



Education Committee

Thursday, March 5, 2015
8:00 a.m. – 10:00 a.m.

102 HOB

Meeting Packet

Steve Crisafulli
Speaker

H. Marlene O'Toole
Chair



AGENDA

"Our number one priority in education is to ensure that our schools are focused on student success"

Education Committee
Thursday, March 5, 2015
8:00 a.m. – 10:00 a.m.
102 HOB

- I. Call to Order and Roll Call
- II. Opening Remarks
- III. Commissioner's Testing Investigation report by Commissioner Pam Stewart
- IV. Draft language relating to education accountability
- V. Closing Remarks and Adjournment

**Department of Education
Testing Investigation Report**

Link below takes you to the Commissioner's Testing Investigation Report (28 pages) and the Appendices (102 pages)

<http://fldoe.org/accountability/assessments/testing-investigation>

Assessment Investigation

February 18, 2015



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Executive Summary

In late 2014 and early 2015, Commissioner Stewart conducted a thorough and comprehensive investigation of all standardized assessments used in school districts.

The first step in conducting this investigation was to survey districts on the standardized assessments they give. In December 2014, a template was sent to each district to record the following:

- What district-level, standardized assessments are given
- What student decisions are based on test results (e.g., promotion, course grade, progress monitoring; includes additional district uses of statewide, standardized test results)
- Why students are required to take the test
- What grade levels or groups of students take the test
- Whether test information is provided to teachers, parents, and/or students
- How much time is given for the test on how many days
- How often and when the test is given
- In what format the test is given (computer, paper, or other)

Information was returned in January 2015 to assist the commissioner in completing the investigation and this report, including district-level, standardized assessments that may be summative or interim in nature, and used for benchmarking or progress monitoring. Neither formative assessments nor teacher-developed or teacher-selected assessments are included in the report. District summaries were drafted by department staff and returned to each district for additional verification. District summaries can be found in Appendix F.

To give the district information context, this report also provides information on Florida's statewide, standardized assessment program and the state-required use of results.

This report is organized in the following manner:

1. Recommendations
2. Purpose and Value of Assessments
3. Assessment Definitions
4. History of Florida's Statewide, Standardized Assessment Program
5. Impact of Florida's Education Reforms on Student Achievement
6. Statewide, Standardized Assessments – Requirements and Uses
7. Federal Assessment Requirements
8. Local Assessment Requirements
9. Summary of District Information
10. Appendices

Recommendations

Florida has a strong, established statewide, standardized testing program that measures student progress and provides useful information to educators and parents. During the course of the commissioner's investigation, the department identified several places where the state requirements should be reduced. In order for Florida to move forward with fewer, better assessments, the commissioner recommends enacting the following four measures:

- 1. Issue an Executive Order to suspend the Grade 11 Florida Standards Assessment (FSA) for English language arts until legislation is enacted to eliminate the mandate.**
 - Since students meet their English language arts graduation requirement upon completion of the grade 10 assessment, the Grade 11 FSA for English language arts is no longer needed.
- 2. Enact legislation to eliminate the Postsecondary Education Readiness Test (PERT) as a state mandate for grade 11 and make it optional.**
 - The department believes that the PERT current practice should continue as an option for students in high school and local colleges.
 - Rigorous standards and increased graduation requirements are in place to ensure college and career readiness upon high school graduation.
- 3. Enact legislation to eliminate the current progress monitoring requirements.**
 - The department believes current state requirements are overly prescriptive and progress monitoring decisions should be left at the district level.
- 4. Enact legislation to eliminate local final exams in courses/subjects where there is also a statewide, standardized end-of-course exam.**
 - Current statewide end-of-course assessments are Algebra 1, Algebra 2, Geometry, U.S. History, Biology 1, and Civics.

Further, the commissioner urges districts to consider the following recommendations:

- 1. Give no more than one school-wide or district-wide interim assessment per course/subject per grading period.** Interim assessments are administered at certain times during the school year, and can be used to predict a student's ability to succeed on a summative assessment or to diagnose student learning gaps.
- 2. Don't test students for the sole purpose of evaluating teachers.** It is important to recognize the contribution of teachers in students' learning. Students already take tests to determine whether they know their subject matter and districts should use information from these tests to help gauge teacher performance.
- 3. Provide teachers, parents, and students with information about how students are doing on each assessment used to monitor student progress.** Teachers, parents, and students deserve to know how well students are grasping the content they are taught. For parents, this information can be a sign that their child could benefit from additional assistance, while teachers may use the information to adapt their lessons to meet students' needs.

Purpose and Value of Assessment

The primary purpose of Florida's K-12 assessment system is to measure students' achievement of Florida's education standards. The Florida Standards were developed and implemented to ensure that all students graduate from high school ready for success in college, career, and life. Assessment supports instruction and student learning. Assessment results help Florida's educational leadership and stakeholders determine whether the goals of the education system are being met. Assessments help Florida determine whether we have equipped our students with the knowledge and skills they need to be ready for careers and college-level coursework. Assessment allows us to answer key questions such as:

- "Are we teaching what we think we are teaching?"
- "Are students learning what they are supposed to be learning?"
- "Is there a better way to teach the subject, thereby promoting better learning?"

Florida's educational assessments also provide the basis for student, school, and district accountability systems. Assessment results are used to determine school and district grades which give citizens a standard way to determine the quality and progress of Florida's education system. Assessment results are also used in teacher evaluations to measure how effectively teachers move student learning forward. While assessment plays a key role in Florida's education system, it is important to remember that testing is not an end in itself, but a means to an end. Florida's assessment and accountability efforts have had a significant positive impact on student achievement over time. Some of these positive impacts are highlighted later in the report.

Assessment Definitions

In order to ensure a common understanding of terminology used in discussing assessments, some key terms are defined in this section.

Assessment Categories

For the purposes of this investigation, K-12 student assessments fall into three broad categories:

1. Statewide, standardized assessments
2. State-required, locally determined assessments
3. District-required, locally determined assessments

Definitions of these categories are provided below.

Statewide, standardized assessments

By statute, Florida's statewide, standardized assessment system is composed of comprehensive assessments in English language arts in grades 3-11, comprehensive assessments in mathematics in grades 3-8, and end-of-course (EOC) assessments in Algebra 1, Geometry, Algebra 2, Biology, U.S. History, and Civics. The statewide, standardized assessments also include the Florida Alternate Assessment (FAA), which measures academic achievement of students with significant cognitive disabilities. These assessments are all *summative*, which means that they are used to evaluate student mastery of Florida's academic standards at or near the conclusion of the course of instruction. EOC assessments are factored into students' course grades.

State-required, locally determined assessments

Also by statute, districts are required to administer local assessments that measure student mastery of course content at the necessary level of rigor for the course. These summative assessments are to be provided for all subjects and grade levels not measured under the statewide, standardized assessment program. These assessments may factor into student course grades.

District-required, locally determined assessments

Districts may require other assessments not explicitly called for in state statute. These may be additional summative assessments, or these may be *interim* assessments. Interim assessments are administered at certain times during the school year, and can be used to predict a student's ability to succeed on a summative assessment or to diagnose student learning gaps. Interim assessments can also be used in *progress monitoring*, which is the process used to determine whether a student's academic performance is improving, at what rate it is improving, and how effective instruction has been. These assessments may factor into student course grades.

Additional Assessment Definitions

"Testing Time" vs. "Testing Window"

There is often confusion regarding the time that an individual student spends taking tests, as compared to the time that districts allot for all district and state testing to be completed for all students. This difference is more fully explained below.

Testing Time: Testing time is the amount of time individual students are given to respond to test items on each test. While Florida's statewide, standardized assessments allow a generous amount of time for students to respond to test items so that they may fully demonstrate what they know and can do, the total amount of time spent on statewide tests is no more than five to ten hours each year for the vast majority of students.

Testing Window: A testing window is the range of dates during which districts and/or schools may choose to administer a given assessment. The state determines a general testing window for statewide, standardized assessments, and districts then select more specific timeframes for schools to administer tests to students. Districts may choose to administer tests in as many or as few days as needed during the testing window to address district-specific considerations such as holidays, seasonal breaks, device availability, or other district factors.

History of Florida's Statewide Assessment Program

Florida's focus on educational assessments and accountability began well before the first administration of the FCAT, which occurred in 1998. Key events in the state's efforts to improve student achievement are described in the following condensed chronology. This summary outlines the origin of the student assessment and school accountability systems in Florida and how these efforts have changed over time.

1970s and 1980s

- Florida began administering statewide assessments in the 1970s.
- Nation's first graduation test was authorized in 1976, and implemented first with the graduating class of 1983 (minimum competency test).

1990s

- Florida Writing Assessment Program was administered for the first time to fourth-graders in 1992, expanding to eighth-graders in 1993 and tenth-graders in 1994.
- Identification of critically low-performing schools began in 1995, based on norm-referenced test scores in grades 4 and 8; writing scores in grades 4, 8, and 10; and results from the High School Competency Test in grade 11.
- FCAT was first administered in Reading (grades 4, 8, and 10) and Mathematics (grades 5, 8, and 10) in 1998.
- A-F School Grades were first issued in 1999, based on FCAT performance in the assessed grade levels and subjects, as well as additional indicators including dropout rates, attendance, and student discipline.
- Learning gains data were not yet available, and not part of School Grades from 1999 to 2001.

2000s

- FCAT Reading and Mathematics were expanded to grades 3-10 in 2001, allowing for the calculation of annual student learning gains.
- In 2002, the criteria for School Grades was expanded to include student learning gains and learning gains of the lowest-performing students (the Low 25%), with 50% of the grade based on student achievement and 50% based on learning gains.
- Passing of the Grade 10 FCAT Reading and Mathematics exams (standards-based assessments) became a requirement for high school graduation beginning with the class of 2003.
- In 2003, FCAT Science was administered for the first time – once in elementary, once in middle, and once in high school.
- In 2007, School Grades were expanded to include science performance and the learning gains of the Low 25% in mathematics.

2010s

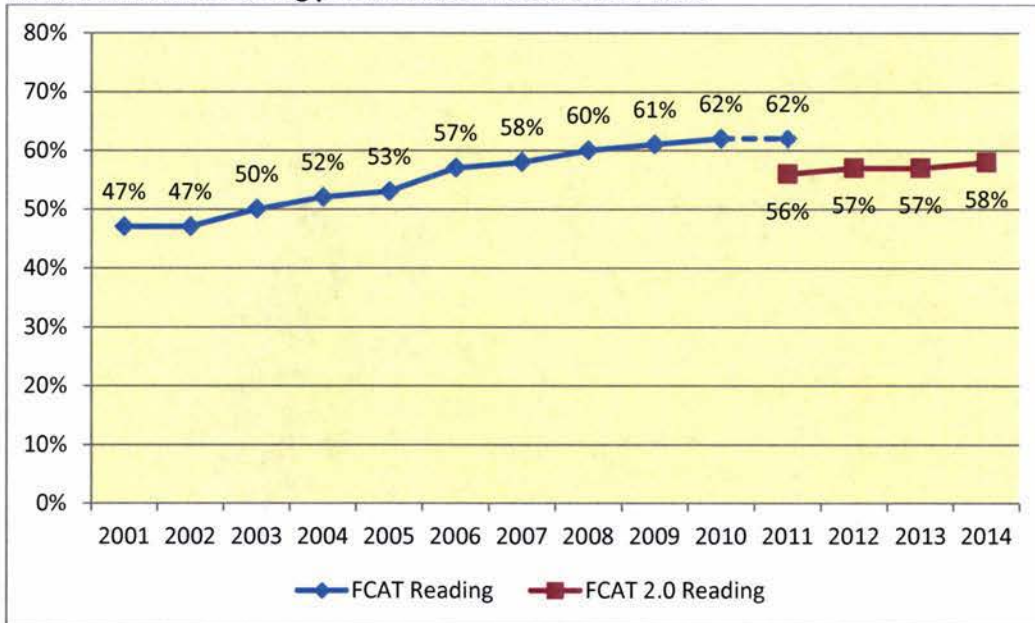
- In 2010, School Grades for high schools were expanded to include acceleration, graduation rates, and college readiness.
- In 2011, Florida transitioned to FCAT 2.0, assessments developed to measure mastery of the Next Generation Sunshine State Standards.
- Florida EOC assessments began with Algebra 1 in 2011, and expanded to Geometry and Biology 1 in 2012, U.S. History in 2013, and Civics (middle school course) in 2014.
- In 2012, School Grades incorporated performance from FCAT 2.0 and EOCs for the first time.
- In 2014-15, Florida is transitioning to the Florida Standards Assessments, which measure mastery of the Florida Standards.

Impact of Florida's Education Reforms on Student Achievement

Through the administration of assessments, parents, the public, and educators are able to identify the areas in which students are excelling and the areas in which students are struggling. Since the implementation of statewide assessment and accountability reforms, Florida has seen an increase in student achievement.

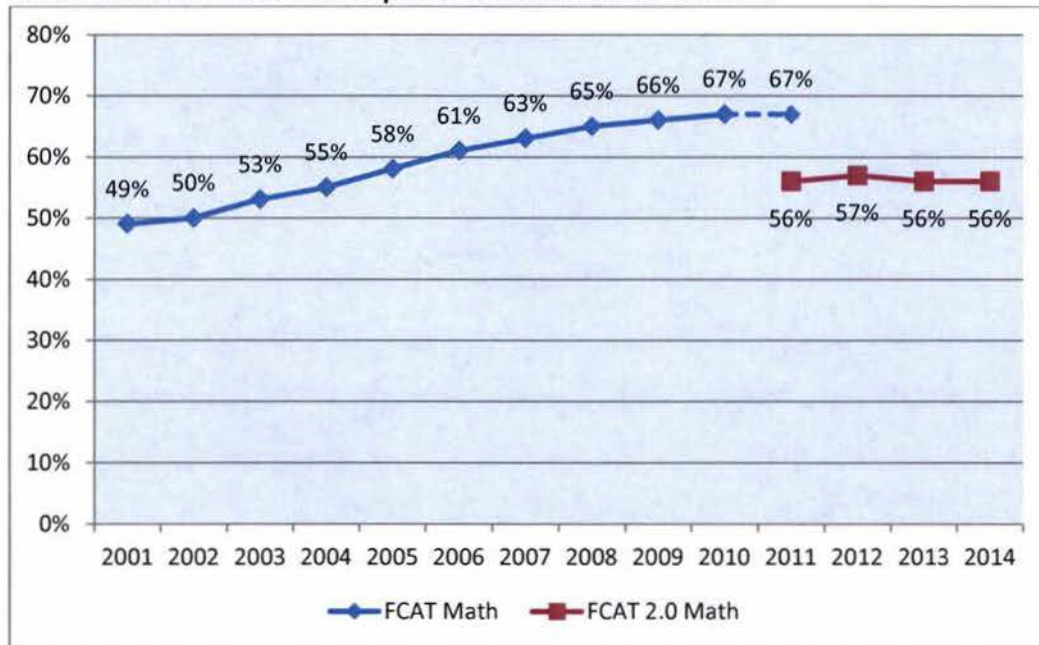
On the FCAT, Florida's students increased their performance over time to meet more rigorous standards. Between 2001 and 2011, the percent of students in grades 3-10 scoring at or above grade level on the FCAT Reading assessment increased 15 percentage points from forty-seven (47) percent to sixty-two (62) percent. Even though more rigorous standards and assessments were put into place with FCAT 2.0 in 2011, the percent of students in grades 3-10 scoring at or above grade level on the FCAT 2.0 Reading assessment was fifty-eight (58) percent, which is still 11 percentage points higher than in 2001 under the previous assessment.

Exhibit 1: Student reading performance increased over time



Between 2001 and 2011, the percent of students in grades 3-8 scoring at or above grade level on the FCAT Mathematics assessment increased 18 percentage points from forty-nine (49) percent to sixty-seven (67) percent. Once again, even though more rigorous standards and assessments were put into place with FCAT 2.0 in 2011, the percent of students in grades 3-8 scoring at or above grade level on the FCAT 2.0 Mathematics assessment was fifty-six (56) percent, which is still seven percentage points higher than in 2001 under the previous assessment.

Exhibit 2: Student mathematics performance increased over time



Florida has also seen increases in nationally recognized assessments, such as the National Assessment of Educational Progress (NAEP). The 2013 NAEP Reading results show that since 2003, Florida's fourth- and eighth-grade students have increased the percentage scoring at or above basic in reading by 12 and nine percentage points respectively, compared to a five-percentage-point gain by the nation's fourth-graders and a three-percentage-point gain for eighth-graders. The 2013 NAEP Mathematics results show that since 2003, Florida's fourth- and eighth-grade students have increased their overall mathematics scores by eight percentage points, surpassing their national counterparts.

Exhibit 3: NAEP Reading percentage at or above Basic

	2003	2013	Percentage Point Change
Florida - Grade 4	63%	75%	12%
Nation - Grade 4	62%	67%	5%
Florida - Grade 8	68%	77%	9%
Nation - Grade 8	72%	77%	5%

Exhibit 4: NAEP Mathematics percentage at or above Basic

	2003	2013	Percentage Point Change
Florida - Grade 4	76%	84%	8%
Nation - Grade 4	76%	82%	6%
Florida - Grade 8	62%	70%	8%
Nation - Grade 8	67%	73%	6%

One aspect of student achievement that Florida has focused on in recent years is facilitating greater access to college-level coursework, such as Advanced Placement (AP) courses, for high school students. Florida has seen an increase in both participation and performance on AP examinations. For instance, 80,175 high school seniors graduating in 2013 took at least one AP exam. Students scored at level 3 or higher (score needed to earn college credit) on 41,149 exams. By comparison, in 2003, only 32,566 high school seniors took at least one AP exam, with only 19,452 scoring a 3 or higher. As the data show, more graduates took and succeeded on AP exams in 2013 than in 2003.

Exhibit 5: Florida has increased high school students' participation and performance on AP exams

	2003	2013	Increase
Number of students taking AP exams	32,566	80,175	47,609
Number of students with at least one score of 3+	19,452	41,149	21,697

All three of these examples (FCAT to FCAT 2.0, NAEP, and AP) highlight Florida's commitment to increasing student achievement; in addition, these results illustrate that every time Florida has raised the bar, Florida's students have met and exceeded expectations.

Statewide, Standardized Assessments – Requirements and Uses

As described in previous sections, Florida’s statewide, standardized assessment program has a lengthy history and has proven invaluable in increasing student achievement and advancing the state’s accountability goals. The purpose of this section is to provide more information regarding state statutory and State Board of Education rule requirements related to assessment, the use of assessment results, and the statewide assessment program itself. To provide some initial context, the tables below show the number of schools and students tested from summer 2013 through spring 2014.

School Type	Number of Schools Tested
Elementary	1,860
Middle	609
Senior High	946
Combination (e.g., K-6, 7-12, K-12, etc.)	463
TOTAL	3,878

Grade Level	Number of Students Tested (includes both paper-based and computer-based tests)
3	210,795
4	201,074
5	197,846
6	197,191
7	207,279
8	210,640
9	210,324
10	214,491
11	175,921
12	61,242
Retake	6,992
TOTAL	1,893,795

This section is organized as follows:

- Overview of all state statutes and State Board of Education rules governing the statewide student assessment program,
- Overview of the primary statutory authority for the statewide student assessment program, and
- Details regarding the scope and nature of the Florida Standards Assessments, FCAT 2.0 assessments, and Next Generation Sunshine State Standards assessments that are required under this authority.

Overview of State Statute and State Board of Education Rules Governing the Statewide Student Assessment Program

The following table provides an overview of the Florida Statutes (F.S.) and State Board of Education rules (Florida Administrative Code, F.A.C.) that govern Florida’s statewide assessment system, including their uses. Following the table, additional detail is provided regarding the required accountability uses for students, teacher, schools, and districts.

Statewide, Standardized Assessments – Statutes and Rules			
Assessment	Assessment Citation	Required Use	Required Use Citation
Statewide Assessment Program (includes FCAT, FCAT 2.0, FSA, EOCs, FAA, Concordant Scores)	s. 1008.22, F.S. Rule 1.09422, F.A.C. Rule 1.0943, F.A.C. Rule 1.09432, F.A.C. Rule 1.094223, F.A.C.	Third Grade Retention; Student Progression; Remedial Instruction; Reporting Requirements	s. 1008.25, F.S. Rule 6A-1.094221, F.A.C. Rule 6A-1.094222, F.A.C.
		Middle Grades Promotion	s. 1003.4156, F.S.
		High School Standard Diploma	s. 1003.4282, F.S.
		EOC Assessments as 30% of Course Grade	s. 1003.4282, F.S. s. 1008.22, F.S.
		School Grades	s. 1008.34, F.S. Rule 6A-1.09981, F.A.C.
		School Improvement Rating	s. 1008.341, F.S. Rule 6A-1.099822, F.A.C.
		District Grades	s. 1008.34, F.S.
		Differentiated Accountability	s. 1008.33, F.S. Rule 6A-1.099811, F.A.C.
		Teacher Evaluation	s. 1012.34, F.S.
		Opportunity Scholarship	s. 1002.38, F.S.
Comprehensive English Language Learning Assessment (CELLA) – measures the English language acquisition of English Language Learners	s. 1003.56, F.S.	English for Speakers of Other Languages (ESOL) Exit	Rule 6A-6.0902, F.A.C. Rule 6A-6.0903, F.A.C. Rule 6A-6.09021, F.A.C.
Postsecondary Education Readiness Test (PERT) – required of selected 11th-graders to determine college and career readiness and 12th-grade course placement	s. 1008.30, F.S.	College Readiness Coursework	Rule 6A-10.0315, F.A.C.

Statewide, Standardized Assessments – Statutes and Rules			
Assessment	Assessment Citation	Required Use	Required Use Citation
Preliminary SAT (PSAT)/Preliminary ACT (PLAN) – administered by each public high school to all 10th-grade students, though the parent has the opportunity to exempt his/her child from PSAT/PLAN	s. 1007.35, F.S.	Inform Course Placement	
Kindergarten Screening – required for all kindergarten students within the first 30 days of the school year to determine the readiness and performance of VPK providers	s. 1002.69, F.S.	VPK Readiness Rates	Rule 6M-8.601, F.A.C.
National Assessment of Educational Progress (NAEP) – administered to a sample of students in selected grade levels every other year	s. 1008.22, F.S.	National and State Comparisons	
Department of Juvenile Justice (DJJ) Assessment – measures student learning gains and student progress while a student is in a juvenile justice education program	s. 1003.52, F.S. Rule 6A-6.05281, F.A.C.	DJJ Accountability	New rule under development

State-Required Uses of Statewide, Standardized Assessment Results

Accountability for Students

- A student must earn a Level 2 (out of 5) on the Grade 3 English language arts assessment to be promoted to grade 4.
 - Six good cause exemptions are provided by law.
- A student must pass the Grade 10 English language arts assessment to graduate from high school with a standard diploma.
 - Students may satisfy this requirement by earning a concordant score on SAT or ACT.
- A student must pass the Algebra 1 EOC to graduate from high school with a standard diploma.

- Students may satisfy this requirement by earning a comparative score on PERT.
- A student enrolled in a course with a statewide, standardized EOC must take the assessment, and the results must count as 30% of the student's course grade.
- A student that does not meet the required levels of performance on the assessment must be provided with additional diagnostic assessments and must participate in progress monitoring throughout the year.

Accountability for Schools and Districts

- The achievement and learning gains of students on the statewide, standardized assessments are used to determine school grades, district grades, and school improvement ratings for alternative schools.
- Schools identified as schools in need of improvement based on student performance must provide progress monitoring.

Accountability for Teachers

- For teachers teaching courses associated with the statewide, standardized assessments, the results are used to measure student learning growth and included in the "performance of students" portion of the teacher's evaluation.

Primary Statutory Authority for the Statewide Student Assessment Program

The primary statutory authority that addresses Florida's statewide student assessment system is s. 1008.22, F.S. Per this statute, and as described in earlier sections, the primary purpose of the student assessment program is to provide student academic achievement and learning gains data to students, parents, teachers, school administrators, and district staff. Also per statute, assessment data are to be used by districts to improve instruction; by students, parents, and teachers to guide learning objectives; by education researchers to assess national and international education comparison data; and by the public to assess the cost benefit of the expenditure of taxpayer dollars. As with a number of other statutes, s. 1008.22, F.S., requires the State Board of Education to adopt rules to further define provisions of the statute.

Key components of s. 1008.22, F.S.:

- Participation in the statewide assessment program is **mandatory** for all students and for all districts, except in rare instances as noted below.
- The statewide, standardized assessment program must be aligned to the state content standards and must be administered in the following subjects and grade levels:
 - English Language Arts Grades 3-11,
 - Mathematics Grades 3-8,
 - Science Grades 5 and 8, and
 - EOC assessments in Algebra 1, Geometry, Algebra 2, Biology 1, U.S. History, and Civics.
- Requires five achievement levels for all statewide assessments, with level 1 being the lowest and level 5 being the highest.
- Prohibits districts from suspending instruction for the sole purpose of practicing administration of statewide tests.
- Sets requirements for testing schedules, earliest test administration dates, and required reporting dates.

- Includes provision for the Florida Alternate Assessment (FAA) to be administered to certain students with disabilities, as determined by an individual educational plan (IEP) team.
- Includes provision for exemption from participation in statewide assessments for certain students with medical complexities.
- Provides the opportunity for students to meet graduation requirements through the use of concordant scores for Florida Standards Assessments and comparative scores for EOC assessments.
- Sets requirements for local assessments (this topic is addressed in this report in a separate section on local assessments).

Florida Standards Assessments, FCAT 2.0 Assessments, and Next Generation Sunshine State Standards (NGSSS)

The standardized assessments administered statewide to all students in the selected grades and subjects described in s. 1008.22, F.S., are the Florida Standards Assessments, FCAT 2.0 assessments, and NGSSS EOC assessments. This section describes the general scope and nature of these assessments, including:

- Testing time, testing windows, and testing schedules
- A historical comparison of testing time
- Transition to computer-based testing
- Exemptions for students with medical complexities
- Opportunities for retakes and for concordant and comparative scores

2014-15 Statewide Testing Time and Testing Windows

The following tables show the total amount of testing time per student, and the time allotted to districts (testing window) to administer the assessments listed below. The terms “testing time” and “testing window” are addressed in the assessment definitions section of this report. The complete schedule of testing windows for 2014-15 is found at <http://info.fldoe.org/docushare/dsweb/Get/Document-7047/dps-2014-81a.pdf> and in Appendix B.

- Florida Standards Assessments English language arts Grades 3-11,
- Florida Standards Assessments Mathematics Grades 3-8,
- FCAT 2.0 Science Grades 5 and 8,
- FCAT 2.0 Reading Retake,
- Florida Standards EOC assessments in Algebra 1, Geometry, Algebra 2, and
- NGSSS EOC assessments in Biology 1, U.S. History, and Civics.

Florida Standards Assessments (FSA)									
English Language Arts (ELA) – Writing and Reading Components						Mathematics			
Grade Level	Days of Testing Per Student	Total Hours per Grade Level		Total School Days in Testing Window		Grade Level	Days of Testing Per Student	Total Hours per Grade Level	Total School Days in Testing Window
		Writing*	Reading	Writing	Reading				
3	2	N/A	2.67	N/A	15	3	2	2.67	15
4	3	1.5	2.67	10	15	4	2	2.67	15
5	3	1.5	2.67	10	20	5	2	2.67	20
6	3	1.5	2.83	10	20	6	2	3	20
7	3	1.5	2.83	10	20	7	2	3	20
8	3	1.5	2.83	10	20	8	2	3	20
9	3	1.5	3	10	20				
10	3	1.5	3	10	20				
11	3	1.5	3	10	20				

*The FSA ELA Writing Component Test is comprised of one, 1.5-hour session, which is the amount of time represented in this chart. However, students may have up to 2 hours to complete their work, if needed.

	Days of Testing Per Student	Total Hours Per Assessment	Total School Days in Current Testing Window
Florida Standards EOC Assessments¹			
Algebra 1	2	3	20
Geometry	2	3	20
Algebra 2	2	3	20
¹ FSA EOC assessments are comprised of two, 1.5-hour sessions, which is the amount of time represented in this chart. However, students may have up to one-half of a regular school day to complete each session, if needed.			
Next Generation Sunshine State Standards (NGSSS) EOC Assessments²			
Biology 1	1	2.67	25
Civics	1	2.67	25
U.S. History	1	2.67	25
² NGSSS EOC assessments are comprised of one, 2.67-hour session, which is the amount of time represented in this chart. However, students may have up to one regular school day to complete the assessment, if needed.			
NGSSS Assessments			
Florida Comprehensive Assessment Test® (FCAT) 2.0			
	Days of Testing Per Student	Total Hours Per Assessment	Total School Days in Current Spring Testing Window
Reading Retake	2	3	10
Grade 5 Science	2	3	20
Grade 8 Science	1	3	20

Comparison of 2007-08, 2013-14, and 2014-15 Testing Times

The table below shows the difference in testing time among three selected years. The comparison with 2007-08 is included because that was the last year when performance tasks (questions that are not multiple-choice responses) were included in selected grades in both Reading (grades 4, 8, and 10) and Mathematics (grades 5, 8, and 10), and it was also the last year that the state administered a norm-referenced test (NRT) in grades 3-10 to compare the academic performance of Florida's students with the performance of other states. The inclusion of performance tasks and the NRT both increased testing time. While the Florida Standards Assessment English language arts Reading Component and Florida Standards Assessment Mathematics assessments are slightly longer than FCAT 2.0 and NGSSS EOC assessments, the primary reason that 2014-15 assessments are longer than the previous year is the addition of the Florida Standards Assessment English language arts Writing Component in grades 4-11. In 2013-14, the FCAT 2.0 Writing prompt was administered in grades 4, 8, and 10 only, and required students to write in response to a short prompt with no accompanying text. Students were allotted 60 minutes for this task. In the Florida Standards Assessment English language arts Writing Component, students have up to two hours to read two or three text selections, and respond to a prompt based on those selections. This writing task requires students to analyze the text, organize a response, cite evidence based on the text to support their response, and attend to the conventions of standard English grammar and usage. This task is aligned to the expectations of Florida's writing standards and will encourage improved writing instruction. Assessing writing at each tested grade helps ensure that there is an emphasis on evidence-based writing each year in order to better prepare students for college and careers.

Grade Level	Number of Days of Testing			Total Hours Per Grade Level		
	2007-08	2013-14	2014-15	2007-08	2013-14	2014-15
3	5	4	4	6.5	4.67	5.33
4	7	5	5	9.25	5.67	6.83
5	7	6	7	9.17	7.33	9.5
6	3	3	5	6.33	4.67	7.3
7 ³	3	3	5	6.33	4.67	7.3
8 ³	5	5	6	11.75	8.33	10
9 ³	3 ⁴	2	3	6.17 ⁴	2.33	4.5
10 ³	4 ⁴	3	3	9.92 ⁴	3.33	4.5
11 ³	1	N/A	3	2.5	N/A	4.5

³ This grade is likely to have at least one EOC assessment that could add 1-2 days and 2.67-3 hours per assessment and administration (four administration opportunities per year).

⁴ This includes a mathematics assessment for grades 9 and 10.

See Appendix A for the testing times for other statewide assessments.

Statewide, Standardized Assessment Schedule

Statute requires the Commissioner of Education to establish schedules for the administration of assessments and the reporting of student assessment results.

- By August 1 of each year, the commissioner must notify each district in writing and publish on the department's website the assessment windows and reporting schedules for, at a minimum, the school year following the upcoming school year.
- The assessment and reporting schedules must provide the earliest possible reporting of student assessment results to the districts. Results must be reported annually no later than the week of June 8.
- Schedules are posted at <http://www.fldoe.org/accountability/assessments/k-12-student-assessment/assessment-schedules.stml> and the 2014-15 schedule is in Appendix B.

Computer-Based Testing Transition

Section 1008.22, F.S., requires that assessments be delivered online, and the department has been gradually phasing them in since 2011 to assist districts with managing this transition with respect to obtaining the necessary infrastructure, bandwidth, and number of devices needed for digital instruction, all of which form a primary focus of the state's educational technology strategy. Additionally, the Florida Standards Assessment English language arts Writing Component is computer-based in grades 8-11, but

remains paper based in grades 4-7 to give schools and districts time to instruct students in proper keyboarding techniques as required in the Florida Standards.

The complete computer-based transition schedule can be found at <http://info.fldoe.org/docushare/dsweb/Get/Document-7048/dps-2014-81b.pdf> and in Appendix C.

Since 2010-11, every district certified that it was ready to administer the computer-based tests, and each year, all computer-based testing has been completed successfully. The table below shows this transition and the number of computer-based assessments administered each year.

School Year	Subject Area and Grade-Level Assessments Delivered Online	School Districts Certifying Readiness for Computer-Based Testing	Online Assessments Delivered Successfully
2010-11	<ul style="list-style-type: none"> FCAT Grade 10 Mathematics Algebra 1 EOC 	All	All
2011-12	Prior year online assessments, with the addition of: <ul style="list-style-type: none"> FCAT 2.0 Grades 6 & 10 Reading Geometry EOC Biology 1 EOC 	All	All
2012-13	Prior years' online assessments, with the addition of: <ul style="list-style-type: none"> FCAT 2.0 Grades 7 & 9 Reading FCAT 2.0 Grade 5 Mathematics U.S. History EOC 	All	All
2013-14	Prior years' online assessments, with the addition of: <ul style="list-style-type: none"> FCAT 2.0 Grade 8 Reading FCAT 2.0 Grade 6 Mathematics Civics EOC 	All	All
2014-15	Additional online assessments include: <ul style="list-style-type: none"> FSA Grades 5 & 11 in English language arts FSA Grades 7 & 8 in Mathematics FSA Algebra 2 EOC 	TBD	Testing begins in March 2015

Our districts have already administered online assessments successfully this school year, using both American Institutes for Research (AIR) and Pearson platforms. As in past years, districts confirm their readiness annually through the use of the computer-based testing certification process. The certification process helps schools and districts ensure in advance that there are sufficient technology resources to successfully conduct all testing within each testing window. District staff reviews each school's readiness, works with school personnel to resolve issues, and submits to the department a certification of readiness that is signed by the superintendent.

In addition to the district certification process, there is also an infrastructure trial that provides an opportunity for districts and schools to prepare for the operational computer-based assessment administrations by simulating test-day network utilization, determining any school or district issues, and confirming that all workstations that will be used for testing can run the appropriate software. Infrastructure trials and the training resources needed to conduct them are offered to districts, and will be completed in the coming weeks.

Each year, there are risk mitigation strategies in place to ensure the successful administration of all statewide, standardized assessments. The primary strategy used to mitigate against any type of large-scale system failure is to ensure in advance that schools and districts certify that they are ready with the necessary infrastructure, bandwidth, and devices, and to ensure that the contractors' systems are capable of delivering the assessments effectively and efficiently. AIR, who will be delivering the vast majority of online tests this year, has dedicated a robust system with mechanisms built in for contingencies, and this capability has been proven both in formal load tests and operational testing. Last school year, AIR delivered nearly 17 million online tests to nearly six million students in 26 states. A formal load test was conducted in December, which showed that AIR's server capacity will be sufficient to allow students to load and navigate test questions with no delays. For routine issues that happen in a classroom or school, contractors' systems are designed to handle these situations. For example, if a student's device breaks or if a school loses internet connection or power, the student's work is saved and he or she may continue when testing resumes. Florida's statewide online tests are designed to maintain security and validity in the event of failures. Just as the system is designed for contingencies in schools and districts, the contractors' test delivery systems are ready for contingencies in the event of failures of the servers delivering the test. Many servers are involved in delivering the tests and components of the system are backed up, as is student data.

Exemption

The State Board of Education adopted the rule for exemptions for students with medical complexities at its November 2014 meeting. Rule 6A-1.0943, F.A.C., is available at <https://www.flrules.org/gateway/ruleNo.asp?id=6A-1.0943>.

Retake Opportunities; Concordant and Comparative Score Opportunities

For a student who does not meet the graduation requirement for the Grade 10 English language arts assessment or the Algebra 1 EOC, retake opportunities are offered at least until the student's cohort is scheduled to graduate. For students who are taking the Grade 10 English language arts assessment and/or the Algebra 1 EOC for the first time, they will receive a score linked back to last year's assessments in order to determine if the graduation requirement has been met. Additionally, for as long as students in this cohort take retakes, the linked score will still apply. Once standards are set on the new assessment later in 2015, the linked passing score will be converted to the new scale, and that will become the student's new "alternate passing score." This alternate passing score will remain in place until he or she passes or obtains a passing concordant or comparative score. In other words, these students will always be held to the same standard of the linked score and would not be required to meet the new, possibly higher passing score that later cohorts will need to meet.

In Rule 6A-1.094223, F.A.C., the State Board of Education adopted concordant scores on the SAT and ACT for FCAT 2.0 and comparative scores for the Algebra 1 EOC in the summer of 2013. These concordant and comparative scores provide other opportunities for students to demonstrate that they have the necessary knowledge and skills in order to earn a standard high school diploma. The concordant and comparative scores will remain in place through the transition to the new assessment until the State Board of Education adopts new concordant and comparative scores, likely in 2016. This ensures that, until new concordant and comparative scores are approved, students attempting to meet

graduation requirements through these avenues will be treated fairly and will be held to the same standard as students in recent years.

Federal Assessment Requirements

Federal laws and regulations [Elementary and Secondary Education Act (ESEA), Section 1111(b)(3) and (7), and the Code of Federal Regulations (Title 34)] provide requirements that states must follow regarding academic assessments and English language proficiency assessments (see Appendix D). The federal government requires that:

- States must assess students' proficiency in, at a minimum, mathematics, English language arts or reading, and science.
- The same assessments must be used to measure the academic achievement of all children.
- The academic assessments must be aligned to the state's academic standards.
- The state must demonstrate that the assessment is of sufficient quality to be used for the purposes intended.
- Reasonable accommodations must be provided for students with disabilities as needed to measure the academic achievement of these students.
- States must provide for one or more alternate assessments for a child with a disability if the child's IEP team determines the child cannot participate in the statewide assessments, even with appropriate accommodations.
- English language learners must be assessed and be provided accommodations to the extent needed to yield accurate data on what these students have achieved.
- States must annually assess the English proficiency of all students with limited English proficiency.

The table on the next page shows how Florida uses statewide assessments to satisfy federal assessment requirements.

State and Federal Testing requirements in Florida for K-12 Public School Students
Red highlighting Indicates Assessments Students **Must Pass** for Promotion or Graduation
 Compiled by Florida House of Representatives Staff

STATE LAW REQUIRES	FEDERAL LAW REQUIRES
<ul style="list-style-type: none"> Statewide standardized English language arts (grades 3-11) and math assessments (grades 3-8, Algebra I & Geometry) since 2001; and a science assessment in (grades 5, 8, and Biology I) since 2003. These assessments form the basis of our school accountability system. The Florida Alternate Assessment offered as an alternative to the Florida Standards Assessment for cognitively impaired students. 	<ul style="list-style-type: none"> Beginning with the 2005-06 school year, English language arts and math assessments in grades 3-8 and once in high school; and a science assessment once in grades 3-5, 6-9, and 10-12. Administration of the National Assessment of Educational Progress at a sample of schools in grades 4 and 8, every other year. Administration of the Comprehensive English Language Learning Assessment to certain students identified as English language learners.
<ul style="list-style-type: none"> Since 1999, school districts must use local assessments, for each course not assessed under the statewide assessment program, to measure student performance, calculate learning gains, and evaluate instructional personnel. Districts may use statewide assessments, other standardized assessments, industry certification assessments, district-developed or district-selected end-of-course assessments, or teacher-selected or principal-selected assessments. 	
<ul style="list-style-type: none"> Administration of the Postsecondary Education Readiness Test (PERT) to 11th graders not meeting college-ready standards on state assessments. 	

Level	Grade	Reading, Writing, Math, and Science	Other Subjects				
Elementary	K	<i>Florida Kindergarten Readiness Screener must be administered to each kindergarten student within the first 30 school days</i>	<i>Measurement of student performance based upon grade level standards</i>				
		<i>Student performance in reading, writing, math and science must be assessed at each grade level.</i>					
	1						
	2						
			English Language Arts	Math	Science	Social Studies	Courses not measured by Statewide Assessments
	3	<i>Florida Standards Assessment</i>	<i>Florida Standards Assessment</i>				
4	<i>Florida Standards Assessment</i>	<i>Florida Standards Assessment</i>					
5	<i>Florida Standards Assessment</i>	<i>Florida Standards Assessment</i>	FCAT				
Middle	6	<i>Florida Standards Assessment</i>	<i>Florida Standards Assessment</i>		Civics EOC		
	7	<i>Florida Standards Assessment</i>	<i>Florida Standards Assessment</i>				
	8	<i>Florida Standards Assessment</i>	<i>Florida Standards Assessment</i>	FCAT			
High	9	<i>Florida Standards Assessment</i>	<i>Algebra I EOC Geometry EOC and Algebra II EOC also satisfy Federal math requirement. PERT (11th)</i>	<i>Biology I EOC satisfies federal science requirement.</i>	U.S. History EOC		
	10	<i>Florida Standards Assessment</i>					
	11	<i>Florida Standards Assessment/PERT</i>					
	12						

Shading:

Required statewide assessment	Required by state and federal law	Required by state law: locally selected assessment
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Abbreviations:

EOC-End of Course Assessment
 FCAT-Florida Comprehensive Assessment Test

Local Assessment Requirements

Local assessments have for many years been an important part of school, and anyone who has attended school – public or private – has taken some form of local assessment, and likely has taken many. The requirements for local assessments have been in statute since 1999, and were updated in 2011 to align with new requirements for teacher evaluation systems and to provide more specificity regarding local assessments.

Statutory language – specifically s. 1008.22, F.S. (see Appendix E) – requires that there be a local assessment that measures student mastery of the course content, and the assessment must be as rigorous as necessary to meet the intent of the course. It is critical to note that **local assessments are the responsibility of the districts.**

As provided for in s. 1008.22, F.S., districts have wide latitude in selecting or developing local assessments, and these may include:

1. Statewide assessments.
2. Other standardized assessments, including nationally recognized standardized assessments.
3. Industry certification assessments.
4. District-developed or district-selected end-of-course assessments.
5. Teacher-selected or principal-selected assessments.

The local assessments described above are not restricted to traditional multiple-choice or paper/pencil assessments. Rather, they may include a wide variety of formats, including, but not limited to project-based assessments, performances that are judged by an individual or group, assessments scored using a rubric, and practical application assignments, among others.

For all English language arts, mathematics, science, and social studies courses offered in the district that are used to meet graduation requirements and are not already assessed by statewide, standardized assessments, the district school board must select or develop the local assessment. For district-developed assessments used to meet this requirement, districts have the latitude to develop them in whichever manner meets their needs.

As required in statute, the commissioner identified methods to assist and support districts in the development and acquisition of local assessments. The most comprehensive support is the Florida Item Bank and Test Platform. Districts have participated in the development of items, training on the creation and uses of high-quality assessments and assessment practices, and in the functionality of the bank itself over the last two years. Beginning in summer 2014, districts began using both item bank functions (including integration of test items with local item banks and test delivery platforms), and the test platform where districts create and administer their own local assessments (both in paper-based and computer-based formats). These items are all aligned to Florida Standards and Next Generation Sunshine State Standards, or Frameworks in career and technical education, and each district can create and use assessments for a variety of purposes based on their instructional needs. Districts report that they have replaced older, unaligned student assessments with much improved methods of assessing student progress and mastery of Florida content standards.

In addition, detailed technical assistance documentation on options and best practices for establishing learning growth models on local assessments, and best practices for developing and administering local assessments have been provided. Department staff continues to provide other technical assistance and are available for face-to-face trainings, e-mail support, and phone support. Through the department's

Race to the Top grant, a number of districts worked together to develop high-quality local assessment items that will benefit instruction for students and teachers. These are available statewide in hard-to-measure subjects such as fine arts, physical education, career and technical education, and for high-enrollment core courses not already covered by statewide assessments.

Summary of District Information

District information indicates there is a wide variation of local assessment offerings among all of the districts across the state (see Appendix F). Upon review of the information that districts reported about their **state- and district-required, locally determined standardized assessments**, the department observed the following:

- As indicated by districts, over half of Florida's districts administered at least five or more assessments throughout the year, per grade in the grade spans of K-5, 6-8, and 9-12.
 - For grades K-5, counts include the Florida Assessments for Instruction in Reading (FAIR) and alternative assessments for third grade promotion, when districts included them.
 - For grades 6-8, this count includes but is not limited to industry certifications and district end-of-year assessments. Some districts included industry certifications and end-of-year assessments in their response; others did not.
 - For grades 9-12, this count includes but is not limited to industry certifications, district end-of-year assessments, and AP assessments. Some districts included industry certifications and AP in their response; others did not.
 - More districts indicated that they assess more frequently in grades 9-12 than in other grade levels.
- The shortest testing time reported for a single administration was a two-minute oral reading test. The longest testing time reported for a single administration was a 295-minute SAT-10 administered over four days.
- Two districts did not report any assessments at the high school level.
- A small number of districts reported that they administered five or more computer-based assessments in grades K-12.
 - If a district indicated they administered an assessment both on paper and computer it was included in the count of computer-based assessments. Also, counts include some AP, industry certification, and IB exams.
- A majority of districts use at least one assessment as part of a student's course grade or course completion in grades 6-12.
- Nineteen districts reported to give at least one assessment for teacher evaluation but did not report using that assessment for any student-level decisions such as promotion, course grade/completion, or progress monitoring.
- Eight districts did not indicate that any of their 2014-15 assessments would be used for teacher evaluation. One of these districts did note which assessments would be used for teacher evaluation in 2015-16 per statutory requirements.

As part of the investigation, districts were also asked to identify whether they used the results of statewide, standardized assessments for any purpose beyond what is required in state law. Many districts reported that they use the results of these assessments to inform student placement and identify students in need of remediation. Several districts reported that they use the statewide EOC assessments to satisfy the local assessment requirement. Several districts reported using statewide

assessment results as a factor in promotion and retention, especially at the elementary level. A few districts reported unique uses of the statewide assessment results at the local level:

- Escambia reported that FSA results will be used for school choice eligibility in grades 5 and 8.
- Flagler reported using the PERT results as 30% of the course grade for the 12th-grade college readiness courses.
- Gulf reported using the PERT results as 20% of the course grade for 11th- and 12th-grade college readiness courses.
- Hamilton reported using the PERT results as 10% of the course grade for the 12th-grade college readiness courses.
- Orange reported requiring statewide EOC results as 30% of the course grade for all students enrolled in the course, regardless of what the statute requires for a given cohort.

**Education Accountability
Draft Language**

BILL

ORIGINAL

YEAR

1 A bill to be entitled
 2 An act relating to education accountability; amending
 3 s. 1001.42, F.S.; revising a requirement for the
 4 uniform opening date of public schools; amending s.
 5 1002.20, F.S.; deleting a provision relating to
 6 students with reading deficiencies; amending ss.
 7 1003.4156 and 1003.4282, F.S.; deleting provisions
 8 relating to remediation for certain students; amending
 9 s. 1003.4285, F.S.; revising the requirements for the
 10 scholar designation on high school diplomas; amending
 11 s. 1003.621, F.S.; providing that academically high-
 12 performing school districts must comply with the
 13 provisions relating to the uniform opening date of
 14 public schools; amending s. 1008.22, F.S.; providing
 15 that students in grades 3 through 10 must take the
 16 statewide, standardized English Language Arts
 17 assessment; revising provisions relating to the end-
 18 of-course assessments; providing that all students
 19 enrolled in certain courses must take the statewide,
 20 standardized end-of-course assessment associated with
 21 the course; providing that students who take an end-
 22 of-course assessment for a course may not take other
 23 specified assessments; providing that specific
 24 sections of Florida Statutes govern the use of certain
 25 assessment results for students; revising provisions
 26 relating to local assessments; requiring all end-of-

F L O R I D A H O U S E O F R E P R E S E N T A T I V E S

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27 course assessment results be reported by a certain
28 date; providing an exemption for the 2014-2015 school
29 year; requiring the Commissioner of Education to
30 annually publish a uniform calendar on the Department
31 of Education's website; providing calendar
32 requirements; requiring each school district to
33 establish an assessment schedule, approve the schedule
34 at a district school board meeting, and publish the
35 schedule on the district's website; requiring each
36 public school to publish assessment schedules on the
37 school's website; providing requirements for the
38 calendars; providing that certain assessments replace
39 final assessments in certain courses; requiring
40 teachers and parents be provided the results of
41 district-required local assessments within a timely
42 manner; providing for rulemaking relating to the state
43 assessment calendar; amending s. 1008.24, F.S.;
44 providing that school districts may use specified
45 employees to proctor certain assessments; amending s.
46 1008.25, F.S.; deleting the requirements of the
47 comprehensive student progression plan and requiring
48 each district school board to adopt criteria for
49 student progression; providing criteria requirements;
50 revising provisions relating to support for certain
51 students and student promotion from grade 3 to grade
52 4; making technical changes; amending s. 1008.30,

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53 F.S.; deleting a requirement for certain students to
 54 be evaluated for college readiness; amending s.
 55 1011.62, F.S.; revising the requirements of the
 56 comprehensive reading instruction provided with the
 57 research-based reading instruction allocation;
 58 requiring the department to regularly report certain
 59 findings to the State Board of Education; Requiring
 60 the state board to review the effectiveness of each
 61 school district's K-12 comprehensive reading plan;
 62 amending s. 1012.22, F.S.; revising provisions
 63 relating to school districts grandfathered and
 64 performance salary schedules and salary adjustments;
 65 amending s. 1012.34, F.S.; requiring the commissioner
 66 to publish annually by February 1 certain information
 67 relating to school district evaluation systems;
 68 revising evaluation criteria and requirements;
 69 revising provisions relating to the measurement of
 70 student performance; deleting provisions relating to
 71 district bonus rewards for performance pay based on
 72 evaluation progress; repealing s. 1012.3401, F.S.,
 73 relating to requirements for measuring student
 74 performance in instructional personnel and school
 75 administrator performance evaluations and performance
 76 evaluation of personnel for purposes of performance
 77 salary schedule; amending s. 1012.585, F.S.; requiring
 78 the commissioner to post the renewal application and

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79 fees for professional certificates on the department's
 80 website; providing that a teacher whose performance
 81 meets certain standards has met the renewal
 82 requirements; providing that such teachers must submit
 83 a complete renewal application and fees; amending s.
 84 1012.98, F.S.; making technical changes; providing an
 85 effective date.

86

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

88

89 Section 1. Paragraph (f) of subsection (4) of section
 90 1001.42, Florida Statutes, is amended to read:

91 1001.42 Powers and duties of district school board.—The
 92 district school board, acting as a board, shall exercise all
 93 powers and perform all duties listed below:

94 (4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF
 95 SCHOOLS.—Adopt and provide for the execution of plans for the
 96 establishment, organization, and operation of the schools of the
 97 district, including, but not limited to, the following:

98 (f) Opening and closing of schools; fixing uniform date.—
 99 Adopt policies for the opening and closing of schools and fix
 100 uniform dates; however, ~~beginning with the 2007-2008 school~~
 101 ~~year,~~ the opening date for schools in the district may not be
 102 earlier than August 10 ~~14 days before Labor Day~~ each year.

103 Section 2. Subsection (11) of section 1002.20, Florida
 104 Statutes, is amended to read:

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105 1002.20 K-12 student and parent rights.—Parents of public
 106 school students must receive accurate and timely information
 107 regarding their child's academic progress and must be informed
 108 of ways they can help their child to succeed in school. K-12
 109 students and their parents are afforded numerous statutory
 110 rights including, but not limited to, the following:

111 ~~(11) STUDENTS WITH READING DEFICIENCIES.—Each elementary~~
 112 ~~school shall regularly assess the reading ability of each K-3~~
 113 ~~student. The parent of any K-3 student who exhibits a reading~~
 114 ~~deficiency shall be immediately notified of the student's~~
 115 ~~deficiency with a description and explanation, in terms~~
 116 ~~understandable to the parent, of the exact nature of the~~
 117 ~~student's difficulty in learning and lack of achievement in~~
 118 ~~reading; shall be consulted in the development of a progress~~
 119 ~~monitoring plan, as described in s. 1008.25(4)(b); and shall be~~
 120 ~~informed that the student will be given intensive reading~~
 121 ~~instruction until the deficiency is corrected. This subsection~~
 122 ~~operates in addition to the remediation and notification~~
 123 ~~provisions contained in s. 1008.25 and in no way reduces the~~
 124 ~~rights of a parent or the responsibilities of a school district~~
 125 ~~under that section.~~

126 Section 3. Subsections (2) and (3) of section 1003.4156,
 127 Florida Statutes, are amended to read:

128 1003.4156 General requirements for middle grades
 129 promotion.—

130 ~~(2) If a middle grades student scores Level 1 or Level 2~~

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131 ~~on the statewide, standardized Reading assessment or, when~~
 132 ~~implemented, the English Language Arts (ELA) assessment, the~~
 133 ~~following year the student must enroll in and complete a~~
 134 ~~remedial course or a content area course in which remediation~~
 135 ~~strategies are incorporated into course content delivery. The~~
 136 ~~department shall provide guidance on appropriate strategies for~~
 137 ~~diagnosing and meeting the varying instructional needs of~~
 138 ~~students performing below grade level.~~

139 ~~(3) If a middle grades student scores Level 1 or Level 2~~
 140 ~~on the statewide, standardized Mathematics assessment, the~~
 141 ~~following year the student must receive remediation, which may~~
 142 ~~be integrated into the student's required mathematics courses.~~

143 Section 4. Subsection (5) of section 1003.4282, Florida
 144 Statutes, is amended to read:

145 1003.4282 Requirements for a standard high school
 146 diploma.—

147 ~~(5) REMEDIATION FOR HIGH SCHOOL STUDENTS.—~~

148 ~~(a) Each year a student scores Level 1 or Level 2 on the~~
 149 ~~statewide, standardized grade 9 or grade 10 Reading assessment~~
 150 ~~or, when implemented, the grade 9, grade 10, or grade 11 ELA~~
 151 ~~assessment, the student must be enrolled in and complete an~~
 152 ~~intensive remedial course the following year or be placed in a~~
 153 ~~content area course that includes remediation of skills not~~
 154 ~~acquired by the student.~~

155 ~~(b) Each year a student scores Level 1 or Level 2 on the~~
 156 ~~statewide, standardized Algebra I EOC assessment, the student~~

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157 ~~must be enrolled in and complete an intensive remedial course~~
 158 ~~the following year or be placed in a content area course that~~
 159 ~~includes remediation of skills not acquired by the student.~~

160 Section 5. Paragraph (a) of subsection (1) of section
 161 1003.4285, Florida Statutes, is amended to read:

162 1003.4285 Standard high school diploma designations.—

163 (1) Each standard high school diploma shall include, as
 164 applicable, the following designations if the student meets the
 165 criteria set forth for the designation:

166 (a) Scholar designation.—In addition to the requirements
 167 of s. 1003.4282, in order to earn the Scholar designation, a
 168 student must satisfy the following requirements:

169 ~~1. English Language Arts (ELA).—Beginning with students~~
 170 ~~entering grade 9 in the 2014-2015 school year, pass the~~
 171 ~~statewide, standardized grade 11 ELA assessment.~~

172 1.2. Mathematics.—Earn one credit in Algebra II and one
 173 credit in statistics or an equally rigorous course. Beginning
 174 with students entering grade 9 in the 2014-2015 school year,
 175 pass the Algebra II and Geometry statewide, standardized
 176 assessments.

177 2.3. Science.—Pass the statewide, standardized Biology I
 178 EOC assessment and earn one credit in chemistry or physics and
 179 one credit in a course equally rigorous to chemistry or physics.
 180 However, a student enrolled in an Advanced Placement (AP),
 181 International Baccalaureate (IB), or Advanced International
 182 Certificate of Education (AICE) Biology course who takes the

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183 | respective AP, IB, or AICE Biology assessment and earns the
 184 | minimum score necessary to earn college credit as identified
 185 | pursuant to s. 1007.27(2) meets the requirement of this
 186 | subparagraph without having to take the statewide, standardized
 187 | Biology I EOC assessment.

188 | 3.4. Social studies.—Pass the statewide, standardized
 189 | United States History EOC assessment. However, a student
 190 | enrolled in an AP, IB, or AICE course that includes United
 191 | States History topics who takes the respective AP, IB, or AICE
 192 | assessment and earns the minimum score necessary to earn college
 193 | credit as identified pursuant to s. 1007.27(2) meets the
 194 | requirement of this subparagraph without having to take the
 195 | statewide, standardized United States History EOC assessment.

196 | 4.5. Foreign language.—Earn two credits in the same
 197 | foreign language.

198 | 5.6. Electives.—Earn at least one credit in an Advanced
 199 | Placement, an International Baccalaureate, an Advanced
 200 | International Certificate of Education, or a dual enrollment
 201 | course.

202 | Section 6. Paragraph (k) of subsection (2) of section
 203 | 1003.621, Florida Statutes, is redesignated as paragraph (l),
 204 | and a new paragraph (k) is added to that subsection, to read:

205 | 1003.621 Academically high-performing school districts.—It
 206 | is the intent of the Legislature to recognize and reward school
 207 | districts that demonstrate the ability to consistently maintain
 208 | or improve their high-performing status. The purpose of this

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209 section is to provide high-performing school districts with
 210 flexibility in meeting the specific requirements in statute and
 211 rules of the State Board of Education.

212 (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically
 213 high-performing school district shall comply with all of the
 214 provisions in chapters 1000-1013, and rules of the State Board
 215 of Education which implement these provisions, pertaining to the
 216 following:

217 (k) Section 1001.42(4)(f), relating to the uniform opening
 218 date for public schools.

219 Section 7. Subsections (7) through (12) of section
 220 1008.22, Florida Statutes, are renumbered as subsections (8)
 221 through (12), respectively, subsections (3), (4), and (6) are
 222 amended, and a new subsection (7) added to that section, to
 223 read:

224 1008.22 Student assessment program for public schools.—

225 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
 226 Commissioner of Education shall design and implement a
 227 statewide, standardized assessment program aligned to the core
 228 curricular content established in the Next Generation Sunshine
 229 State Standards. The commissioner also must develop or select
 230 and implement a common battery of assessment tools that will be
 231 used in all juvenile justice education programs in the state.
 232 These tools must accurately measure the core curricular content
 233 established in the Next Generation Sunshine State Standards.
 234 Participation in the assessment program is mandatory for all

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235 school districts and all students attending public schools,
 236 including adult students seeking a standard high school diploma
 237 under s. 1003.4282 and students in Department of Juvenile
 238 Justice education programs, except as otherwise provided by law.
 239 If a student does not participate in the assessment program, the
 240 school district must notify the student's parent and provide the
 241 parent with information regarding the implications of such
 242 nonparticipation. The statewide, standardized assessment program
 243 shall be designed and implemented as follows:

244 (a) Statewide, standardized comprehensive assessments.—The
 245 statewide, standardized Reading assessment shall be administered
 246 annually in grades 3 through 10. The statewide, standardized
 247 Writing assessment shall be administered annually at least once
 248 at the elementary, middle, and high school levels. When the
 249 Reading and Writing assessments are replaced by English Language
 250 Arts (ELA) assessments, ELA assessments shall be administered to
 251 students in grades 3 through 10 ~~11~~. Retake opportunities for the
 252 grade 10 Reading assessment or, upon implementation, the grade
 253 10 ELA assessment must be provided. Students taking the ELA
 254 assessments shall not take the statewide, standardized
 255 assessments in Reading or Writing. ELA assessments shall be
 256 administered online. The statewide, standardized Mathematics
 257 assessments shall be administered annually in grades 3 through
 258 8. Students taking a revised Mathematics assessment shall not
 259 take the discontinued assessment. The statewide, standardized
 260 Science assessment shall be administered annually at least once

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261 at the elementary and middle grades levels. In order to earn a
 262 standard high school diploma, a student who has not earned a
 263 passing score on the grade 10 Reading assessment or, upon
 264 implementation, the grade 10 ELA assessment must earn a passing
 265 score on the assessment retake or earn a concordant score as
 266 authorized under subsection (8) ~~(7)~~.

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

270 1. EOC assessments for Algebra I, Geometry, Algebra II,
 271 Biology I, U.S. History, and civics shall be administered to
 272 students enrolled in such courses as specified in the course
 273 code directory ~~Statewide, standardized EOC assessments in~~
 274 ~~mathematics shall be administered according to this~~
 275 ~~subparagraph. Beginning with the 2010-2011 school year, all~~
 276 ~~students enrolled in Algebra I must take the Algebra I EOC~~
 277 ~~assessment. Except as otherwise provided in paragraph (c),~~
 278 ~~beginning with students entering grade 9 in the 2011-2012 school~~
 279 ~~year, a student who is enrolled in Algebra I must earn a passing~~
 280 ~~score on the Algebra I EOC assessment or attain a comparative~~
 281 ~~score as authorized under subsection (8) in order to earn a~~
 282 ~~standard high school diploma. In order to earn a standard high~~
 283 ~~school diploma, a student who has not earned a passing score on~~
 284 ~~the Algebra I EOC assessment must earn a passing score on the~~
 285 ~~assessment retake or a comparative score as authorized under~~
 286 ~~subsection (8). Beginning with the 2011-2012 school year, all~~

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287 ~~students enrolled in Geometry must take the Geometry EOC~~
 288 ~~assessment. Middle grades students enrolled in Algebra I,~~
 289 ~~Geometry, or Biology I must take the statewide, standardized EOC~~
 290 ~~assessment for those courses and shall not take the~~
 291 ~~corresponding subject and grade-level statewide, standardized~~
 292 ~~assessment.~~

293 ~~When a statewide, standardized EOC assessment in Algebra II~~
 294 ~~is administered, all students enrolled in Algebra II must take~~
 295 ~~the EOC assessment. Pursuant to the commissioner's~~
 296 ~~implementation schedule, student performance on the Algebra II~~
 297 ~~EOC assessment constitutes 30 percent of a student's final~~
 298 ~~course grade.~~

299 ~~2. Statewide, standardized EOC assessments in science~~
 300 ~~shall be administered according to this subparagraph. Beginning~~
 301 ~~with the 2011-2012 school year, all students enrolled in Biology~~
 302 ~~I must take the Biology I EOC assessment. Beginning with~~
 303 ~~students entering grade 9 in the 2013-2014 school year,~~
 304 ~~performance on the Biology I EOC assessment constitutes 30~~
 305 ~~percent of the student's final course grade.~~

306 2.3. Students enrolled in a course, as specified in the
 307 course code directory, with an associated statewide,
 308 standardized EOC assessment must take the EOC assessment for
 309 such course and may not take the corresponding subject or grade-
 310 level statewide standardized assessment pursuant to paragraph
 311 (3) (a). Sections 1003.4156 and 1003.4282 govern the use of
 312 statewide, standardized EOC assessment results for students

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313 ~~Beginning with the 2013-2014 school year, each student's~~
 314 ~~performance on the statewide, standardized middle grades Civics~~
 315 ~~EOC assessment constitutes 30 percent of the student's final~~
 316 ~~course grade in civics education.~~

317 3.4. The commissioner may select one or more nationally
 318 developed comprehensive examinations, which may include
 319 examinations for a College Board Advanced Placement course,
 320 International Baccalaureate course, or Advanced International
 321 Certificate of Education course, or industry-approved
 322 examinations to earn national industry certifications identified
 323 in the Industry Certification Funding List, for use as EOC
 324 assessments under this paragraph if the commissioner determines
 325 that the content knowledge and skills assessed by the
 326 examinations meet or exceed the grade-level expectations for the
 327 core curricular content established for the course in the Next
 328 Generation Sunshine State Standards. Use of any such examination
 329 as an EOC assessment must be approved by the state board in
 330 rule.

331 4.5. Contingent upon funding provided in the General
 332 Appropriations Act, including the appropriation of funds
 333 received through federal grants, the commissioner may establish
 334 an implementation schedule for the development and
 335 administration of additional statewide, standardized EOC
 336 assessments that must be approved by the state board in rule. If
 337 approved by the state board, student performance on such
 338 assessments constitutes 30 percent of a student's final course

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339 grade.

340 ~~5.6.~~ All statewide, standardized EOC assessments must be
 341 administered online except as otherwise provided in paragraph
 342 (c).

343 (c) Students with disabilities; Florida Alternate
 344 Assessment.—

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

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

360 3. The State Board of Education shall adopt rules, based
 361 upon recommendations of the commissioner, for the provision of
 362 assessment accommodations for students with disabilities and for
 363 students who have limited English proficiency.

364 a. Accommodations that negate the validity of a statewide,

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365 standardized assessment are not allowed during the
 366 administration of the assessment. However, instructional
 367 accommodations are allowed in the classroom if identified in a
 368 student's IEP. Students using instructional accommodations in
 369 the classroom that are not allowed on a statewide, standardized
 370 assessment may have assessment results waived if the IEP team
 371 determines that the assessment cannot accurately measure the
 372 student's abilities.

373 b. If a student is provided with instructional
 374 accommodations in the classroom that are not allowed as
 375 accommodations for statewide, standardized assessments, the
 376 district must inform the parent in writing and provide the
 377 parent with information regarding the impact on the student's
 378 ability to meet expected performance levels. A parent must
 379 provide signed consent for a student to receive classroom
 380 instructional accommodations that would not be available or
 381 permitted on a statewide, standardized assessment and
 382 acknowledge in writing that he or she understands the
 383 implications of such instructional accommodations.

384 c. If a student's IEP states that online administration of
 385 a statewide, standardized assessment will significantly impair
 386 the student's ability to perform, the assessment shall be
 387 administered in hard copy.

388 4. For students with significant cognitive disabilities,
 389 the Department of Education shall provide for implementation of
 390 the Florida Alternate Assessment to accurately measure the core

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391 | curricular content established in the Next Generation Sunshine
 392 | State Standards.

393 | (d) Implementation schedule.—

394 | 1. The Commissioner of Education shall establish and
 395 | publish on the department's website an implementation schedule
 396 | to transition from the statewide, standardized Reading and
 397 | Writing assessments to the ELA assessments and to the revised
 398 | Mathematics assessments, including the Algebra I and Geometry
 399 | EOC assessments. The schedule must take into consideration
 400 | funding, sufficient field and baseline data, access to
 401 | assessments, instructional alignment, and school district
 402 | readiness to administer the assessments online.

403 | 2. The Department of Education shall publish minimum and
 404 | recommended technology requirements that include specifications
 405 | for hardware, software, networking, security, and broadband
 406 | capacity to facilitate school district compliance with the
 407 | requirement that assessments be administered online.

408 | (e) Assessment scores and achievement levels.—

409 | 1. All statewide, standardized EOC assessments and
 410 | ~~Reading, Writing,~~ ELA, Mathematics, and Science assessments
 411 | shall use scaled scores and achievement levels. Achievement
 412 | levels shall range from 1 through 5, with level 1 being the
 413 | lowest achievement level, level 5 being the highest achievement
 414 | level, and level 3 indicating satisfactory performance on an
 415 | assessment. ~~For purposes of the statewide, standardized Writing~~
 416 | ~~assessment, student achievement shall be scored using a scale of~~

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417 | ~~1 through 6.~~

418 | 2. The state board shall designate by rule a passing score
419 | for each statewide, standardized assessment.

420 | 3. If the commissioner seeks to revise a statewide,
421 | standardized assessment and the revisions require the state
422 | board to modify performance level scores, including the passing
423 | score, the commissioner shall provide a copy of the proposed
424 | scores and implementation plan to the President of the Senate
425 | and the Speaker of the House of Representatives at least 90 days
426 | before submission to the state board for review. Until the state
427 | board adopts the modifications by rule, the commissioner shall
428 | use calculations for scoring the assessment that adjust student
429 | scores on the revised assessment for statistical equivalence to
430 | student scores on the former assessment. The state board shall
431 | adopt by rule the passing score for the revised assessment that
432 | is statistically equivalent to the passing score on the
433 | discontinued assessment for a student who is required to attain
434 | a passing score on the discontinued assessment. The commissioner
435 | may, with approval of the state board, discontinue
436 | administration of the former assessment upon the graduation,
437 | based on normal student progression, of students participating
438 | in the final regular administration of the former assessment. If
439 | the commissioner revises a statewide, standardized assessment
440 | and the revisions require the state board to modify the passing
441 | score, only students taking the assessment for the first time
442 | after the rule is adopted are affected.

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443 ~~(f) Assessment schedules and reporting of results. The~~
 444 ~~Commissioner of Education shall establish schedules for the~~
 445 ~~administration of assessments and the reporting of student~~
 446 ~~assessment results. The commissioner shall consider the~~
 447 ~~observance of religious and school holidays when developing the~~
 448 ~~schedule. By August 1 of each year, the commissioner shall~~
 449 ~~notify each school district in writing and publish on the~~
 450 ~~department's website the assessment and reporting schedules for,~~
 451 ~~at a minimum, the school year following the upcoming school~~
 452 ~~year. The assessment and reporting schedules must provide the~~
 453 ~~earliest possible reporting of student assessment results to the~~
 454 ~~school districts. Assessment results for the statewide,~~
 455 ~~standardized Reading assessments, or upon implementation the ELA~~
 456 ~~assessments, and Mathematics assessments, including the EOC~~
 457 ~~assessments in Algebra I and Geometry, must be made available no~~
 458 ~~later than the week of June 8. The administration of the~~
 459 ~~statewide, standardized Writing assessment and the Florida~~
 460 ~~Alternate Assessment may be no earlier than the week of March 1.~~
 461 ~~School districts shall administer assessments in accordance with~~
 462 ~~the schedule established by the commissioner.~~

463 (f) ~~(g)~~ Prohibited activities.—A district school board
 464 shall prohibit each public school from suspending a regular
 465 program of curricula for purposes of administering practice
 466 assessments or engaging in other assessment-preparation
 467 activities for a statewide, standardized assessment. However, a
 468 district school board may authorize a public school to engage in

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469 the following assessment-preparation activities:

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

472 2. Providing individualized instruction in assessment-
473 taking strategies, without suspending the school's regular
474 program of curricula, for a student who scores Level 1 or Level
475 2 on a prior administration of an assessment.

476 3. Providing individualized instruction in the content
477 knowledge and skills assessed, without suspending the school's
478 regular program of curricula, for a student who scores Level 1
479 or Level 2 on a prior administration of an assessment or a
480 student who, through a diagnostic assessment administered by the
481 school district, is identified as having a deficiency in the
482 content knowledge and skills assessed.

483 4. Administering a practice assessment or engaging in
484 other assessment-preparation activities that are determined
485 necessary to familiarize students with the organization of the
486 assessment, the format of assessment items, and the assessment
487 directions or that are otherwise necessary for the valid and
488 reliable administration of the assessment, as set forth in rules
489 adopted by the State Board of Education with specific reference
490 to this paragraph.

491 (g) ~~(h)~~ Contracts for assessments.—The commissioner shall
492 provide for the assessments to be developed or obtained, as
493 appropriate, through contracts and project agreements with
494 private vendors, public vendors, public agencies, postsecondary

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495 | educational institutions, or school districts. The commissioner
 496 | may enter into contracts for the continued administration of the
 497 | assessments authorized and funded by the Legislature. Contracts
 498 | may be initiated in 1 fiscal year and continue into the next
 499 | fiscal year and may be paid from the appropriations of either or
 500 | both fiscal years. The commissioner may negotiate for the sale
 501 | or lease of tests, scoring protocols, test scoring services, and
 502 | related materials developed pursuant to law.

503 | (4) SCHOOL PARTICIPATION IN THE STATEWIDE, STANDARDIZED
 504 | ASSESSMENT PROGRAM PROGRAMS.—Each public school shall
 505 | participate in the statewide, standardized assessment program in
 506 | accordance with the assessment and reporting schedules and the
 507 | minimum and recommended technology requirements published by the
 508 | Commissioner of Education. District school boards shall not
 509 | establish school calendars that conflict with or jeopardize
 510 | implementation of the assessment program. All district school
 511 | boards shall report assessment results using ~~as required by~~ the
 512 | state management information system. Performance data shall be
 513 | analyzed and reported to parents, the community, and the state.
 514 | Student performance data shall be used by districts in
 515 | developing objectives for the school improvement plan,
 516 | evaluating instructional personnel and administrative personnel,
 517 | assigning staff, allocating resources, acquiring instructional
 518 | materials and technology, implementing performance-based
 519 | budgeting, and promoting and assigning students to educational
 520 | programs. The analysis of student performance data must also

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521 identify strengths and needs in the educational program and
 522 trends over time. The analysis must be used in conjunction with
 523 the budgetary planning processes developed pursuant to s.
 524 1008.385 and the development of remediation programs.

525 (6) LOCAL ASSESSMENT ASSESSMENTS OF STUDENT PERFORMANCE ON
 526 STATE STANDARDS.—

527 (a) Measurement of student performance is the
 528 responsibility of school districts ~~in all subjects and grade~~
 529 ~~levels, except in~~ those subjects and grade levels measured under
 530 the statewide, standardized assessment program described in this
 531 section, ~~is the responsibility of the school districts.~~

532 ~~(b) Except for those subjects and grade levels measured~~
 533 ~~under the statewide, standardized assessment program, beginning~~
 534 ~~with the 2014-2015 school year, each school district shall~~
 535 ~~administer for each course offered in the district a local~~
 536 ~~assessment that measures student mastery of course content at~~
 537 ~~the necessary level of rigor for the course. As adopted pursuant~~
 538 ~~to State Board of Education rule, course content is set forth in~~
 539 ~~the state standards required by s. 1003.41 and in the course~~
 540 ~~description. Local assessments may include:~~

- 541 1. ~~Statewide assessments.~~
- 542 2. ~~Other standardized assessments, including nationally~~
 543 ~~recognized standardized assessments.~~
- 544 3. ~~Industry certification assessments.~~
- 545 4. ~~District developed or district selected end of course~~
 546 ~~assessments.~~

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547 ~~5. Teacher-selected or principal-selected assessments.~~
 548 ~~(c) Each district school board must adopt policies for~~
 549 ~~selection, development, administration, and scoring of local~~
 550 ~~assessments and for collection of assessment results. Local~~
 551 ~~assessments implemented under subparagraphs (b)4. and 5. may~~
 552 ~~include a variety of assessment formats, including, but not~~
 553 ~~limited to, project-based assessments, adjudicated performances,~~
 554 ~~and practical application assignments. For all English Language~~
 555 ~~Arts, mathematics, science, and social studies courses offered~~
 556 ~~in the district that are used to meet graduation requirements~~
 557 ~~under s. 1002.3105, s. 1003.4281, or s. 1003.4282 and that are~~
 558 ~~not otherwise assessed by statewide, standardized assessments,~~
 559 ~~the district school board must select the assessments described~~
 560 ~~in subparagraphs (b)1.-4.~~

561 (b)(d) The Commissioner of Education shall identify
 562 methods to assist and support districts in measuring student
 563 performance on the state standards by maintaining a statewide
 564 the development and acquisition of assessments required under
 565 this subsection. Methods may include developing item bank banks,
 566 facilitating the sharing of developed tests or test items among
 567 school districts, acquiring assessments from state and national
 568 curriculum-area organizations, and providing technical
 569 assistance in best assessment professional practices. The
 570 commissioner may discontinue the item bank if the commissioner
 571 determines that district participation is insufficient for the
 572 sustainability of the item bank of test development based upon

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573 ~~state-adopted curriculum standards, administration, and~~
 574 ~~security.~~

575 ~~(e) Each school district shall establish schedules for the~~
 576 ~~administration of any district-mandated assessment and approve~~
 577 ~~the schedules as an agenda item at a district school board~~
 578 ~~meeting. The school district shall publish the testing schedules~~
 579 ~~on its website, clearly specifying the district-mandated~~
 580 ~~assessments, and report the schedules to the Department of~~
 581 ~~Education by October 1 of each year.~~

582 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.-

583 (a) The Commissioner of Education shall establish schedules
 584 for the administration of statewide, standardized assessments
 585 and the reporting of student assessment results. The
 586 commissioner shall consider the observance of religious and
 587 school holidays when developing the schedules. The assessment
 588 and reporting schedules must provide the earliest possible
 589 reporting of student assessment results to the school districts.
 590 Assessment results for the statewide, standardized ELA and
 591 Mathematics assessments and all statewide, standardized EOC
 592 assessments must be made available no later than the week of
 593 June 8, except for results for assessments administered in the
 594 2014-2015 school year. School districts shall administer
 595 assessments in accordance with the schedule established by the
 596 commissioner.

597 (b) By August 1 of 2016 and each year thereafter, the
 598 commissioner shall publish on the department's website a uniform

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599 calendar that includes the assessment and reporting schedules
 600 for, at a minimum, the next two school years. The uniform
 601 calendar must be provided to school districts in an electronic
 602 format that allows each district and public school to populate
 603 the calendar with, at minimum, the following information for
 604 reporting the district assessment schedules as required under
 605 paragraph (c):

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

607 2. The specific date or dates each assessment will be
 608 administered.

609 3. The time allotted to administer each district- or
 610 state-required assessment.

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

612 5. The grade level or subject associated with the
 613 assessment.

614 6. The date the results are expected to be available to
 615 teachers and parents.

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

618 8. A glossary of assessment terminology.

619 (c) Each school district shall establish schedules for the
 620 administration of any statewide, standardized assessments and
 621 district-required assessments and approve the schedules as an
 622 agenda item at a district school board meeting. The school
 623 district shall publish the testing schedules on its website
 624 using the uniform calendar, include all information required

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625 under paragraph (b), and submit the schedules to the Department
 626 of Education by October 1 of each year. Each public school shall
 627 publish on its website the schedules for administration of any
 628 statewide, standardized assessments and district-required
 629 assessments using the uniform calendar, including all
 630 information required under paragraph (b). The school calendar
 631 must be included in the parent guide required by s. 1002.23(5).

632 (d) A statewide, standardized EOC assessment must be used
 633 as the final, cumulative examination for its associated course.
 634 For a course, subject, or grade level not associated with a
 635 statewide, standardized EOC assessment, a district-required
 636 local assessment may be used as the final, cumulative
 637 examination. No other final, cumulative examinations may be
 638 administered for courses, subjects, or grade levels described in
 639 this paragraph.

640 (e) A subject-area or grade-level teacher whose student
 641 takes a district-required local assessment must be provided the
 642 student's results in a timely manner to inform instruction.
 643 Results from the assessment must thereafter be provided to the
 644 student's parent in a timely manner.

645 (f) The state board shall adopt rules for the development
 646 of the uniform calendar that, at minimum, define terms that must
 647 be used in the calendar to describe statewide, standardized
 648 assessments and district-required local assessments, including
 649 the terms summative assessment, formative assessment, and
 650 interim assessment.

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651 Section 8. Subsection (3) of section 1008.24, Florida
 652 Statutes, is amended to read:

653 1008.24 Test administration and security; public records
 654 exemption.—

655 (3) (a) A school district may contract with qualified
 656 contractors to administer and proctor statewide, standardized
 657 assessments required under s. 1008.22 or assessments associated
 658 with Florida approved courses under s. 1003.499, as approved by
 659 the Department of Education in accordance with rules of the
 660 State Board of Education. Assessments may be administered or
 661 proctored by qualified contractors at sites that meet criteria
 662 established by rules of the State Board of Education and adopted
 663 pursuant to ss. 120.536(1) and 120.54 to implement the
 664 contracting requirements of this subsection.

665 (b) School districts may use district employees, such as
 666 education paraprofessionals under s. 1012.37, to administer and
 667 proctor statewide, standardized assessments required by s.
 668 1008.22 or assessments associated with Florida approved courses
 669 under s. 1003.499, in accordance with this section and related
 670 rules adopted by the state board.

671 Section 9. Section 1008.25, Florida Statutes, is amended
 672 to read:

673 1008.25 Public school student progression; remedial
 674 instruction; reporting requirements.—

675 (1) INTENT.—It is the intent of the Legislature that each
 676 student's progression from one grade to another be determined,

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677 in part, upon satisfactory performance in English language arts,
 678 social studies, ~~reading, writing,~~ science, and mathematics; that
 679 district school board policies facilitate student achievement;
 680 that each student and his or her parent be informed of that
 681 student's academic progress; and that students have access to
 682 educational options that provide academically challenging
 683 coursework or accelerated instruction pursuant to s. 1002.3105.

684 (2) ~~COMPREHENSIVE STUDENT PROGRESSION PLAN.~~—Each district
 685 school board shall adopt criteria for student progression from
 686 grade to grade based on student mastery of the standards under
 687 s. 1003.41, specifically in English language arts, mathematics,
 688 science, and social studies. The criteria must emphasize student
 689 reading proficiency in kindergarten through grade 3 in
 690 accordance with the district's K-12 comprehensive reading plan
 691 under s. 1011.62(9) and provide targeted instructional support
 692 for students with identified deficiencies in English language
 693 arts, mathematics, science, and social studies. High schools
 694 shall use all available assessment results, including the
 695 results of statewide, standardized English Language Arts
 696 assessments and end-of-course assessments for Algebra I and
 697 geometry, to advise students of any identified deficiencies and
 698 to provide appropriate postsecondary preparatory instruction
 699 before high school graduation. The results of evaluations used
 700 to monitor student progress must be provided to the student's
 701 teacher in a timely manner to inform instruction. The results
 702 must thereafter be provided to the student's parent in a timely

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703 manner. The criteria must also address acceleration options;
 704 options for whole-grade and midyear promotion; early graduation
 705 options; dual enrollment options; the progressive use of digital
 706 tools and applications; and virtual instruction options. Parents
 707 must be notified of the district's progression criteria as part
 708 of the parent guide required by s. 1002.23(5) ~~establish a~~
 709 ~~comprehensive plan for student progression which must:~~

710 ~~(a) Provide standards for evaluating each student's~~
 711 ~~performance, including how well he or she masters the~~
 712 ~~performance standards approved by the State Board of Education.~~

713 ~~(b) Provide specific levels of performance in reading,~~
 714 ~~writing, science, and mathematics for each grade level,~~
 715 ~~including the levels of performance on statewide assessments as~~
 716 ~~defined by the commissioner, below which a student must receive~~
 717 ~~remediation or be retained within an intensive program that is~~
 718 ~~different from the previous year's program and that takes into~~
 719 ~~account the student's learning style.~~

720 ~~(c) Provide appropriate alternative placement for a~~
 721 ~~student who has been retained 2 or more years.~~

722 ~~(d)1. List the student eligibility and procedural~~
 723 ~~requirements established by the school district for whole-grade~~
 724 ~~promotion, midyear promotion, and subject matter acceleration~~
 725 ~~that would result in a student attending a different school,~~
 726 ~~pursuant to s. 1002.3105(2)(b).~~

727 ~~2. Notify parents and students of the school district's~~
 728 ~~process by which a parent may request student participation in~~

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729 ~~whole-grade promotion, midyear promotion, or subject-matter~~
 730 ~~acceleration that would result in a student attending a~~
 731 ~~different school, pursuant to s. 1002.3105(4)(b)2.~~

732 ~~(c)1. Advise parents and students that additional ACCEL~~
 733 ~~options may be available at the student's school, pursuant to s.~~
 734 ~~1002.3105.~~

735 ~~2. Advise parents and students to contact the principal at~~
 736 ~~the student's school for information related to student~~
 737 ~~eligibility requirements for whole-grade promotion, midyear~~
 738 ~~promotion, and subject-matter acceleration when the promotion or~~
 739 ~~acceleration occurs within the principal's school; virtual~~
 740 ~~instruction in higher grade level subjects; and any other ACCEL~~
 741 ~~options offered by the principal, pursuant to s.~~
 742 ~~1002.3105(2)(a).~~

743 ~~3. Advise parents and students to contact the principal at~~
 744 ~~the student's school for information related to the school's~~
 745 ~~process by which a parent may request student participation in~~
 746 ~~whole-grade promotion, midyear promotion, and subject-matter~~
 747 ~~acceleration when the promotion or acceleration occurs within~~
 748 ~~the principal's school; virtual instruction in higher grade~~
 749 ~~level subjects; and any other ACCEL options offered by the~~
 750 ~~principal, pursuant to s. 1002.3105(4)(b)1.~~

751 ~~(f) Advise parents and students of the early graduation~~
 752 ~~options under s. 1003.4281.~~

753 ~~(g) List, or incorporate by reference, all dual enrollment~~
 754 ~~courses contained within the dual enrollment articulation~~

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755 ~~agreement established pursuant to s. 1007.271(21).~~

756 ~~(h) Provide instructional sequences by which students in~~
 757 ~~kindergarten through high school may attain progressively higher~~
 758 ~~levels of skill in the use of digital tools and applications.~~
 759 ~~The instructional sequences must include participation in~~
 760 ~~curricular and instructional options and the demonstration of~~
 761 ~~competence of standards required pursuant to ss. 1003.41 and~~
 762 ~~1003.4203 through attainment of industry certifications and~~
 763 ~~other means of demonstrating credit requirements identified~~
 764 ~~under ss. 1002.3105, 1003.4203, and 1003.4282.~~

765 ~~(3) ALLOCATION OF RESOURCES. District school boards shall~~
 766 ~~allocate remedial and supplemental instruction resources to~~
 767 ~~students in the following priority:~~

768 ~~(a) Students who are deficient in reading by the end of~~
 769 ~~grade 3.~~

770 ~~(b) Students who fail to meet performance levels required~~
 771 ~~for promotion consistent with the district school board's plan~~
 772 ~~for student progression required in paragraph (2) (b).~~

773 ~~(3)(4) ASSESSMENT AND SUPPORT REMEDIATION.-~~

774 (a) Each student must participate in the statewide,
 775 standardized assessment program required by s. 1008.22. Each
 776 student who does not score ~~meet specific levels of performance~~
 777 ~~on the required assessments as determined by the district school~~
 778 ~~board or who scores below Level 3 or above on the statewide,~~
 779 ~~standardized Reading assessment or, upon implementation, the~~
 780 ~~English Language Arts assessment, or on the statewide,~~

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781 | standardized Mathematics assessment, or assessments in grades 3
 782 | ~~through 8~~ and the Algebra I EOC assessment must be evaluated
 783 | ~~provided with additional diagnostic assessments~~ to determine the
 784 | nature of the student's difficulty, the areas of academic need,
 785 | and strategies for providing academic supports to improve the
 786 | student's performance ~~appropriate intervention and instruction~~
 787 | ~~as described in paragraph (b)~~. In accordance with a district's
 788 | K-12 comprehensive reading plan under s. 1011.62(9), the
 789 | district school board shall provide intensive instructional and
 790 | support services to students identified as having a deficiency
 791 | in reading in the following priority:

792 | 1. Students who are deficient in English language arts by
 793 | the end of grade 3.

794 | 2. Students who fail to meet performance levels required
 795 | for promotion consistent with the district school board's
 796 | criteria for student progression.

797 | ~~(b) The school in which the student is enrolled must~~
 798 | ~~develop, in consultation with the student's parent, and must~~
 799 | ~~implement a progress monitoring plan. A progress monitoring plan~~
 800 | ~~is intended to provide the school district and the school~~
 801 | ~~flexibility in meeting the academic needs of the student and to~~
 802 | ~~reduce paperwork.~~ A student who is not meeting the school
 803 | district or state requirements for satisfactory performance in
 804 | English language arts must proficiency in reading and
 805 | ~~mathematics~~ shall be covered by one of the following plans ~~to~~
 806 | ~~target instruction and identify ways to improve his or her~~

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807 ~~academic achievement:~~

808 1. A federally required student plan such as an individual
809 education plan;

810 2. A schoolwide system of progress monitoring for all
811 students; or

812 3. An individualized progress monitoring plan.
813

814 ~~The plan chosen must be designed to assist the student or the~~
815 ~~school in meeting state and district expectations for~~
816 ~~proficiency. If the student has been identified as having a~~
817 ~~deficiency in reading, the K-12 comprehensive reading plan~~
818 ~~required by s. 1011.62(9) shall include instructional and~~
819 ~~support services to be provided to meet the desired levels of~~
820 ~~performance. District school boards may require low-performing~~
821 ~~students to attend remediation programs held before or after~~
822 ~~regular school hours or during the summer if transportation is~~
823 ~~provided.~~

824 ~~(c) Upon subsequent evaluation, if the documented~~
825 ~~deficiency has not been remediated, the student may be retained.~~
826 ~~Each student who does not meet the minimum performance~~
827 ~~expectations defined by the Commissioner of Education for the~~
828 ~~statewide assessment tests in reading, writing, science, and~~
829 ~~mathematics must continue to be provided with remedial or~~
830 ~~supplemental instruction until the expectations are met or the~~
831 ~~student graduates from high school or is not subject to~~
832 ~~compulsory school attendance.~~

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833 (4)~~(5)~~ READING DEFICIENCY AND PARENTAL NOTIFICATION.—

834 (a) Any student who exhibits a substantial deficiency in
 835 reading, based upon locally determined or statewide assessments
 836 conducted in kindergarten or grade 1, grade 2, or grade 3, or
 837 through teacher observations, must be given intensive reading
 838 instruction immediately following the identification of the
 839 reading deficiency. The student's reading proficiency must be
 840 monitored and the intensive instruction must continue until the
 841 student demonstrates grade level proficiency in a manner
 842 determined by the district, which may include achieving a level
 843 3 on the statewide, standardized ELA assessment ~~reassessed by~~
 844 ~~locally determined assessments or through teacher observations~~
 845 ~~at the beginning of the grade following the intensive reading~~
 846 ~~instruction. The student must continue to be provided with~~
 847 ~~intensive reading instruction until the reading deficiency is~~
 848 ~~remedied.~~

849 ~~(b) If a student's reading deficiency is not remedied by~~
 850 ~~the end of grade 3, as demonstrated by scoring Level 2 or higher~~
 851 ~~on the statewide, standardized assessment required under s.~~
 852 ~~1008.22 for grade 3, the student must be retained.~~

853 (b)~~(e)~~ The parent of any student who exhibits a
 854 substantial deficiency in reading, as described in paragraph
 855 (a), must be notified in writing of the following:

- 856 1. That his or her child has been identified as having a
- 857 substantial deficiency in reading.
- 858 2. A description of the current services that are provided

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859 | to the child.

860 | 3. A description of the intensive instruction ~~proposed~~
 861 | ~~supplemental instructional services~~ and supports that will be
 862 | provided to the child that are designed to remediate the
 863 | identified area of reading deficiency.

864 | 4. That if the child's reading deficiency is not
 865 | remediated by the end of grade 3, as demonstrated by meeting one
 866 | of the options in paragraph (b), the child must be retained
 867 | unless he or she is exempt from mandatory retention for good
 868 | cause.

869 | 5. Strategies for parents to use in helping their child
 870 | succeed in reading proficiency, including a "Read at Home" plan.

871 | 6. That the statewide, standardized English Language Arts
 872 | assessment ~~Florida Comprehensive Assessment Test (FCAT)~~ is not
 873 | the sole determiner of promotion and that additional options
 874 | ~~evaluations, portfolio reviews, and assessments~~ are available to
 875 | the child to assist parents and the school district in knowing
 876 | when a child is reading at or above grade level and ready for
 877 | grade promotion, including the options available in subparagraph
 878 | (b)2.

879 | 7. ~~The district's specific criteria and policies for a~~
 880 | ~~portfolio as provided in subparagraph (6)(b)4.~~ and the evidence
 881 | required for a student to demonstrate reading skills sufficient
 882 | for promotion to grade 4 ~~mastery of Florida's academic standards~~
 883 | ~~for English Language Arts.~~ A parent of a student in grade 3 who
 884 | is identified anytime during the year as being at risk of

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885 retention may request that the school immediately begin
 886 collecting evidence for a portfolio.

887 ~~7.8.~~ The district's specific criteria and policies for
 888 midyear promotion. Midyear promotion means promotion of a
 889 retained student at any time during the year of retention once
 890 the student has demonstrated ability to read at grade level.

891 ~~(5)(6)~~ ELIMINATION OF SOCIAL PROMOTION.-

892 (a) No student may be assigned to a grade level based
 893 solely on age or other factors that constitute social promotion.

894 (b) In order to be promoted to grade 4, a student must
 895 score a Level 2 or higher on the statewide, standardized English
 896 Language Arts assessment required under s. 1008.22 for grade 3.
 897 If the student scores a Level 1, then the student may
 898 demonstrate reading skills sufficient for promotion to grade 4
 899 either by:

900 1. Demonstrating an acceptable level of performance on an
 901 alternative standardized reading or English Language Arts
 902 assessment approved by the State Board of Education; or

903 2. Demonstrating through a student portfolio that he or
 904 she is performing at least at Level 2 on the statewide,
 905 standardized English Language Arts assessment.

906
 907 If a student's reading deficiency is not remedied by the end of
 908 grade 3, as demonstrated by scoring Level 2 or higher on the
 909 statewide, standardized assessment required under s. 1008.22 for
 910 grade 3, the student must be retained.

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

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

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

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

935 ~~4. A student who demonstrates through a student portfolio~~
 936 ~~that he or she is performing at least at Level 2 on the~~

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937 ~~statewide, standardized Reading assessment or, upon~~
 938 ~~implementation, the English Language Arts assessment.~~

939 3.5. Students with disabilities who take the statewide,
 940 ~~standardized Reading assessment or, upon implementation, the~~
 941 English Language Arts assessment and who have an individual
 942 education plan or a Section 504 plan that reflects that the
 943 student has received intensive instruction ~~remediation in~~
 944 ~~reading or English Language Arts~~ for more than 2 years but still
 945 demonstrates a deficiency and was previously retained in
 946 kindergarten, grade 1, grade 2, or grade 3.

947 4.6. Students who have received intensive instruction and
 948 supports ~~reading intervention~~ for 2 or more years but still
 949 demonstrate a deficiency in reading and who were previously
 950 retained in kindergarten, grade 1, grade 2, or grade 3 for a
 951 total of 2 years. A student may not be retained more than once
 952 in grade 3.

953 (d) Any decision to promote a student using an alternative
 954 assessment under subparagraph (3)(b)1., a student portfolio
 955 under subparagraph (3)(b)2., or a good cause exemption under
 956 paragraph (b) of this subsection must be made consistent with
 957 the following:

958 1. The student's teacher shall submit documentation to the
 959 school principal indicating that the promotion of the student is
 960 appropriate and is based upon the student's academic record. In
 961 order to minimize paperwork requirements, such documentation
 962 shall consist only of evidence related to the specific good

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963 cause exemption requested, the student portfolio, or the
 964 alternative assessment, as applicable.

965 2. The school principal shall review the recommendation
 966 with the teacher and consult with the student's parent, if
 967 feasible, before determining whether the student should be
 968 promoted or retained. If the school principal determines that
 969 the student should be promoted, the school principal shall make
 970 such recommendation in writing to the district school
 971 superintendent. The district school superintendent shall accept
 972 or reject the school principal's recommendation in writing.

973 ~~7. Students who have received intensive remediation in~~
 974 ~~reading or English Language Arts for 2 or more years but still~~
 975 ~~demonstrate a deficiency and who were previously retained in~~
 976 ~~kindergarten, grade 1, grade 2, or grade 3 for a total of 2~~
 977 ~~years. Intensive instruction for students so promoted must~~
 978 ~~include an altered instructional day that includes specialized~~
 979 ~~diagnostic information and specific reading strategies for each~~
 980 ~~student. The district school board shall assist schools and~~
 981 ~~teachers to implement reading strategies that research has shown~~
 982 ~~to be successful in improving reading among low-performing~~
 983 ~~readers.~~

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

988 ~~1. Documentation shall be submitted from the student's~~

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989 ~~teacher to the school principal that indicates that the~~
 990 ~~promotion of the student is appropriate and is based upon the~~
 991 ~~student's academic record. In order to minimize paperwork~~
 992 ~~requirements, such documentation shall consist only of an the~~
 993 ~~existing progress monitoring plan, individual educational plan,~~
 994 ~~if applicable, report card, or student portfolio.~~

995 ~~2. The school principal shall review and discuss such the~~
 996 ~~recommendation with the teacher and make the determination as to~~
 997 ~~whether the student should be promoted or retained. If the~~
 998 ~~school principal determines that the student should be promoted,~~
 999 ~~the school principal shall make such recommendation in writing~~
 1000 ~~to the district school superintendent. The district school~~
 1001 ~~superintendent shall accept or reject the school principal's~~
 1002 ~~recommendation in writing.~~

1003 ~~(6)(7)~~ SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
 1004 STUDENTS.-

1005 (a) Each school district shall provide students retained
 1006 under the provisions of paragraph (5) (b) with a highly effective
 1007 teacher as determined by the teacher's performance evaluation
 1008 under s. 1012.34 and intensive instruction and support necessary
 1009 for promotion to the next grade ~~must be provided intensive~~
 1010 ~~interventions in reading to ameliorate the student's specific~~
 1011 ~~reading deficiency, as identified by a valid and reliable~~
 1012 ~~diagnostic assessment. The intensive instruction This intensive~~
 1013 ~~intervention must include effective instructional strategies,~~
 1014 ~~participation in the school district's summer reading camp, and~~

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1015 ~~appropriate teaching methodologies necessary to assist those~~
 1016 ~~students in becoming successful readers, able to read at or~~
 1017 ~~above grade level, and ready for promotion to the next grade.~~
 1018 ~~(b) Each school district shall:~~
 1019 ~~1. Provide third grade students who are retained under the~~
 1020 ~~provisions of paragraph (5)(b) with intensive instructional~~
 1021 ~~services and supports to remediate the identified areas of~~
 1022 ~~reading deficiency, including participation in the school~~
 1023 ~~district's summer reading camp and as required under paragraph~~
 1024 ~~(a) and a minimum of 90 minutes of daily, uninterrupted,~~
 1025 ~~scientifically research-based reading instruction which includes~~
 1026 ~~phonemic awareness, phonics, fluency, vocabulary, and~~
 1027 ~~comprehension. and Other strategies may be identified in~~
 1028 ~~prescribed by the school district's K-12 comprehensive reading~~
 1029 ~~plan under s. 1011.62(9), which may include, but are not limited~~
 1030 ~~to:~~
 1031 ~~a. Integration of science and social studies content~~
 1032 ~~within the 90-minute block.~~
 1033 ~~b. Small group instruction.~~
 1034 ~~c. Reduced teacher-student ratios.~~
 1035 ~~d. More frequent progress monitoring.~~
 1036 ~~e. Tutoring or mentoring.~~
 1037 ~~f. Transition classes containing 3rd and 4th grade~~
 1038 ~~students.~~
 1039 ~~g. Extended school day, week, or year.~~
 1040 (b) Each school district shall establish at each school,

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1041 when applicable, an intensive reading acceleration course for
 1042 any student retained in grade 3 who was previously retained in
 1043 kindergarten, grade 1, or grade 2. The intensive reading
 1044 acceleration course must provide all instruction and support
 1045 included in the district's K-12 comprehensive reading plan as
 1046 required by s. 1011.62(9). In addition, each school district
 1047 shall:

1048 1. ~~2.~~ Provide written notification to the parent of a
 1049 student who is retained under the provisions of paragraph (5) (b)
 1050 that his or her child has not met the proficiency level required
 1051 for promotion and the reasons the child is not eligible for a
 1052 good cause exemption as provided in paragraph (5) (b) ~~(6) (b)~~. The
 1053 notification must comply with the provisions of s. 1002.20(15)
 1054 and must include a description of proposed interventions and
 1055 supports that will be provided to the child to remediate the
 1056 identified areas of reading deficiency.

1057 2. ~~3.~~ Implement a policy for the midyear promotion of a
 1058 retained student who demonstrates satisfactory performance in
 1059 reading and progress sufficient to master next-grade content
 1060 standards based on criteria established by the district school
 1061 board.

1062 ~~Implement a policy for the midyear promotion of a student~~
 1063 ~~retained under the provisions of paragraph (5) (b) who can~~
 1064 ~~demonstrate that he or she is a successful and independent~~
 1065 ~~reader and performing at or above grade level in reading or,~~
 1066 ~~upon implementation of English Language Arts assessments,~~

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1067 ~~performing at or above grade level in English Language Arts.~~
 1068 ~~Tools that school districts may use in reevaluating a student~~
 1069 ~~retained may include subsequent assessments, alternative~~
 1070 ~~assessments, and portfolio reviews, in accordance with rules of~~
 1071 ~~the State Board of Education.~~

1072 ~~4. Provide students who are retained under the provisions~~
 1073 ~~of paragraph (5) (b) with a highly effective teacher as~~
 1074 ~~determined by the teacher's performance evaluation under s.~~
 1075 ~~1012.34.~~

1076 ~~5. Establish at each school, when applicable, an Intensive~~
 1077 ~~Acceleration Class for retained grade 3 students who~~
 1078 ~~subsequently score Level 1 on the required statewide,~~
 1079 ~~standardized assessment identified in s. 1008.22. The focus of~~
 1080 ~~the Intensive Acceleration Class shall be to increase a child's~~
 1081 ~~reading and English Language Arts skill level at least two grade~~
 1082 ~~levels in 1 school year. The Intensive Acceleration Class shall:~~

1083 ~~a. Be provided to a student in grade 3 who scores Level 1~~
 1084 ~~on the statewide, standardized Reading assessment or, upon~~
 1085 ~~implementation, the English Language Arts assessment and who was~~
 1086 ~~retained in grade 3 the prior year because of scoring Level 1.~~

1087 ~~b. Have a reduced teacher-student ratio.~~

1088 ~~c. Provide uninterrupted reading instruction for the~~
 1089 ~~majority of student contact time each day and incorporate~~
 1090 ~~opportunities to master the grade 4 Next Generation Sunshine~~
 1091 ~~State Standards in other core subject areas.~~

1092 ~~d. Use a reading program that is scientifically research-~~

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1093 ~~based and has proven results in accelerating student reading~~
 1094 ~~achievement within the same school year.~~

1095 ~~e. Provide intensive language and vocabulary instruction~~
 1096 ~~using a scientifically research-based program, including use of~~
 1097 ~~a speech-language therapist.~~

1098 ~~(7)(8)~~ ANNUAL REPORT.-

1099 (a) In addition to the requirements in paragraph (5)(b),
 1100 each district school board must annually report to the parent of
 1101 each student the progress of the student toward achieving state
 1102 and district expectations for proficiency in English language
 1103 arts, reading, writing, science, social studies, and
 1104 mathematics. The district school board must report to the parent
 1105 the student's results on each statewide, standardized assessment
 1106 ~~test~~. The evaluation of each student's progress must be based
 1107 upon the student's classroom work, observations, tests, district
 1108 and state assessments, and other relevant information. Progress
 1109 reporting must be provided to the parent in writing in a format
 1110 adopted by the district school board.

1111 (b) Each district school board must annually publish on
 1112 the district website ~~and in the local newspaper~~ the following
 1113 information on the prior school year:

1114 1. The provisions of this section relating to public
 1115 school student progression and the district school board's
 1116 policies and procedures on student retention and promotion.

1117 2. By grade, the number and percentage of all students in
 1118 grades 3 through 10 performing at Levels 1 and 2 on the

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1119 statewide, standardized English Language Arts assessment ~~reading~~
 1120 ~~portion of the FCAT.~~

1121 3. By grade, the number and percentage of all students
 1122 retained in kindergarten ~~grades 3~~ through grade 10.

1123 4. Information on the total number of students who were
 1124 promoted for good cause, by each category of good cause as
 1125 specified in paragraph (5) (b) ~~(6) (b)~~.

1126 5. Any revisions to the district school board's policies
 1127 and procedures ~~policy~~ on student retention and promotion from
 1128 the prior year.

1129 ~~(8)(9)~~ RULEMAKING.—The State Board of Education shall
 1130 adopt rules pursuant to ss. 120.536(1) and 120.54 for the
 1131 administration of this section.

1132 Section 10. Subsection (3) of section 1008.30, Florida
 1133 Statutes, is amended to read:

1134 1008.30 Common placement testing for public postsecondary
 1135 education.—

1136 ~~(3) The State Board of Education shall adopt rules that~~
 1137 ~~require high schools to evaluate before the beginning of grade~~
 1138 ~~12 the college readiness of each student who scores Level 2 or~~
 1139 ~~Level 3 on grade 10 FCAT Reading or the English Language Arts~~
 1140 ~~assessment under s. 1008.22, as applicable, or Level 2, Level 3,~~
 1141 ~~or Level 4 on the Algebra I assessment under s. 1008.22. High~~
 1142 ~~schools shall perform this evaluation using results from the~~
 1143 ~~corresponding component of the common placement test prescribed~~
 1144 ~~in this section, or an alternative test identified by the State~~

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1145 ~~Board of Education. The high school shall use the results of the~~
 1146 ~~test to advise the students of any identified deficiencies and~~
 1147 ~~to provide 12th grade students, and require them to complete,~~
 1148 ~~appropriate postsecondary preparatory instruction before high~~
 1149 ~~school graduation. The curriculum provided under this subsection~~
 1150 ~~shall be identified in rule by the State Board of Education and~~
 1151 ~~encompass Florida's Postsecondary Readiness Competencies. Other~~
 1152 ~~elective courses may not be substituted for the selected~~
 1153 ~~postsecondary mathematics, reading, writing, or English Language~~
 1154 ~~Arts preparatory course unless the elective course covers the~~
 1155 ~~same competencies included in the postsecondary mathematics,~~
 1156 ~~reading, writing, or English Language Arts preparatory course.~~

1157 Section 11. Paragraphs (c) and (d) of subsection (9) of
 1158 section 1011.62, Florida Statutes, are amended to read:

1159 1011.62 Funds for operation of schools.—If the annual
 1160 allocation from the Florida Education Finance Program to each
 1161 district for operation of schools is not determined in the
 1162 annual appropriations act or the substantive bill implementing
 1163 the annual appropriations act, it shall be determined as
 1164 follows:

1165 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED
 1166 FOR OPERATION.—The following procedure shall be followed in
 1167 determining the annual allocation to each district for
 1168 operation:

1169 (f) Supplemental academic instruction; categorical fund.—

1170 1. There is created a categorical fund to provide

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1171 supplemental academic instruction to students in kindergarten
 1172 through grade 12. This paragraph may be cited as the
 1173 "Supplemental Academic Instruction Categorical Fund."

1174 2. Categorical funds for supplemental academic instruction
 1175 shall be allocated annually to each school district in the
 1176 amount provided in the General Appropriations Act. These funds
 1177 shall be in addition to the funds appropriated on the basis of
 1178 FTE student membership in the Florida Education Finance Program
 1179 and shall be included in the total potential funds of each
 1180 district. These funds shall be used to provide supplemental
 1181 academic instruction to students enrolled in the K-12 program,
 1182 which . ~~For the 2014-2015 fiscal year, each school district that~~
 1183 ~~has one or more of the 300 lowest-performing elementary schools~~
 1184 ~~based on the state reading assessment shall use these funds,~~
 1185 ~~together with the funds provided in the district's research-~~
 1186 ~~based reading instruction allocation and other available funds,~~
 1187 ~~to provide an additional hour of instruction beyond the normal~~
 1188 ~~school day for each day of the entire school year for intensive~~
 1189 ~~reading instruction for the students in each of these schools.~~
 1190 ~~This additional hour of instruction must be provided by teachers~~
 1191 ~~or reading specialists who are effective in teaching reading or~~
 1192 ~~by a K-5 mentoring reading program that is supervised by a~~
 1193 ~~teacher who is effective at teaching reading. Students enrolled~~
 1194 ~~in these schools who have level 5 assessment scores may~~
 1195 ~~participate in the additional hour of instruction on an optional~~
 1196 ~~basis. Exceptional student education centers shall not be~~

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1197 ~~included in the 300 schools. After this requirement has been~~
 1198 ~~met, supplemental instruction strategies~~ may include, but are
 1199 not limited to: modified curriculum, reading instruction, after-
 1200 school instruction, tutoring, mentoring, class size reduction,
 1201 extended school year, intensive skills development in summer
 1202 school, and other methods for improving student achievement.
 1203 Supplemental instruction may be provided to a student in any
 1204 manner and at any time during or beyond the regular 180-day term
 1205 identified by the school as being the most effective and
 1206 efficient way to best help that student progress from grade to
 1207 grade and to graduate.

1208 3. Effective with the 1999-2000 fiscal year, funding on
 1209 the basis of FTE membership beyond the 180-day regular term
 1210 shall be provided in the FEFP only for students enrolled in
 1211 juvenile justice education programs or in education programs for
 1212 juveniles placed in secure facilities or programs under s.
 1213 985.19. Funding for instruction beyond the regular 180-day
 1214 school year for all other K-12 students shall be provided
 1215 through the supplemental academic instruction categorical fund
 1216 and other state, federal, and local fund sources with ample
 1217 flexibility for schools to provide supplemental instruction to
 1218 assist students in progressing from grade to grade and
 1219 graduating.

1220 4. The Florida State University School, as a lab school,
 1221 is authorized to expend from its FEFP or Lottery Enhancement
 1222 Trust Fund allocation the cost to the student of remediation in

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1223 reading, writing, or mathematics for any graduate who requires
 1224 remediation at a postsecondary educational institution.

1225 5. Beginning in the 1999-2000 school year, dropout
 1226 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
 1227 (b), and (c), and 1003.54 shall be included in group 1 programs
 1228 under subparagraph (d)3.

1229 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

1230 (a) The research-based reading instruction allocation is
 1231 created to provide comprehensive reading instruction to students
 1232 in kindergarten through grade 12. ~~For the 2014-2015 fiscal year,~~
 1233 ~~in each school district that has one or more of the 300 lowest-~~
 1234 ~~performing elementary schools based on the state reading~~
 1235 ~~assessment, priority shall be given to providing an additional~~
 1236 ~~hour per day of intensive reading instruction beyond the normal~~
 1237 ~~school day for each day of the entire school year for the~~
 1238 ~~students in each school. Students enrolled in these schools who~~
 1239 ~~have level 5 assessment scores may participate in the additional~~
 1240 ~~hour of instruction on an optional basis. Exceptional student~~
 1241 ~~education centers shall not be included in the 300 schools. The~~
 1242 ~~intensive reading instruction delivered in this additional hour~~
 1243 ~~and for other students shall include: research-based reading~~
 1244 ~~instruction that has been proven to accelerate progress of~~
 1245 ~~students exhibiting a reading deficiency; differentiated~~
 1246 ~~instruction based on student assessment data to meet students'~~
 1247 ~~specific reading needs; explicit and systematic reading~~
 1248 ~~development in phonemic awareness, phonics, fluency, vocabulary,~~

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1249 ~~and comprehension, with more extensive opportunities for guided~~
 1250 ~~practice, error correction, and feedback; and the integration of~~
 1251 ~~social studies, science, and mathematics text reading, text~~
 1252 ~~discussion, and writing in response to reading. For the 2012-~~
 1253 ~~2013 and 2013-2014 fiscal years, a school district may not hire~~
 1254 ~~more reading coaches than were hired during the 2011-2012 fiscal~~
 1255 ~~year unless all students in kindergarten through grade 5 who~~
 1256 ~~demonstrate a reading deficiency, as determined by district and~~
 1257 ~~state assessments, including students scoring Level 1 or Level 2~~
 1258 ~~on the statewide, standardized reading assessment or, upon~~
 1259 ~~implementation, the English Language Arts assessment, are~~
 1260 ~~provided an additional hour per day of intensive reading~~
 1261 ~~instruction beyond the normal school day for each day of the~~
 1262 ~~entire school year.~~

1263 (b) Funds for comprehensive, research-based reading
 1264 instruction shall be allocated annually to each school district
 1265 in the amount provided in the General Appropriations Act. Each
 1266 eligible school district shall receive the same minimum amount
 1267 as specified in the General Appropriations Act, and any
 1268 remaining funds shall be distributed to eligible school
 1269 districts based on each school district's proportionate share of
 1270 K-12 base funding.

1271 (c) Funds allocated under this subsection must be used to
 1272 provide a system of comprehensive reading instruction to
 1273 students enrolled in the K-12 programs. ~~which~~

1274 1. The system may include the following:

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1275 a.1. The provision of an additional hour per day of
 1276 intensive reading instruction to students in the ~~300~~ lowest-
 1277 performing elementary schools by teachers and reading
 1278 specialists who are effective in teaching reading.

1279 b.2. Kindergarten through grade 5 reading intervention
 1280 teachers to provide intensive intervention during the school day
 1281 and in the required extra hour for students identified as having
 1282 a reading deficiency.

1283 c.3. The provision of highly qualified reading coaches to
 1284 specifically support teachers in making instructional decisions
 1285 based on student data, and improve teacher delivery of effective
 1286 reading instruction, intervention, and reading in the content
 1287 areas based on student need.

1288 d.4. Professional development for school district teachers
 1289 in scientifically based reading instruction, including
 1290 strategies to teach reading in content areas and with an
 1291 emphasis on technical and informational text.

1292 e.5. The provision of summer reading camps for all
 1293 students in kindergarten through grade 2 who demonstrate a
 1294 reading deficiency as determined by district and state
 1295 assessments, and students in grades 3 through 5 who score at
 1296 Level 1 on the statewide, standardized reading assessment or,
 1297 upon implementation, the English Language Arts assessment.

1298 f.6. The provision of supplemental instructional materials
 1299 that are grounded in scientifically based reading research.

1300 g.7. The provision of intensive interventions for students

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1327 Florida! Office created pursuant to s. 1001.215. The plan
 1328 annually submitted by school districts shall be deemed approved
 1329 unless the department rejects the plan on or before June 1. If a
 1330 school district and the Just Read, Florida! Office cannot reach
 1331 agreement on the contents of the plan, the school district may
 1332 appeal to the State Board of Education for resolution. School
 1333 districts shall be allowed reasonable flexibility in designing
 1334 their plans and shall be encouraged to offer reading
 1335 intervention through innovative methods, including career
 1336 academies. The plan format shall be developed with input from
 1337 school district personnel, including teachers and principals,
 1338 and shall allow courses in core, career, and alternative
 1339 programs that deliver intensive reading remediation through
 1340 integrated curricula, provided that the teacher is deemed highly
 1341 qualified to teach reading or working toward that status. No
 1342 later than July 1 annually, the department shall release the
 1343 school district's allocation of appropriated funds to those
 1344 districts having approved plans. A school district that spends
 1345 100 percent of this allocation on its approved plan shall be
 1346 deemed to have been in compliance with the plan. The department
 1347 may withhold funds upon a determination that reading instruction
 1348 allocation funds are not being used to implement the approved
 1349 plan. The department shall monitor and track the implementation
 1350 of each district plan, including conducting site visits and
 1351 collecting specific data on expenditures and reading improvement
 1352 results. ~~By February 1 of each year,~~ The department shall

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1353 regularly report its findings to the State Board of Education
 1354 Legislature. At its first regularly scheduled meeting after
 1355 August 1 of each year, the state board shall review the
 1356 effectiveness of each district plan.

1357 Section 12. Section 1012.34, Florida Statutes, is amended
 1358 to read:

1359 1012.34 Personnel evaluation procedures and criteria.—

1360 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

1361 (a) For the purpose of increasing student academic
 1362 performance by improving the quality of instructional,
 1363 administrative, and supervisory services in the public schools
 1364 of the state, the district school superintendent shall establish
 1365 procedures for evaluating the performance of duties and
 1366 responsibilities of all instructional, administrative, and
 1367 supervisory personnel employed by the school district. The
 1368 district school superintendent shall provide instructional
 1369 personnel the opportunity to review their class rosters for
 1370 accuracy and to correct any mistakes. The district school
 1371 superintendent shall report accurate class rosters for the
 1372 purpose of calculating district and statewide student
 1373 performance and annually report the evaluation results of
 1374 instructional personnel and school administrators to the
 1375 Department of Education in addition to the information required
 1376 under subsection (5).

1377 (b) The department must approve each school district's
 1378 instructional personnel and school administrator evaluation

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1379 systems. The department shall monitor each district's
 1380 implementation of its instructional personnel and school
 1381 administrator evaluation systems for compliance with the
 1382 requirements of this section ~~and s. 1012.3401.~~

1383 (c) Annually, by February ~~December~~ 1, the Commissioner of
 1384 Education shall publish on the department's website ~~report to~~
 1385 ~~the Governor, the President of the Senate, and the Speaker of~~
 1386 ~~the House of Representatives~~ the approval and implementation
 1387 status of each school district's instructional personnel and
 1388 school administrator evaluation systems. This information must
 1389 ~~The report shall~~ include:

1390 1. Performance evaluation results for the prior school
 1391 year for instructional personnel and school administrators using
 1392 the four levels of performance specified in paragraph (2)(e).
 1393 The performance evaluation results for instructional personnel
 1394 shall be disaggregated by classroom teachers, as defined in s.
 1395 1012.01(2)(a), excluding substitute teachers, and all other
 1396 instructional personnel, as defined in s. 1012.01(2)(b)-(d).

1397 2. ~~Each The commissioner shall include in the report each~~
 1398 district's performance levels ~~performance-level standards~~
 1399 established under subsection (2). ~~(7).~~

1400 3. A comparative analysis of the district's student
 1401 academic performance results and evaluation results using the
 1402 performance levels adopted under subsection (8). ~~7~~

1403 4. Data reported under s. 1012.341. ~~7~~ and

1404 5. The status of any evaluation system revisions ~~requested~~

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1405 by a school district pursuant to subsection (6).

1406 (2) EVALUATION SYSTEM REQUIREMENTS.—The evaluation systems
1407 for instructional personnel and school administrators must:

1408 (a) Be designed to support effective instruction and
1409 student learning growth, and performance evaluation results must
1410 be used when developing district and school level improvement
1411 plans.

1412 (b) Provide appropriate instruments, procedures, timely
1413 feedback, and criteria for continuous quality improvement of the
1414 professional skills of instructional personnel and school
1415 administrators, and performance evaluation results must be used
1416 when identifying professional development.

1417 (c) Include a mechanism to examine performance data from
1418 multiple sources, including opportunities for parents to provide
1419 input into employee performance evaluations when appropriate.

1420 (d) Identify those teaching fields for which special
1421 evaluation procedures and criteria are necessary.

1422 (e) Differentiate among four levels of performance as
1423 follows:

1424 1. Highly effective.

1425 2. Effective.

1426 3. Needs improvement or, for instructional personnel in
1427 the first 3 years of employment who need improvement,
1428 developing.

1429 4. Unsatisfactory.

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1431 ~~The Commissioner of Education shall consult with experts,~~
 1432 ~~instructional personnel, school administrators, and education~~
 1433 ~~stakeholders in developing the criteria for the performance~~
 1434 ~~levels.~~

1435 (f) Provide for training and monitoring programs ~~that are~~
 1436 based upon guidelines provided by the department to ensure that
 1437 all individuals with evaluation responsibilities understand the
 1438 proper use of the evaluation criteria and procedures.

1439 ~~(g) Include a process for monitoring and evaluating the~~
 1440 ~~effective and consistent use of the evaluation criteria by~~
 1441 ~~employees with evaluation responsibilities.~~

1442 ~~(h) Include a process for monitoring and evaluating the~~
 1443 ~~effectiveness of the system itself in improving instruction and~~
 1444 ~~student learning.~~

1445

1446 In addition, each district school board may establish a peer
 1447 assistance process. This process may be a part of the regular
 1448 evaluation system or used to assist employees placed on
 1449 performance probation, newly hired classroom teachers, or
 1450 employees who request assistance.

1451 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
 1452 personnel and school administrator performance evaluations must
 1453 be based upon the performance of students assigned to their
 1454 classrooms or schools, as provided in this section. Pursuant to
 1455 this section, a school district's performance evaluation system
 1456 is not limited to basing unsatisfactory performance of

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1457 instructional personnel and school administrators solely upon
 1458 student performance, but may include other criteria ~~approved~~ to
 1459 evaluate instructional personnel and school administrators'
 1460 performance, or any combination of student performance and other
 1461 ~~approved~~ criteria. Evaluation procedures and criteria must
 1462 comply with, but are not limited to, the following:

1463 (a) A performance evaluation must be conducted for each
 1464 employee at least once a year, except that a classroom teacher,
 1465 as defined in s. 1012.01(2)(a), excluding substitute teachers,
 1466 who is newly hired by the district school board must be observed
 1467 and evaluated at least twice in the first year of teaching in
 1468 the school district. The performance evaluation must be based
 1469 upon sound educational principles and contemporary research in
 1470 effective educational practices. The evaluation criteria must
 1471 include:

1472 1. Performance of students.—At least one-third ~~50 percent~~
 1473 of a performance evaluation must be based upon data and
 1474 indicators of student performance ~~learning growth assessed~~
 1475 ~~annually by statewide assessments or, for subjects and grade~~
 1476 ~~levels not measured by statewide assessments, by school district~~
 1477 ~~assessments as provided in s. 1008.22(6). Each school district~~
 1478 ~~must use the formula adopted pursuant to paragraph (7)(a) for~~
 1479 ~~measuring student learning growth in all courses associated with~~
 1480 ~~statewide assessments and must select an equally appropriate~~
 1481 ~~formula for measuring student learning growth for all other~~
 1482 ~~grades and subjects, except as otherwise provided in accordance~~

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1483 | with subsection (7).

1484 | ~~a. For classroom teachers, as defined in s. 1012.01(2)(a),~~
 1485 | ~~excluding substitute teachers, the student learning growth~~ This
 1486 | ~~portion of the evaluation must include growth~~ or achievement
 1487 | ~~data of the teacher's students or, for a school administrator,~~
 1488 | ~~the students attending the school for students assigned to the~~
 1489 | ~~teacher over the course of at least 3 years. If less than 3~~
 1490 | ~~years of data are available, the years for which data are~~
 1491 | ~~available must be used. The proportion of growth or achievement~~
 1492 | ~~data may be determined by instructional assignment and the~~
 1493 | ~~percentage of the evaluation based upon student learning growth~~
 1494 | ~~may be reduced to not less than 40 percent.~~

1495 | ~~b. For instructional personnel who are not classroom~~
 1496 | ~~teachers, the student learning growth portion of the evaluation~~
 1497 | ~~must include growth data on statewide assessments for students~~
 1498 | ~~assigned to the instructional personnel over the course of at~~
 1499 | ~~least 3 years, or may include a combination of student learning~~
 1500 | ~~growth data and other measurable student outcomes that are~~
 1501 | ~~specific to the assigned position, provided that the student~~
 1502 | ~~learning growth data accounts for not less than 30 percent of~~
 1503 | ~~the evaluation. If less than 3 years of student growth data are~~
 1504 | ~~available, the years for which data are available must be used~~
 1505 | ~~and the percentage of the evaluation based upon student learning~~
 1506 | ~~growth may be reduced to not less than 20 percent.~~

1507 | ~~c. For school administrators, the student learning growth~~
 1508 | ~~portion of the evaluation must include growth data for students~~

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1509 ~~assigned to the school over the course of at least 3 years. If~~
 1510 ~~less than 3 years of data are available, the years for which~~
 1511 ~~data are available must be used and the percentage of the~~
 1512 ~~evaluation based upon student learning growth may be reduced to~~
 1513 ~~not less than 40 percent.~~

1514 2. Instructional practice.— For instructional personnel,
 1515 at least one-third of the performance evaluation must be based
 1516 upon instructional practice. Evaluation criteria used when
 1517 annually observing classroom teachers, as defined in s.
 1518 1012.01(2)(a), excluding substitute teachers, must include
 1519 indicators based upon each of the Florida Educator Accomplished
 1520 Practices adopted by the State Board of Education. For
 1521 instructional personnel who are not classroom teachers,
 1522 evaluation criteria must be based upon indicators of the Florida
 1523 Educator Accomplished Practices and may include specific job
 1524 expectations related to student support.

1525 3. Instructional leadership.—For school administrators, at
 1526 least one-third of the performance evaluation must be based on
 1527 instructional leadership. Evaluation criteria for instructional
 1528 leadership must include indicators based upon each of the
 1529 leadership standards adopted by the State Board of Education
 1530 under s. 1012.986, including performance measures related to the
 1531 effectiveness of classroom teachers in the school, the
 1532 administrator's appropriate use of evaluation criteria and
 1533 procedures, recruitment and retention of effective and highly
 1534 effective classroom teachers, improvement in the percentage of

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1535 instructional personnel evaluated at the highly effective or
 1536 effective level, and other leadership practices that result in
 1537 student learning growth. The system may include a means to give
 1538 parents and instructional personnel an opportunity to provide
 1539 input into the administrator's performance evaluation.

1540 4. Other indicators of performance ~~Professional and job~~
 1541 ~~responsibilities.~~ The remainder of a performance evaluation may
 1542 include, but is not limited to, For instructional personnel and
 1543 ~~school administrators, other~~ professional and job
 1544 responsibilities ~~must be included~~ as recommended ~~adopted~~ by the
 1545 State Board of Education or identified by the district school
 1546 board and, for instructional personnel, peer reviews,
 1547 objectively reliable survey information from students and
 1548 parents based on teaching practices that are consistently
 1549 associated with higher student achievement, and other valid and
 1550 reliable measures of instructional practice. ~~The district school~~
 1551 ~~board may identify additional professional and job~~
 1552 ~~responsibilities.~~

1553 (b) All personnel must be fully informed of the criteria,
 1554 data sources, methodologies, and procedures associated with the
 1555 evaluation process before the evaluation takes place.

1556 (c) The individual responsible for supervising the
 1557 employee must evaluate the employee's performance. The
 1558 evaluation system may provide for the evaluator to consider
 1559 input from other personnel trained under subsection (2)
 1560 ~~paragraph (2)(f).~~ The evaluator must submit a written report of

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1561 the evaluation to the district school superintendent for the
 1562 purpose of reviewing the employee's contract. The evaluator must
 1563 submit the written report to the employee no later than 10 days
 1564 after the evaluation takes place. The evaluator must discuss the
 1565 written evaluation report with the employee. The employee shall
 1566 have the right to initiate a written response to the evaluation,
 1567 and the response shall become a permanent attachment to his or
 1568 her personnel file.

1569 (d) The evaluator may amend an evaluation based upon
 1570 assessment data from the current school year if the data becomes
 1571 available within 90 days after the close of the school year. The
 1572 evaluator must then comply with the procedures set forth in
 1573 paragraph (c).

1574 (4) NOTIFICATION OF UNSATISFACTORY PERFORMANCE.—If an
 1575 employee who holds a professional service contract as provided
 1576 in s. 1012.33 is not performing his or her duties in a
 1577 satisfactory manner, the evaluator shall notify the employee in
 1578 writing of such determination. The notice must describe such
 1579 unsatisfactory performance and include notice of the following
 1580 procedural requirements:

1581 (a) Upon delivery of a notice of unsatisfactory
 1582 performance, the evaluator must confer with the employee who
 1583 holds a professional service contract, make recommendations with
 1584 respect to specific areas of unsatisfactory performance, and
 1585 provide assistance in helping to correct deficiencies within a
 1586 prescribed period of time.

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1587 (b)1. The employee who holds a professional service
 1588 contract shall be placed on performance probation and governed
 1589 by the provisions of this section for 90 calendar days following
 1590 the receipt of the notice of unsatisfactory performance to
 1591 demonstrate corrective action. School holidays and school
 1592 vacation periods are not counted when calculating the 90-
 1593 calendar-day period. During the 90 calendar days, the employee
 1594 who holds a professional service contract must be evaluated
 1595 periodically and apprised of progress achieved and must be
 1596 provided assistance and inservice training opportunities to help
 1597 correct the noted performance deficiencies. At any time during
 1598 the 90 calendar days, the employee who holds a professional
 1599 service contract may request a transfer to another appropriate
 1600 position with a different supervising administrator; however, if
 1601 a transfer is granted pursuant to ss. 1012.27(1) and 1012.28(6),
 1602 it does not extend the period for correcting performance
 1603 deficiencies.

1604 2. Within 14 days after the close of the 90 calendar days,
 1605 the evaluator must evaluate whether the performance deficiencies
 1606 have been corrected and forward a recommendation to the district
 1607 school superintendent. Within 14 days after receiving the
 1608 evaluator's recommendation, the district school superintendent
 1609 must notify the employee who holds a professional service
 1610 contract in writing whether the performance deficiencies have
 1611 been satisfactorily corrected and whether the district school
 1612 superintendent will recommend that the district school board

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1613 | continue or terminate his or her employment contract. If the
 1614 | employee wishes to contest the district school superintendent's
 1615 | recommendation, the employee must, within 15 days after receipt
 1616 | of the district school superintendent's recommendation, submit a
 1617 | written request for a hearing. The hearing shall be conducted at
 1618 | the district school board's election in accordance with one of
 1619 | the following procedures:

1620 | a. A direct hearing conducted by the district school board
 1621 | within 60 days after receipt of the written appeal. The hearing
 1622 | shall be conducted in accordance with the provisions of ss.
 1623 | 120.569 and 120.57. A majority vote of the membership of the
 1624 | district school board shall be required to sustain the district
 1625 | school superintendent's recommendation. The determination of the
 1626 | district school board shall be final as to the sufficiency or
 1627 | insufficiency of the grounds for termination of employment; or

1628 | b. A hearing conducted by an administrative law judge
 1629 | assigned by the Division of Administrative Hearings of the
 1630 | Department of Management Services. The hearing shall be
 1631 | conducted within 60 days after receipt of the written appeal in
 1632 | accordance with chapter 120. The recommendation of the
 1633 | administrative law judge shall be made to the district school
 1634 | board. A majority vote of the membership of the district school
 1635 | board shall be required to sustain or change the administrative
 1636 | law judge's recommendation. The determination of the district
 1637 | school board shall be final as to the sufficiency or
 1638 | insufficiency of the grounds for termination of employment.

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1639 (5) ADDITIONAL NOTIFICATIONS.—The district school
 1640 superintendent shall annually notify the department of any
 1641 instructional personnel or school administrators who receive two
 1642 consecutive unsatisfactory evaluations. The district school
 1643 superintendent shall also notify the department of any
 1644 instructional personnel or school administrators who are given
 1645 written notice by the district of intent to terminate or not
 1646 renew their employment. The department shall conduct an
 1647 investigation to determine whether action shall be taken against
 1648 the certificateholder pursuant to s. 1012.795.

1649 (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT
 1650 EVALUATION SYSTEMS.—The district school board shall establish a
 1651 procedure for annually reviewing instructional personnel and
 1652 school administrator evaluation systems to determine compliance
 1653 with this section ~~and s. 1012.3401~~. All substantial revisions to
 1654 an approved system must be reviewed and approved by the district
 1655 school board before being used to evaluate instructional
 1656 personnel or school administrators. Upon request by a school
 1657 district, the department shall provide assistance in developing,
 1658 improving, or reviewing an evaluation system.

1659 (7) MEASUREMENT OF STUDENT PERFORMANCE ~~LEARNING GROWTH~~.—
 1660 (a) The Commissioner of Education shall approve a formula
 1661 to measure individual student learning growth on the statewide,
 1662 standardized assessments in English Language Arts and
 1663 mathematics administered under s. 1008.22. The formula must take
 1664 into consideration each student's prior academic performance.

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1665 The formula must not set different expectations for student
 1666 learning growth based upon a student's gender, race, ethnicity,
 1667 or socioeconomic status. In the development of the formula, the
 1668 commissioner shall consider other factors such as a student's
 1669 attendance record, disability status, or status as an English
 1670 language learner. The commissioner may ~~shall~~ select additional
 1671 formulas to measure student performance as appropriate for the
 1672 remainder of the statewide, standardized assessments included
 1673 under s. 1008.22 and continue to select formulas as new
 1674 assessments are implemented in the state system. After the
 1675 commissioner approves the formula to measure individual student
 1676 learning growth, the State Board of Education shall adopt these
 1677 formulas in rule.

1678 (b) Each school district shall measure student learning
 1679 growth using the formulas approved by the commissioner under
 1680 paragraph (a) for courses associated with the statewide,
 1681 standardized assessments administered under s. 1008.22 no later
 1682 than the school year immediately following the year the formula
 1683 is approved by the commissioner. For grades and subjects not
 1684 assessed by statewide, standardized assessments ~~but otherwise~~
 1685 ~~assessed as required under s. 1008.22(6)~~, each school district
 1686 shall measure student performance ~~of students~~ using a
 1687 methodology determined by the district. ~~The department shall~~
 1688 ~~provide models for measuring performance of students which~~
 1689 ~~school districts may adopt.~~

1690 ~~(c) For a course that is not measured by a statewide,~~

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1691 ~~standardized assessment, a school district may request, through~~
 1692 ~~the evaluation system approval process, to use a student's~~
 1693 ~~achievement level rather than student learning growth if~~
 1694 ~~achievement is demonstrated to be a more appropriate measure of~~
 1695 ~~classroom teacher performance. A school district may also~~
 1696 ~~request to use a combination of student learning growth and~~
 1697 ~~achievement, if appropriate.~~

1698 ~~(d) For a course that is not measured by a statewide,~~
 1699 ~~standardized assessment, a school district may request, through~~
 1700 ~~the evaluation system approval process, that the performance~~
 1701 ~~evaluation for the classroom teacher assigned to that course~~
 1702 ~~include the learning growth of his or her students on one or~~
 1703 ~~more statewide, standardized assessments. The request must~~
 1704 ~~clearly explain the rationale supporting the request.~~

1705 ~~(e) For purposes of this section and only for the 2014-~~
 1706 ~~2015 school year, a school district may use measurable learning~~
 1707 ~~targets on local assessments administered under s. 1008.22(6) to~~
 1708 ~~evaluate the performance of students portion of a classroom~~
 1709 ~~teacher's evaluation for courses that are not assessed by~~
 1710 ~~statewide, standardized assessments. Learning targets must be~~
 1711 ~~approved by the school principal. A district school~~
 1712 ~~superintendent may assign to instructional personnel in an~~
 1713 ~~instructional team the student learning growth of the~~
 1714 ~~instructional team's students on statewide assessments. This~~
 1715 ~~paragraph expires July 1, 2015.~~

1716 (8) RULEMAKING.—The State Board of Education shall adopt

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1717 rules pursuant to ss. 120.536(1) and 120.54 which establish
 1718 uniform procedures and format for the submission, review, and
 1719 approval of district evaluation systems and reporting
 1720 requirements for the annual evaluation of instructional
 1721 personnel and school administrators; specific, discrete
 1722 standards for each performance level required under subsection
 1723 (2) to ensure clear and sufficient differentiation in the
 1724 performance levels and to provide consistency in meaning across
 1725 school districts; the measurement of student learning growth and
 1726 associated implementation procedures required under subsection
 1727 (7); and a process for monitoring school district implementation
 1728 of evaluation systems in accordance with this section.

1729 ~~Specifically, The rules shall establish student performance~~
 1730 ~~levels that if not met will result in the employee receiving an~~
 1731 ~~unsatisfactory performance evaluation rating. In like manner,~~
 1732 ~~the rules shall establish a student performance level that must~~
 1733 ~~be met in order for an employee to receive a highly effective~~
 1734 ~~rating and a student learning growth standard that must be met~~
 1735 ~~in order for an employee to receive an effective rating.~~

1736 (9) TRANSITION TO NEW STATEWIDE, STANDARDIZED
 1737 ASSESSMENTS.—Standards for each performance level required under
 1738 subsection (2) shall be established by the State Board of
 1739 Education beginning with the 2015-2016 school year.

1740 ~~(10) DISTRICT BONUS REWARDS FOR PERFORMANCE PAY BASED ON~~
 1741 ~~EVALUATION PROGRESS. School districts are eligible for bonus~~
 1742 ~~rewards as provided for in the 2014 General Appropriations Act~~

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1743 ~~for making outstanding progress toward educator effectiveness,~~
 1744 ~~including implementation of instructional personnel salaries~~
 1745 ~~based on performance results under s. 1012.34 and the use of~~
 1746 ~~local assessment results in personnel evaluations when~~
 1747 ~~statewide, standardized assessments are not administered.~~

1748 Section 13. Section 1012.3401, Florida Statutes, is
 1749 repealed.

1750 Section 14. Subsection (2) of section 1012.585, Florida
 1751 Statutes, is amended to read:

1752 1012.585 Process for renewal of professional
 1753 certificates.-

1754 (2)(a) All professional certificates, except a
 1755 nonrenewable professional certificate, shall be renewable for
 1756 successive periods not to exceed 5 years after the date of
 1757 submission of documentation of completion of the requirements
 1758 for renewal provided in subsection (3). Only one renewal may be
 1759 granted during each 5-year validity period of a professional
 1760 certificate. The Commissioner of Education shall post the
 1761 renewal application and fee requirements on the department's
 1762 website.

1763 (b) A teacher with national certification from the
 1764 National Board for Professional Teaching Standards is deemed to
 1765 meet state renewal requirements for the life of the teacher's
 1766 national certificate in the subject shown on the national
 1767 certificate. A complete renewal application and fee shall be
 1768 submitted. ~~The Commissioner of Education shall notify teachers~~

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1769 ~~of the renewal application and fee requirements.~~

1770 (c) A teacher employed in a public school in the state
 1771 whose student performance meets the standard of highly effective
 1772 based on the performance standards for the student learning
 1773 growth model under s. 1012.34(8) for any three years during the
 1774 renewal period is deemed to meet state renewal requirements for
 1775 the next renewal period of the professional certificate. A
 1776 teacher who meets the requirements of this paragraph must submit
 1777 a complete renewal application and fee.

1778 ~~(d)(e)~~ If the renewal application form is not received by
 1779 the department or by the employing school district before the
 1780 expiration of the professional certificate, the application
 1781 form, application fee, and a late fee must be submitted before
 1782 July 1 of the year following expiration of the certificate in
 1783 order to renew the professional certificate.

1784 ~~(e)(d)~~ The State Board of Education shall adopt rules to
 1785 allow a 1-year extension of the validity period of a
 1786 professional certificate in the event of serious illness,
 1787 injury, or other extraordinary extenuating circumstances of the
 1788 applicant. The department shall grant such 1-year extension upon
 1789 written request by the applicant or by the district school
 1790 superintendent or the governing authority of a university lab
 1791 school, state-supported school, or private school that employs
 1792 the applicant.

1793 Section 15. Subsection (10) of section 1012.98, Florida
 1794 Statutes, is amended to read:

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1795 1012.98 School Community Professional Development Act.-
1796 (10) For instructional personnel ~~teachers, managers,~~ and
1797 administrative personnel who have been evaluated as less than
1798 effective ~~satisfactory~~, a district school board shall require
1799 participation in specific professional development programs as
1800 provided in subparagraph (4)(b)4. as part of the improvement
1801 prescription.
1802 Section 16. This act shall take effect upon becoming a
1803 law.