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

1. For students in the Voluntary Prekindergarten Education
Program through grade 2, the coordinated screening and progress
monitoring system must be administered at least three times
within a program year or school year, as applicable, with the first administration occurring no later than the first 10 instructional days after a student’s enrollment or the start of the program year or school year, the second administration occurring midyear, and the third administration occurring within the last 30 days of the program or school year pursuant to state board rule. The state board may adopt alternate timeframes to address nontraditional school year calendars or summer programs to ensure the coordinated screening and progress monitoring program is administered a minimum of three times within a year or program.

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

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

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

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

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

3. The department shall annually update school districts and early learning coalitions on new system features and functionality and collaboratively identify with school districts and early learning coalitions strategies for meaningfully reporting to parents results from the coordinated screening and progress monitoring system. The department shall develop ways to increase the utilization, by instructional staff and parents, of student assessment data and resources.
4. An individual student report must be provided in a printed format upon a parent’s request.

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

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

Section 28. Paragraph (c) of subsection (3) and subsection (4) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.—

(3)

(c) The state board shall adopt by rule a differentiated matrix of intervention and support strategies for assisting traditional public schools identified under this section and rules for implementing s. 1002.33(9)(n), relating to charter schools. The intervention and support strategies must address student performance and may include improvement planning; leadership quality improvement; educator quality improvement; professional development; curriculum review, pacing, and alignment across grade levels to improve background knowledge in social studies, science, and the arts; and the use of continuous improvement and monitoring plans and processes. In addition, the state board may prescribe reporting requirements to review and monitor the progress of the schools. The rule must define the
intervention and support strategies for school improvement for schools earning a grade of “D” or “F” and the roles for the district and department. A school may not be required to use the measure of student learning growth in s. 1012.34(7) as the sole determinant to recruit instructional personnel. The rule must create a timeline for a school district’s school improvement plan or district-managed turnaround plan to be approved and for the school improvement funds under Title I to be released to the school district. The timeline established in rule for the release of school improvement funding under Title I may not exceed 20 calendar days after the approval of the school improvement plan or district-managed turnaround plan.

(4)(a) The state board shall apply intensive intervention and support strategies tailored to the needs of schools earning two consecutive grades of “D” or a grade of “F.” In the first full school year after a school initially earns a grade of “D,” the school district must immediately implement intervention and support strategies prescribed in rule under paragraph (3)(c). For a school that initially earns a grade of “F” or a second consecutive grade of “D,” the school district must either continue implementing or immediately begin implementing intervention and support strategies prescribed in rule under paragraph (3)(c) and provide the department, by September 15, with the memorandum of understanding negotiated pursuant to s. 1001.42(21) and, by October 1, a district-managed turnaround plan for approval by the state board. The district-managed turnaround plan may include a proposal for the district to implement an extended school day, a summer program, a combination of an extended school day and a summer program, or
any other option authorized under paragraph (b) for state board approval. A school district is not required to wait until a school earns a second consecutive grade of “D” to submit a turnaround plan for approval by the state board under this paragraph. Upon approval by the state board, the school district must implement the plan for the remainder of the school year and continue the plan for 4 full school years. The state board may allow a school an additional year of implementation before the school must implement a turnaround option required under paragraph (b) if the school earns a first grade of “C” or higher after the fourth year it determines that the school is likely to improve to a grade of “C” or higher after the first full school year of implementation.

(b) Unless an additional year of implementation is provided pursuant to paragraph (a), a school that, during the plan cycle under paragraph (a), and does not improve to a grade of “B” or higher or does not improve and maintain to a grade of “C” for 2 consecutive years or higher must implement one of the following:

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

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

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

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

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

   c. A contractual agreement that allows for the school to become a community school model as defined in s. 1003.64(2)(c).

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

   (c) Implementation of a turnaround option is not required if the school improved and maintained a grade of “C” or higher for 2 consecutive years, under paragraph (a). Implementation of the turnaround option is no longer required if the school improves to a grade of “C” or higher, under paragraph (b).

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

Section 29. Section 1008.332, Florida Statutes, is amended to read:

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

Section 30. Paragraph (c) of subsection (3) and subsection (5) of section 1008.34, Florida Statutes, are amended to read: 1008.34 School grading system; school report cards; district grade.—

(3) DESIGNATION OF SCHOOL GRADES.—

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

a. Ninety percent or more of the points for a grade of “A.”

b. Eighty to eighty-nine percent of the points for a grade of “B.”

c. Seventy to seventy-nine percent of the points for a grade of “C.”

d. Sixty to sixty-nine percent of the points for a grade of “D.”
When the state board adjusts the grading scale upward, the state board must inform the public of the degree of the adjustment and its anticipated impact on school grades. Any changes made by the state board to components in the school grades model or to the school grading scale shall go into effect in the following school year, at the earliest.

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

(5) DISTRICT GRADE.—Beginning with the 2014-2015 school year, a school district’s grade shall include a district-level calculation of the components under paragraph (3)(b). This calculation methodology captures each eligible student in the district who may have transferred among schools within the district or is enrolled in a school that does not receive a grade. The department shall develop a district report card that includes the district grade; the information required under s. 1008.345(3) s. 1008.345(5); measures of the district’s progress in closing the achievement gap between higher-performing student subgroups and lower-performing student subgroups; measures of the district’s progress in demonstrating Learning Gains of its highest-performing students; measures of the district’s success in improving student attendance; the district’s grade-level promotion of students scoring achievement levels 1 and 2 on statewide, standardized English Language Arts and Mathematics assessments; and measures of the district’s performance in preparing students for the transition from elementary to middle
school, middle to high school, and high school to postsecondary institutions and careers.

Section 31. Subsections (3), (4), and (5) of section 1008.345, Florida Statutes, are amended to read:

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

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

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

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

(a) for each school district:

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

(b) The percentage of students, by school and grade level, in both the highest and lowest quartiles demonstrating learning growth in English Language Arts and mathematics.

(c) The information contained in the school district’s
annual report required pursuant to s. 1008.25(10).

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

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

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

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

Section 32. Paragraph (d) of subsection (2) of section
1000.05, Florida Statutes, is amended to read:

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

(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 33. This act shall take effect July 1, 2024.