

By Senator Montford

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1 A bill to be entitled
2 An act relating to education accountability; amending
3 s. 1002.33, F.S.; requiring an application and charter
4 for a high school charter school to require the
5 administration of a specified assessment for
6 graduation purposes; amending s. 1003.4156, F.S.;
7 revising the mathematics and social studies
8 requirements for student promotion to high school and
9 for certain high school credits; amending s.
10 1003.4282, F.S.; revising the requirements for a
11 standard high school diploma; deleting provisions
12 requiring a student or transfer student to take a
13 statewide, standardized Algebra II assessment or a
14 Geometry or United States History end-of-course (EOC)
15 assessment; amending s. 1003.4285, F.S.; revising the
16 standard high school diploma designation requirements
17 for mathematics and social studies; amending s.
18 1008.22, F.S.; revising the grades in which the
19 statewide, standardized Reading assessment must be
20 administered; revising the administration of the
21 statewide, standardized Mathematics and Science
22 assessments and the English Language Arts (ELA)
23 assessment; deleting requirements that a student take
24 an EOC assessment in Geometry, Algebra II, United
25 States History, or Civics; deleting a provision
26 authorizing the Commissioner of Education to establish
27 a schedule for the development and administration of
28 additional statewide, standardized EOC assessments;
29 authorizing the Department of Education to expand

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30 languages in which statewide, standardized assessments
31 are administered; requiring that such assessments be
32 provided at no cost to the school districts; requiring
33 the commissioner to provide a nonelectronic option for
34 the administration of specified assessments; requiring
35 the commissioner to implement contracts for the
36 selection of nationally recognized alternate high
37 school assessments; requiring the department to
38 conduct a study regarding student performance on
39 assessments; requiring specified ELA and Mathematics
40 assessments to be held within a specified timeframe;
41 requiring a report to the State Board of Education,
42 the Governor, and the Legislature by a specified date;
43 requiring the commissioner to provide a specified
44 analysis to each school district regarding student
45 achievement levels and Learning Gains on each
46 statewide, standardized assessment; requiring the
47 department to include a summary of a specified
48 analysis in a report to the Governor and the
49 Legislature; creating s. 1008.223, F.S.; providing a
50 purpose; providing responsibilities of the
51 commissioner to select and approve a nationally
52 recognized high school assessment to administer in
53 lieu of the Florida Standards Assessment; authorizing
54 school districts to select the assessment; providing
55 requirements for the assessment; requiring the
56 commissioner to use an invitation to negotiate to
57 fulfill certain requirements; requiring the
58 commissioner to require certain entities to include

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59 specified information; requiring the commissioner to
60 consult with, and receive recommendations for
61 alternate assessments from, specified entities;
62 providing that the nationally recognized high school
63 assessment satisfies the high school graduation
64 requirements; providing responsibilities of school
65 districts; amending s. 1008.25, F.S.; requiring each
66 district school board to include the results of a
67 specified analysis in its annual report to parents;
68 amending s. 1008.34, F.S.; redefining the term
69 "Learning Gains"; revising the calculation for school
70 grades; requiring that the commissioner develop models
71 for a specified purpose; deleting obsolete language;
72 amending s. 1008.345, F.S.; requiring the
73 commissioner's report to the Legislature on education
74 accountability to include a specified analysis;
75 amending s. 1012.34, F.S.; deleting a provision
76 requiring the department to approve the evaluation
77 systems for instructional personnel and school
78 administrators; revising the performance evaluation
79 systems for instructional personnel and school
80 administrators; requiring the board to adopt rules for
81 the monitoring, rather than for the submission,
82 review, and approval, of such systems; deleting
83 provisions relating to the transition to statewide,
84 standardized assessments; amending ss. 1002.331,
85 1012.341, and 1012.562, F.S.; conforming cross-
86 references; providing an effective date.
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88 WHEREAS, Florida has led the country in establishing and
89 implementing a rigorous assessment and accountability system,
90 but the testing of Florida's students, rather than actual
91 instruction, now dominates classroom time, and

92 WHEREAS, the introduction and requirement of end-of-course
93 assessments in middle and high school only serve to increase the
94 overall number of assessments on students while diminishing
95 instructional time, and

96 WHEREAS, Florida should reduce the overall number of
97 assessments, including the 9th grade Florida Standards
98 Assessment, and should eliminate all end-of-course assessments,
99 except for Algebra I and Biology I, to allow more instructional
100 time for students at all levels, and

101 WHEREAS, Florida should authorize an alternate, nationally
102 recognized assessment in high school that is also recognized by
103 colleges and universities, to increase opportunities for
104 students to be successful in college, and

105 WHEREAS, Florida has implemented numerous acceleration and
106 choice programs at the college level for students that
107 incorporate assessments as a measure of student performance,
108 including advanced placement, International Baccalaureate,
109 Advanced International Certificate of Education, dual
110 enrollment, and certificate programs, and

111 WHEREAS, Florida should increase the acceleration and
112 choice opportunities at the high school level by reducing
113 overall required assessments, and

114 WHEREAS, Florida should increase instructional time by
115 authorizing the use of paper and pencil assessments instead of
116 online assessments that disrupt instruction, especially in high

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117 school, and

118 WHEREAS, assessments continue to drive the teacher and
 119 administrator performance evaluation system, and Florida should
 120 disentangle these evaluations from assessments in order to focus
 121 on classroom instruction, and

122 WHEREAS, Florida should take advantage of the flexibility
 123 afforded by the federal Every Student Succeeds Act, NOW,
 124 THEREFORE,

125

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

127

128 Section 1. Paragraph (a) of subsection (6), paragraph (a)
 129 of subsection (7), paragraph (e) of subsection (10), and
 130 paragraphs (b) and (c) of subsection (15) of section 1002.33,
 131 Florida Statutes, are amended to read:

132 1002.33 Charter schools.—

133 (6) APPLICATION PROCESS AND REVIEW.—Charter school
 134 applications are subject to the following requirements:

135 (a) A person or entity seeking to open a charter school
 136 shall prepare and submit an application on a model application
 137 form prepared by the Department of Education which:

138 1. Demonstrates how the school will use the guiding
 139 principles and meet the statutorily defined purpose of a charter
 140 school.

141 2. Provides a detailed curriculum plan that illustrates how
 142 students will be provided services to attain the Sunshine State
 143 Standards.

144 3. Contains goals and objectives for improving student
 145 learning and measuring that improvement. These goals and

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146 objectives must indicate how much academic improvement students
147 are expected to show each year, how success will be evaluated,
148 and the specific results to be attained through instruction. For
149 a proposed high school charter school, the application must
150 indicate that the charter school will administer the same grade
151 10 English Language Arts assessment for high school graduation
152 purposes which is administered by the local school district.

153 4. Describes the reading curriculum and differentiated
154 strategies that will be used for students reading at grade level
155 or higher and a separate curriculum and strategies for students
156 who are reading below grade level. A sponsor shall deny an
157 application if the school does not propose a reading curriculum
158 that is consistent with effective teaching strategies that are
159 grounded in scientifically based reading research.

160 5. Contains an annual financial plan for each year
161 requested by the charter for operation of the school for up to 5
162 years. This plan must contain anticipated fund balances based on
163 revenue projections, a spending plan based on projected revenues
164 and expenses, and a description of controls that will safeguard
165 finances and projected enrollment trends.

166 6. Discloses the name of each applicant, governing board
167 member, and all proposed education services providers; the name
168 and sponsor of any charter school operated by each applicant,
169 each governing board member, and each proposed education
170 services provider that has closed and the reasons for the
171 closure; and the academic and financial history of such charter
172 schools, which the sponsor shall consider in deciding whether to
173 approve or deny the application.

174 7. Contains additional information a sponsor may require,

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175 which shall be attached as an addendum to the charter school
176 application described in this paragraph.

177 8. For the establishment of a virtual charter school,
178 documents that the applicant has contracted with a provider of
179 virtual instruction services pursuant to s. 1002.45(1)(d).

180 (7) CHARTER.—The major issues involving the operation of a
181 charter school shall be considered in advance and written into
182 the charter. The charter shall be signed by the governing board
183 of the charter school and the sponsor, following a public
184 hearing to ensure community input.

185 (a) The charter shall address and criteria for approval of
186 the charter shall be based on:

187 1. The school's mission, the students to be served, and the
188 ages and grades to be included.

189 2. The focus of the curriculum, the instructional methods
190 to be used, any distinctive instructional techniques to be
191 employed, and identification and acquisition of appropriate
192 technologies needed to improve educational and administrative
193 performance which include a means for promoting safe, ethical,
194 and appropriate uses of technology which comply with legal and
195 professional standards.

196 a. The charter shall ensure that reading is a primary focus
197 of the curriculum and that resources are provided to identify
198 and provide specialized instruction for students who are reading
199 below grade level. The curriculum and instructional strategies
200 for reading must be consistent with the Next Generation Sunshine
201 State Standards and grounded in scientifically based reading
202 research.

203 b. In order to provide students with access to diverse

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204 instructional delivery models, to facilitate the integration of
205 technology within traditional classroom instruction, and to
206 provide students with the skills they need to compete in the
207 21st century economy, the Legislature encourages instructional
208 methods for blended learning courses consisting of both
209 traditional classroom and online instructional techniques.
210 Charter schools may implement blended learning courses which
211 combine traditional classroom instruction and virtual
212 instruction. Students in a blended learning course must be full-
213 time students of the charter school and receive the online
214 instruction in a classroom setting at the charter school.
215 Instructional personnel certified pursuant to s. 1012.55 who
216 provide virtual instruction for blended learning courses may be
217 employees of the charter school or may be under contract to
218 provide instructional services to charter school students. At a
219 minimum, such instructional personnel must hold an active state
220 or school district adjunct certification under s. 1012.57 for
221 the subject area of the blended learning course. The funding and
222 performance accountability requirements for blended learning
223 courses are the same as those for traditional courses.

224 3. The current incoming baseline standard of student
225 academic achievement, the outcomes to be achieved, and the
226 method of measurement that will be used. The criteria listed in
227 this subparagraph shall include a detailed description of:

228 a. How the baseline student academic achievement levels and
229 prior rates of academic progress will be established.

230 b. How these baseline rates will be compared to rates of
231 academic progress achieved by these same students while
232 attending the charter school.

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233 c. To the extent possible, how these rates of progress will
234 be evaluated and compared with rates of progress of other
235 closely comparable student populations.
236

237 The district school board is required to provide academic
238 student performance data to charter schools for each of their
239 students coming from the district school system, as well as
240 rates of academic progress of comparable student populations in
241 the district school system.

242 4. The methods used to identify the educational strengths
243 and needs of students and how well educational goals and
244 performance standards are met by students attending the charter
245 school. The methods shall provide a means for the charter school
246 to ensure accountability to its constituents by analyzing
247 student performance data and by evaluating the effectiveness and
248 efficiency of its major educational programs. Students in
249 charter schools shall, at a minimum, participate in the
250 statewide assessment program created under s. 1008.22.

251 5. In secondary charter schools, a method for determining
252 that a student has satisfied the requirements for graduation in
253 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

254 6. In high school charter schools, a provision in the
255 charter that specifies the charter school will administer the
256 same grade 10 English Language Arts assessment for high school
257 graduation purposes which is administered by the local school
258 district.

259 ~~7.6.~~ A method for resolving conflicts between the governing
260 board of the charter school and the sponsor.

261 ~~8.7.~~ The admissions procedures and dismissal procedures,

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262 including the school's code of student conduct. Admission or
263 dismissal must not be based on a student's academic performance.

264 ~~9.8.~~ The ways by which the school will achieve a
265 racial/ethnic balance reflective of the community it serves or
266 within the racial/ethnic range of other public schools in the
267 same school district.

268 ~~10.9.~~ The financial and administrative management of the
269 school, including a reasonable demonstration of the professional
270 experience or competence of those individuals or organizations
271 applying to operate the charter school or those hired or
272 retained to perform such professional services and the
273 description of clearly delineated responsibilities and the
274 policies and practices needed to effectively manage the charter
275 school. A description of internal audit procedures and
276 establishment of controls to ensure that financial resources are
277 properly managed must be included. Both public sector and
278 private sector professional experience shall be equally valid in
279 such a consideration.

280 ~~11.10.~~ The asset and liability projections required in the
281 application which are incorporated into the charter and shall be
282 compared with information provided in the annual report of the
283 charter school.

284 ~~12.11.~~ A description of procedures that identify various
285 risks and provide for a comprehensive approach to reduce the
286 impact of losses; plans to ensure the safety and security of
287 students and staff; plans to identify, minimize, and protect
288 others from violent or disruptive student behavior; and the
289 manner in which the school will be insured, including whether or
290 not the school will be required to have liability insurance,

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291 and, if so, the terms and conditions thereof and the amounts of
292 coverage.

293 ~~13.12.~~ The term of the charter which shall provide for
294 cancellation of the charter if insufficient progress has been
295 made in attaining the student achievement objectives of the
296 charter and if it is not likely that such objectives can be
297 achieved before expiration of the charter. The initial term of a
298 charter shall be for 4 or 5 years. In order to facilitate access
299 to long-term financial resources for charter school
300 construction, charter schools that are operated by a
301 municipality or other public entity as provided by law are
302 eligible for up to a 15-year charter, subject to approval by the
303 district school board. A charter lab school is eligible for a
304 charter for a term of up to 15 years. In addition, to facilitate
305 access to long-term financial resources for charter school
306 construction, charter schools that are operated by a private,
307 not-for-profit, s. 501(c)(3) status corporation are eligible for
308 up to a 15-year charter, subject to approval by the district
309 school board. Such long-term charters remain subject to annual
310 review and may be terminated during the term of the charter, but
311 only according to the provisions set forth in subsection (8).

312 ~~14.13.~~ The facilities to be used and their location. The
313 sponsor may not require a charter school to have a certificate
314 of occupancy or a temporary certificate of occupancy for such a
315 facility earlier than 15 calendar days before the first day of
316 school.

317 ~~15.14.~~ The qualifications to be required of the teachers
318 and the potential strategies used to recruit, hire, train, and
319 retain qualified staff to achieve best value.

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320 ~~16.15.~~ The governance structure of the school, including
321 the status of the charter school as a public or private employer
322 as required in paragraph (12)(i).

323 ~~17.16.~~ A timetable for implementing the charter which
324 addresses the implementation of each element thereof and the
325 date by which the charter shall be awarded in order to meet this
326 timetable.

327 ~~18.17.~~ In the case of an existing public school that is
328 being converted to charter status, alternative arrangements for
329 current students who choose not to attend the charter school and
330 for current teachers who choose not to teach in the charter
331 school after conversion in accordance with the existing
332 collective bargaining agreement or district school board rule in
333 the absence of a collective bargaining agreement. However,
334 alternative arrangements shall not be required for current
335 teachers who choose not to teach in a charter lab school, except
336 as authorized by the employment policies of the state university
337 which grants the charter to the lab school.

338 ~~19.18.~~ Full disclosure of the identity of all relatives
339 employed by the charter school who are related to the charter
340 school owner, president, chairperson of the governing board of
341 directors, superintendent, governing board member, principal,
342 assistant principal, or any other person employed by the charter
343 school who has equivalent decisionmaking authority. For the
344 purpose of this subparagraph, the term "relative" means father,
345 mother, son, daughter, brother, sister, uncle, aunt, first
346 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
347 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
348 stepfather, stepmother, stepson, stepdaughter, stepbrother,

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349 stepsister, half brother, or half sister.

350 ~~20.19.~~ Implementation of the activities authorized under s.
351 1002.331 by the charter school when it satisfies the eligibility
352 requirements for a high-performing charter school. A high-
353 performing charter school shall notify its sponsor in writing by
354 March 1 if it intends to increase enrollment or expand grade
355 levels the following school year. The written notice shall
356 specify the amount of the enrollment increase and the grade
357 levels that will be added, as applicable.

358 (10) ELIGIBLE STUDENTS.—

359 (e) A charter school may limit the enrollment process only
360 to target the following student populations:

361 1. Students within specific age groups or grade levels.

362 2. Students considered at risk of dropping out of school or
363 academic failure. Such students shall include exceptional
364 education students.

365 3. Students enrolling in a charter school-in-the-workplace
366 or charter school-in-a-municipality established pursuant to
367 subsection (15).

368 4. Students residing within a reasonable distance of the
369 charter school, as described in paragraph (20)(c). Such students
370 shall be subject to a random lottery and to the racial/ethnic
371 balance provisions described in subparagraph (7)(a)9. ~~(7)(a)8.~~
372 or any federal provisions that require a school to achieve a
373 racial/ethnic balance reflective of the community it serves or
374 within the racial/ethnic range of other public schools in the
375 same school district.

376 5. Students who meet reasonable academic, artistic, or
377 other eligibility standards established by the charter school

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378 and included in the charter school application and charter or,
379 in the case of existing charter schools, standards that are
380 consistent with the school's mission and purpose. Such standards
381 shall be in accordance with current state law and practice in
382 public schools and may not discriminate against otherwise
383 qualified individuals.

384 6. Students articulating from one charter school to another
385 pursuant to an articulation agreement between the charter
386 schools that has been approved by the sponsor.

387 7. Students living in a development in which a business
388 entity provides the school facility and related property having
389 an appraised value of at least \$10 million to be used as a
390 charter school for the development. Students living in the
391 development shall be entitled to 50 percent of the student
392 stations in the charter school. The students who are eligible
393 for enrollment are subject to a random lottery, the
394 racial/ethnic balance provisions, or any federal provisions, as
395 described in subparagraph 4. The remainder of the student
396 stations shall be filled in accordance with subparagraph 4.

397 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
398 A-MUNICIPALITY.—

399 (b) A charter school-in-the-workplace may be established
400 when a business partner provides the school facility to be used;
401 enrolls students based upon a random lottery that involves all
402 of the children of employees of that business or corporation who
403 are seeking enrollment, as provided for in subsection (10); and
404 enrolls students according to the racial/ethnic balance
405 provisions described in subparagraph (7) (a) 9. ~~(7) (a) 8.~~ Any
406 portion of a facility used for a public charter school shall be

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407 exempt from ad valorem taxes, as provided for in s. 1013.54, for
408 the duration of its use as a public school.

409 (c) A charter school-in-a-municipality designation may be
410 granted to a municipality that possesses a charter; enrolls
411 students based upon a random lottery that involves all of the
412 children of the residents of that municipality who are seeking
413 enrollment, as provided for in subsection (10); and enrolls
414 students according to the racial/ethnic balance provisions
415 described in subparagraph (7)(a)9. ~~(7)(a)8.~~ When a municipality
416 has submitted charter applications for the establishment of a
417 charter school feeder pattern, consisting of elementary, middle,
418 and senior high schools, and each individual charter application
419 is approved by the district school board, such schools shall
420 then be designated as one charter school for all purposes listed
421 pursuant to this section. Any portion of the land and facility
422 used for a public charter school shall be exempt from ad valorem
423 taxes, as provided for in s. 1013.54, for the duration of its
424 use as a public school.

425 Section 2. Paragraphs (b) and (c) of subsection (1) of
426 section 1003.4156, Florida Statutes, are amended to read:

427 1003.4156 General requirements for middle grades
428 promotion.—

429 (1) In order for a student to be promoted to high school
430 from a school that includes middle grades 6, 7, and 8, the
431 student must successfully complete the following courses:

432 (b) Three middle grades or higher courses in mathematics.
433 Each school that includes middle grades must offer at least one
434 high school level mathematics course for which students may earn
435 high school credit. Successful completion of a high school level

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436 Algebra I ~~or Geometry~~ course is not contingent upon the
437 student's performance on the statewide, standardized Algebra I
438 end-of-course (EOC) assessment. To earn high school credit for
439 Algebra I, a middle grades student must take the statewide,
440 standardized Algebra I EOC assessment and pass the course, and,
441 in addition, ~~beginning with the 2013-2014 school year and~~
442 ~~thereafter,~~ a student's performance on the Algebra I EOC
443 assessment constitutes 30 percent of the student's final course
444 grade. ~~To earn high school credit for a Geometry course, a~~
445 ~~middle grades student must take the statewide, standardized~~
446 ~~Geometry EOC assessment, which constitutes 30 percent of the~~
447 ~~student's final course grade, and earn a passing grade in the~~
448 ~~course.~~

449 (c) Three middle grades or higher courses in social
450 studies. ~~Beginning with students entering grade 6 in the 2012-~~
451 ~~2013 school year,~~ One of these courses must be at least a one-
452 semester civics education course that includes the roles and
453 responsibilities of federal, state, and local governments; the
454 structures and functions of the legislative, executive, and
455 judicial branches of government; and the meaning and
456 significance of historic documents, such as the Articles of
457 Confederation, the Declaration of Independence, and the
458 Constitution of the United States. ~~Beginning with the 2013-2014~~
459 ~~school year, each student's performance on the statewide,~~
460 ~~standardized EOC assessment in civics education required under~~
461 ~~s. 1008.22 constitutes 30 percent of the student's final course~~
462 ~~grade. A middle grades student who transfers into the state's~~
463 ~~public school system from out of country, out of state, a~~
464 ~~private school, or a home education program after the beginning~~

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465 ~~of the second term of grade 8 is not required to meet the civics~~
466 ~~education requirement for promotion from the middle grades if~~
467 ~~the student's transcript documents passage of three courses in~~
468 ~~social studies or two year-long courses in social studies that~~
469 ~~include coverage of civics education.~~

470

471 Each school must inform parents about the course curriculum and
472 activities. Each student shall complete a personal education
473 plan that must be signed by the student and the student's
474 parent. The Department of Education shall develop course
475 frameworks and professional development materials for the career
476 and education planning course. The course may be implemented as
477 a stand-alone course or integrated into another course or
478 courses. The Commissioner of Education shall collect
479 longitudinal high school course enrollment data by student
480 ethnicity in order to analyze course-taking patterns.

481 Section 3. Paragraphs (b) and (d) of subsection (3) and
482 subsections (7) and (9) of section 1003.4282, Florida Statutes,
483 are amended to read:

484 1003.4282 Requirements for a standard high school diploma.—

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

487 (b) *Four credits in mathematics.*—A student must earn one
488 credit in Algebra I and one credit in Geometry. A student's
489 performance on the statewide, standardized Algebra I end-of-
490 course (EOC) assessment constitutes 30 percent of the student's
491 final course grade. A student must pass the statewide,
492 standardized Algebra I EOC assessment, or earn a comparative
493 score, in order to earn a standard high school diploma. ~~A~~

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494 ~~student's performance on the statewide, standardized Geometry~~
495 ~~EOC assessment constitutes 30 percent of the student's final~~
496 ~~course grade. If the state administers a statewide, standardized~~
497 ~~Algebra II assessment, a student selecting Algebra II must take~~
498 ~~the assessment, and the student's performance on the assessment~~
499 ~~constitutes 30 percent of the student's final course grade. A~~
500 student who earns an industry certification for which there is a
501 statewide college credit articulation agreement approved by the
502 State Board of Education may substitute the certification for
503 one mathematics credit. Substitution may occur for up to two
504 mathematics credits, except for Algebra I and Geometry.

505 (d) *Three credits in social studies.*—A student must earn
506 one credit in United States History; one credit in World
507 History; one-half credit in economics, which must include
508 financial literacy; and one-half credit in United States
509 Government. ~~The United States History EOC assessment constitutes~~
510 ~~30 percent of the student's final course grade.~~

511 (7) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS. ~~Beginning with~~
512 ~~the 2012-2013 school year,~~ If a student transfers to a Florida
513 public high school from out of country, out of state, a private
514 school, or a home education program and the student's transcript
515 shows a credit in Algebra I, the student must pass the
516 statewide, standardized Algebra I EOC assessment in order to
517 earn a standard high school diploma unless the student earned a
518 comparative score, passed a statewide assessment in Algebra I
519 administered by the transferring entity, or passed the statewide
520 Mathematics assessment the transferring entity uses to satisfy
521 the requirements of the Elementary and Secondary Education Act,
522 20 U.S.C. s. 6301. If a student's transcript shows a credit in

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523 high school reading or English Language Arts II or III, in order
524 to earn a standard high school diploma, the student must take
525 and pass the statewide, standardized grade 10 Reading assessment
526 or, when implemented, the grade 10 ELA assessment, or earn a
527 concordant score. If a transfer student's transcript shows a
528 final course grade and course credit in Algebra I or, ~~Geometry,~~
529 ~~Biology I, or United States History,~~ the transferring course
530 final grade and credit shall be honored without the student
531 taking the requisite statewide, standardized EOC assessment and
532 without the assessment result ~~results~~ constituting 30 percent of
533 the student's final course grade.

534 (9) COHORT TRANSITION TO NEW GRADUATION REQUIREMENTS.—The
535 requirements of this section, in addition to applying to
536 students entering grade 9 in the 2013-2014 school year and
537 thereafter, shall also apply to students entering grade 9 before
538 the 2013-2014 school year, except as otherwise provided in this
539 subsection.

540 (a) A student entering grade 9 before the 2010-2011 school
541 year must earn:

542 1. Four credits in English/ELA. A student must pass the
543 statewide, standardized grade 10 Reading assessment, or earn a
544 concordant score, in order to graduate with a standard high
545 school diploma.

546 2. Four credits in mathematics, which must include Algebra
547 I. A student must pass grade 10 FCAT Mathematics, or earn a
548 concordant score, in order to graduate with a standard high
549 school diploma. A student who takes Algebra I ~~or Geometry~~ after
550 the 2010-2011 school year must take the statewide, standardized
551 EOC assessment for the course but is not required to pass the

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552 assessment in order to earn course credit. A student's
553 performance on the Algebra I ~~or Geometry~~ EOC assessment is not
554 required to constitute 30 percent of the student's final course
555 grade. A student who earns an industry certification for which
556 there is a statewide college credit articulation agreement
557 approved by the State Board of Education may substitute the
558 certification for one mathematics credit. Substitution may occur
559 for up to two mathematics credits, except for Algebra I.

560 3. Three credits in science, two of which must have a
561 laboratory component. A student who takes Biology I after the
562 2010-2011 school year must take the statewide, standardized
563 Biology I EOC assessment but is not required to pass the
564 assessment in order to earn course credit. A student's
565 performance on the assessment is not required to constitute 30
566 percent of the student's final course grade. A student who earns
567 an industry certification for which there is a statewide college
568 credit articulation agreement approved by the State Board of
569 Education may substitute the certification for one science
570 credit.

571 4. Three credits in social studies of which one credit in
572 World History, one credit in United States History, one-half
573 credit in United States Government, and one-half credit in
574 economics are required. ~~A student who takes United States
575 History after the 2011-2012 school year must take the statewide,
576 standardized United States History EOC assessment, but the
577 student's performance on the assessment is not required to
578 constitute 30 percent of the student's final course grade.~~

579 5. One credit in fine or performing arts, speech and
580 debate, or practical arts as provided in paragraph (3) (e).

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581 6. One credit in physical education as provided in
582 paragraph (3) (f).

583 7. Eight credits in electives.

584 (b) A student entering grade 9 in the 2010-2011 school year
585 must earn:

586 1. Four credits in English/ELA. A student must pass the
587 statewide, standardized grade 10 Reading assessment, or earn a
588 concordant score, in order to graduate with a standard high
589 school diploma.

590 2. Four credits in mathematics, which must include Algebra
591 I and Geometry. The statewide, standardized Algebra I EOC
592 assessment constitutes 30 percent of the student's final course
593 grade. A student who takes Algebra I ~~or Geometry~~ after the 2010-
594 2011 school year must take the statewide, standardized EOC
595 assessment for the course but is not required to pass the
596 assessment in order to earn course credit. ~~A student's~~
597 ~~performance on the Geometry EOC assessment is not required to~~
598 ~~constitute 30 percent of the student's final course grade.~~ A
599 student who earns an industry certification for which there is a
600 statewide college credit articulation agreement approved by the
601 State Board of Education may substitute the certification for
602 one mathematics credit. Substitution may occur for up to two
603 mathematics credits, except for Algebra I and Geometry.

604 3. Three credits in science, two of which must have a
605 laboratory component. A student who takes Biology I after the
606 2010-2011 school year must take the statewide, standardized
607 Biology I EOC assessment but is not required to pass the
608 assessment in order to earn course credit. A student's
609 performance on the assessment is not required to constitute 30

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610 percent of the student's final course grade. A student who earns
611 an industry certification for which there is a statewide college
612 credit articulation agreement approved by the State Board of
613 Education may substitute the certification for one science
614 credit, except for Biology I.

615 4. Three credits in social studies of which one credit in
616 World History, one credit in United States History, one-half
617 credit in United States Government, and one-half credit in
618 economics are required. ~~A student who takes United States
619 History after the 2011-2012 school year must take the statewide,
620 standardized United States History EOC assessment, but the
621 student's performance on the assessment is not required to
622 constitute 30 percent of the student's final course grade.~~

623 5. One credit in fine or performing arts, speech and
624 debate, or practical arts as provided in paragraph (3) (e).

625 6. One credit in physical education as provided in
626 paragraph (3) (f).

627 7. Eight credits in electives.

628 (c) A student entering grade 9 in the 2011-2012 school year
629 must earn:

630 1. Four credits in English/ELA. A student must pass the
631 statewide, standardized grade 10 Reading assessment, or earn a
632 concordant score, in order to graduate with a standard high
633 school diploma.

634 2. Four credits in mathematics, which must include Algebra
635 I and Geometry. A student who takes Algebra I after the 2010-
636 2011 school year must pass the statewide, standardized Algebra I
637 EOC assessment, or earn a comparative score, in order to earn a
638 standard high school diploma. A student who takes Algebra I ~~or~~

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639 ~~Geometry~~ after the 2010-2011 school year must take the
640 statewide, standardized EOC assessment but is not required to
641 pass the Algebra I ~~or Geometry~~ EOC assessment in order to earn
642 course credit. A student's performance on the Algebra I ~~or~~
643 ~~Geometry~~ EOC assessment is not required to constitute 30 percent
644 of the student's final course grade. A student who earns an
645 industry certification for which there is a statewide college
646 credit articulation agreement approved by the State Board of
647 Education may substitute the certification for one mathematics
648 credit. Substitution may occur for up to two mathematics
649 credits, except for Algebra I and Geometry.

650 3. Three credits in science, two of which must have a
651 laboratory component. One of the science credits must be Biology
652 I. A student who takes Biology I after the 2010-2011 school year
653 must take the statewide, standardized Biology I EOC assessment
654 but is not required to pass the assessment in order to earn
655 course credit. A student's performance on the assessment is not
656 required to constitute 30 percent of the student's final course
657 grade. A student who earns an industry certification for which
658 there is a statewide college credit articulation agreement
659 approved by the State Board of Education may substitute the
660 certification for one science credit, except for Biology I.

661 4. Three credits in social studies of which one credit in
662 World History, one credit in United States History, one-half
663 credit in United States Government, and one-half credit in
664 economics are required. ~~A student who takes United States~~
665 ~~History after the 2011-2012 school year must take the statewide,~~
666 ~~standardized United States History EOC assessment, but the~~
667 ~~student's performance on the assessment is not required to~~

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668 ~~constitute 30 percent of the student's final course grade.~~

669 5. One credit in fine or performing arts, speech and
670 debate, or practical arts as provided in paragraph (3)(e).

671 6. One credit in physical education as provided in
672 paragraph (3)(f).

673 7. Eight credits in electives.

674 8. One online course as provided in subsection (4).

675 (d) A student entering grade 9 in the 2012-2013 school year
676 must earn:

677 1. Four credits in English/ELA. A student must pass the
678 statewide, standardized grade 10 Reading assessment, or earn a
679 concordant score, in order to graduate with a standard high
680 school diploma.

681 2. Four credits in mathematics, which must include Algebra
682 I and Geometry. A student who takes Algebra I after the 2010-
683 2011 school year must pass the statewide, standardized Algebra I
684 EOC assessment, or earn a comparative score, in order to earn a
685 standard high school diploma. ~~A student who takes Geometry after~~
686 ~~the 2010-2011 school year must take the statewide, standardized~~
687 ~~Geometry EOC assessment.~~ A student is not required to pass the
688 statewide, standardized EOC assessment in Algebra I ~~or Geometry~~
689 in order to earn course credit. A student's performance on the
690 Algebra I ~~or Geometry~~ EOC assessment is not required to
691 constitute 30 percent of the student's final course grade. A
692 student who earns an industry certification for which there is a
693 statewide college credit articulation agreement approved by the
694 State Board of Education may substitute the certification for
695 one mathematics credit. Substitution may occur for up to two
696 mathematics credits, except for Algebra I and Geometry.

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697 3. Three credits in science, two of which must have a
698 laboratory component. One of the science credits must be Biology
699 I. A student who takes Biology I after the 2010-2011 school year
700 must take the statewide, standardized Biology I EOC assessment
701 but is not required to pass the assessment to earn course
702 credit. A student's performance on the assessment is not
703 required to constitute 30 percent of the student's final course
704 grade. A student who earns an industry certification for which
705 there is a statewide college credit articulation agreement
706 approved by the State Board of Education may substitute the
707 certification for one science credit, except for Biology I.

708 4. Three credits in social studies of which one credit in
709 World History, one credit in United States History, one-half
710 credit in United States Government, and one-half credit in
711 economics are required. ~~The statewide, standardized United~~
712 ~~States History EOC assessment constitutes 30 percent of the~~
713 ~~student's final course grade.~~

714 5. One credit in fine or performing arts, speech and
715 debate, or practical arts as provided in paragraph (3) (e).

716 6. One credit in physical education as provided in
717 paragraph (3) (f).

718 7. Eight credits in electives.

719 8. One online course as provided in subsection (4).

720 (e) Policy adopted in rule by the district school board may
721 require for any cohort of students that performance on a
722 statewide, standardized EOC assessment constitute 30 percent of
723 a student's final course grade.

724 (f) This subsection is repealed July 1, 2020.

725 Section 4. Paragraph (a) of subsection (1) of section

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726 1003.4285, Florida Statutes, is amended to read:

727 1003.4285 Standard high school diploma designations.—

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

731 (a) *Scholar designation.*—In addition to the requirements of
732 s. 1003.4282, in order to earn the Scholar designation, a
733 student must satisfy the following requirements:

734 1. Mathematics.—Earn one credit in Algebra II and one
735 credit in statistics or an equally rigorous course. ~~Beginning~~
736 ~~with students entering grade 9 in the 2014-2015 school year,~~
737 ~~pass the Algebra II and Geometry statewide, standardized~~
738 ~~assessments.~~

739 2. Science.—Pass the statewide, standardized Biology I EOC
740 assessment and earn one credit in chemistry or physics and one
741 credit in a course equally rigorous to chemistry or physics.
742 However, a student enrolled in an Advanced Placement (AP),
743 International Baccalaureate (IB), or Advanced International
744 Certificate of Education (AICE) Biology course who takes the
745 respective AP, IB, or AICE Biology assessment and earns the
746 minimum score necessary to earn college credit as identified
747 pursuant to s. 1007.27(2) meets the requirement of this
748 subparagraph without having to take the statewide, standardized
749 Biology I EOC assessment.

750 3. Social studies.—~~Pass the statewide, standardized United~~
751 ~~States History EOC assessment. However,~~ A student enrolled in an
752 AP, IB, or AICE course that includes United States History
753 topics who takes the respective AP, IB, or AICE assessment and
754 earns the minimum score necessary to earn college credit as

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755 identified pursuant to s. 1007.27(2) meets the requirement of
756 this subparagraph ~~without having to take the statewide,~~
757 ~~standardized United States History EOC assessment.~~

758 4. Foreign language.—Earn two credits in the same foreign
759 language.

760 5. Electives.—Earn at least one credit in an Advanced
761 Placement, an International Baccalaureate, an Advanced
762 International Certificate of Education, or a dual enrollment
763 course.

764 Section 5. Subsections (3), (4), and (5) and paragraphs (a)
765 and (e) of subsection (7) of section 1008.22, Florida Statutes,
766 are amended, and paragraph (g) is added to subsection (11), to
767 read:

768 1008.22 Student assessment program for public schools.—

769 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
770 Commissioner of Education shall design and implement a
771 statewide, standardized assessment program aligned to the core
772 curricular content established in the Next Generation Sunshine
773 State Standards. The commissioner also must develop or select
774 and implement a common battery of assessment tools that will be
775 used in all juvenile justice education programs in the state.
776 These tools must accurately measure the core curricular content
777 established in the Next Generation Sunshine State Standards.
778 Participation in the assessment program is mandatory for all
779 school districts and all students attending public schools,
780 including adult students seeking a standard high school diploma
781 under s. 1003.4282 and students in Department of Juvenile
782 Justice education programs, except as otherwise provided by law.
783 If a student does not participate in the assessment program, the

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784 school district must notify the student's parent and provide the
785 parent with information regarding the implications of such
786 nonparticipation. The statewide, standardized assessment program
787 shall be designed and implemented as follows:

788 (a) *Statewide, standardized comprehensive assessments.*—The
789 statewide, standardized Reading assessment shall be administered
790 annually in grades 3 through 8 and grade 10. The statewide,
791 standardized Writing assessment shall be administered annually
792 at least once at the elementary, middle, and high school levels.
793 When the Reading and Writing assessments are replaced by English
794 Language Arts (ELA) assessments, ELA assessments shall be
795 administered to students in grades 3 through 8 and annually in
796 grade 10. Retake opportunities for the grade 10 Reading
797 assessment ~~or, upon implementation, the grade 10 ELA assessment~~
798 must be provided. Students taking the ELA assessments may shall
799 not take the statewide, standardized assessments in Reading or
800 Writing. ELA assessments shall be administered online unless the
801 provisions of paragraph (d) are implemented. The statewide,
802 standardized Mathematics assessments shall be administered
803 annually in grades 3 through 8, and shall be administered online
804 unless the provisions of paragraph (d) are implemented. Students
805 taking a revised Mathematics assessment may shall not take the
806 discontinued assessment. The statewide, standardized Science
807 assessment shall be administered annually at least once at the
808 elementary and middle grades levels, and shall be administered
809 online unless the provisions of paragraph (d) are implemented.
810 In order to earn a standard high school diploma, a student who
811 has not earned a passing score on the grade 10 Reading
812 assessment ~~or, upon implementation, the grade 10 ELA assessment~~

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813 or, upon implementation, a grade 10 nationally recognized high
814 school assessment selected by a school district must earn a
815 passing score on the assessment retake or earn a concordant
816 score as authorized under subsection (8).

817 (b) Algebra I and Biology I End-of-course (EOC)
818 assessments.~~The Algebra I and Biology I EOC assessments must be~~
819 ~~statewide, standardized, and developed or approved by the~~
820 ~~Department of Education.~~ as follows:

821 1. EOC assessments for Algebra I and, ~~Geometry, Algebra II,~~
822 ~~Biology I, United States History, and Civics~~ shall be
823 administered to students enrolled in such courses as specified
824 in the course code directory.

825 2. Students enrolled in Algebra I and Biology I ~~a course,~~
826 ~~as specified in the course code directory, with an associated~~
827 ~~statewide, standardized EOC assessment~~ must take the EOC
828 assessment for such course and may not take the corresponding
829 subject or grade-level statewide, standardized assessment
830 pursuant to paragraph (a). Sections 1003.4156 and 1003.4282
831 govern the use of statewide, standardized EOC assessment results
832 for students.

833 3. The commissioner may select one or more nationally
834 developed comprehensive examinations, which may include
835 examinations for a College Board Advanced Placement course,
836 International Baccalaureate course, or Advanced International
837 Certificate of Education course, or industry-approved
838 examinations to earn national industry certifications identified
839 in the CAPE Industry Certification Funding List, for use as the
840 Algebra I and Biology I EOC assessments under this paragraph if
841 the commissioner determines that the content knowledge and

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842 skills assessed by the examinations meet or exceed the grade-
843 level expectations for Algebra I and Biology I ~~the core~~
844 ~~curricular content established for the course in the Next~~
845 ~~Generation Sunshine State Standards~~. Use of any such examination
846 as an EOC assessment must be approved by the state board in
847 rule.

848 ~~4. Contingent upon funding provided in the General~~
849 ~~Appropriations Act, including the appropriation of funds~~
850 ~~received through federal grants, the commissioner may establish~~
851 ~~an implementation schedule for the development and~~
852 ~~administration of additional statewide, standardized EOC~~
853 ~~assessments that must be approved by the state board in rule. If~~
854 ~~approved by the state board, student performance on such~~
855 ~~assessments constitutes 30 percent of a student's final course~~
856 ~~grade.~~

857 ~~4.5. The Algebra I and Biology I All-statewide,~~
858 ~~standardized EOC assessments must be administered online except~~
859 ~~as otherwise provided in paragraphs ~~paragraph~~ (c) and (d).~~

860 *(c) Students with disabilities; Florida Alternate*
861 *Assessment.—*

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

866 2. A student with a disability, as defined in s. 1007.02,
867 for whom the individual education plan (IEP) team determines
868 that the statewide, standardized assessments under this section
869 cannot accurately measure the student's abilities, taking into
870 consideration all allowable accommodations, shall have

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871 assessment results waived for the purpose of receiving a course
872 grade and a standard high school diploma. Such waiver shall be
873 designated on the student's transcript. The statement of waiver
874 shall be limited to a statement that performance on an
875 assessment was waived for the purpose of receiving a course
876 grade or a standard high school diploma, as applicable.

877 3. The State Board of Education shall adopt rules, based
878 upon recommendations of the commissioner, for the provision of
879 assessment accommodations for students with disabilities and for
880 students who have limited English proficiency.

881 a. Accommodations that negate the validity of a statewide,
882 standardized assessment are not allowed during the
883 administration of the assessment. However, instructional
884 accommodations are allowed in the classroom if identified in a
885 student's IEP. Students using instructional accommodations in
886 the classroom that are not allowed on a statewide, standardized
887 assessment may have assessment results waived if the IEP team
888 determines that the assessment cannot accurately measure the
889 student's abilities.

890 b. If a student is provided with instructional
891 accommodations in the classroom that are not allowed as
892 accommodations for statewide, standardized assessments, the
893 district must inform the parent in writing and provide the
894 parent with information regarding the impact on the student's
895 ability to meet expected performance levels. A parent must
896 provide signed consent for a student to receive classroom
897 instructional accommodations that would not be available or
898 permitted on a statewide, standardized assessment and
899 acknowledge in writing that he or she understands the

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900 implications of such instructional accommodations.

901 c. If a student's IEP states that online administration of
902 a statewide, standardized assessment will significantly impair
903 the student's ability to perform, the assessment shall be
904 administered in hard copy.

905 4. For students with significant cognitive disabilities,
906 the Department of Education shall provide for implementation of
907 the Florida Alternate Assessment to accurately measure the core
908 curricular content established in the Next Generation Sunshine
909 State Standards.

910 5. The Department of Education may expand the languages in
911 which statewide, standardized assessments are administered. A
912 school district shall be provided such assessments at no cost.

913 (d) Nonelectronic option.—The commissioner shall provide an
914 alternative, nonelectronic option for the administration of the
915 ELA statewide, standardized assessment, including Writing; the
916 nationally recognized assessment approved pursuant to s.
917 1008.223; the Mathematics statewide, standardized assessment;
918 and the Algebra I and Biology I EOC assessments. The
919 commissioner shall provide the nonelectronic option to reduce
920 the time spent on assessments; increase instructional time for
921 students; and ensure that students demonstrate more successfully
922 a mastery of the standards being measured, that students have
923 the time to develop the word processing and computer skills
924 necessary to take any statewide, standardized assessment, and
925 that school districts have the capacity on both the school and
926 district levels to administer the assessments online.

927 (e) ~~(d)~~ Implementation schedule.—

928 1. The Commissioner of Education shall establish and

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929 publish on the department's website an implementation schedule
930 to transition from the statewide, standardized Reading and
931 Writing assessments to the ELA assessments and to the revised
932 Mathematics assessments, including the Algebra I ~~and Geometry~~
933 EOC assessment ~~assessments~~. The schedule must take into
934 consideration funding, sufficient field and baseline data,
935 access to assessments, instructional alignment, and school
936 district readiness to administer the assessments online. All
937 such assessments must be delivered through computer-based
938 testing, however, the following assessments must be delivered in
939 a computer-based format, as follows: the grade 3 ELA assessment,
940 beginning in the 2017-2018 school year; the grade 3 Mathematics
941 assessment beginning in the 2016-2017 school year; the grade 4
942 ELA assessment, beginning in the 2015-2016 school year; and the
943 grade 4 Mathematics assessment, beginning in the 2016-2017
944 school year.

945 2. The Department of Education shall publish minimum and
946 recommended technology requirements that include specifications
947 for hardware, software, networking, security, and broadband
948 capacity to facilitate school district compliance with the
949 requirement that assessments be administered online.

950 (f) ~~(e)~~ *Assessment scores and achievement levels.*—

951 1. The ~~All~~ statewide, standardized Algebra I EOC assessment
952 ~~assessments~~ and ELA, Mathematics, and Science assessments shall
953 use scaled scores and achievement levels. Achievement levels
954 shall range from 1 through 5, with level 1 being the lowest
955 achievement level, level 5 being the highest achievement level,
956 and level 3 indicating satisfactory performance on an
957 assessment.

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958 2. The state board shall designate by rule a passing score
959 for each statewide, standardized assessment.

960 3. If the commissioner seeks to revise a statewide,
961 standardized assessment and the revisions require the state
962 board to modify performance level scores, including the passing
963 score, the commissioner shall provide a copy of the proposed
964 scores and implementation plan to the President of the Senate
965 and the Speaker of the House of Representatives at least 90 days
966 before submission to the state board for review. Until the state
967 board adopts the modifications by rule, the commissioner shall
968 use calculations for scoring the assessment that adjust student
969 scores on the revised assessment for statistical equivalence to
970 student scores on the former assessment. The state board shall
971 adopt by rule the passing score for the revised assessment that
972 is statistically equivalent to the passing score on the
973 discontinued assessment for a student who is required to attain
974 a passing score on the discontinued assessment. The commissioner
975 may, with approval of the state board, discontinue
976 administration of the former assessment upon the graduation,
977 based on normal student progression, of students participating
978 in the final regular administration of the former assessment. If
979 the commissioner revises a statewide, standardized assessment
980 and the revisions require the state board to modify the passing
981 score, only students taking the assessment for the first time
982 after the rule is adopted are affected.

983 (g) ~~(f)~~ *Prohibited activities.*—A district school board shall
984 prohibit each public school from suspending a regular program of
985 curricula for purposes of administering practice assessments or
986 engaging in other assessment-preparation activities for a

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987 statewide, standardized assessment. However, a district school
988 board may authorize a public school to engage in the following
989 assessment-preparation activities:

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

992 2. Providing individualized instruction in assessment-
993 taking strategies, without suspending the school's regular
994 program of curricula, for a student who scores Level 1 or Level
995 2 on a prior administration of an assessment.

996 3. Providing individualized instruction in the content
997 knowledge and skills assessed, without suspending the school's
998 regular program of curricula, for a student who scores Level 1
999 or Level 2 on a prior administration of an assessment or a
1000 student who, through a diagnostic assessment administered by the
1001 school district, is identified as having a deficiency in the
1002 content knowledge and skills assessed.

1003 4. Administering a practice assessment or engaging in other
1004 assessment-preparation activities that are determined necessary
1005 to familiarize students with the organization of the assessment,
1006 the format of assessment items, and the assessment directions or
1007 that are otherwise necessary for the valid and reliable
1008 administration of the assessment, as set forth in rules adopted
1009 by the State Board of Education with specific reference to this
1010 paragraph.

1011 (h) ~~(g)~~ *Contracts for assessments.*—

1012 1. The commissioner shall provide for the assessments to be
1013 developed or obtained, as appropriate, through contracts and
1014 project agreements with private vendors, public vendors, public
1015 agencies, postsecondary educational institutions, or school

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1016 districts.

1017 2. The commissioner shall implement s. 1008.223, relating
1018 to the selection by school districts of a nationally recognized
1019 high school assessment as an alternate assessment for high
1020 school.

1021 3. The commissioner may enter into contracts for the
1022 continued administration of the assessments authorized and
1023 funded by the Legislature. Contracts may be initiated in 1
1024 fiscal year and continue into the next fiscal year and may be
1025 paid from the appropriations of either or both fiscal years. The
1026 commissioner may negotiate for the sale or lease of tests,
1027 scoring protocols, test scoring services, and related materials
1028 developed pursuant to law.

1029 4.2- A student's performance results on statewide,
1030 standardized assessments, Algebra I and Biology I EOC
1031 assessments, and Florida Alternative Assessments administered
1032 pursuant to this subsection must be provided to the student's
1033 teachers and parents within 30 days or by the end of the school
1034 year, whichever occurs earlier, unless the commissioner
1035 determines that extenuating circumstances exist and reports the
1036 extenuating circumstances to the State Board of Education and to
1037 school districts. This subparagraph does not apply to existing
1038 contracts for such assessments, but applies ~~shall apply~~ to new
1039 contracts and any renewal of existing contracts for such
1040 assessments. The Department of Education shall conduct a study
1041 to identify barriers to and make recommendations for improving
1042 student performance results within 72 hours after completion of
1043 all statewide, standardized assessments, the Algebra I and
1044 Biology I EOC assessments, and any nationally recognized high

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1045 school assessment selected by a school district as an alternate
1046 assessment pursuant to s. 1008.223. Recommendations may include
1047 modification of assessment administration for students with
1048 disabilities. A report of the study shall be submitted to the
1049 State Board of Education, the Governor, the President of the
1050 Senate, and the Speaker of the House of Representatives no later
1051 than January 31, 2018.

1052 5. The administration of the statewide, standardized ELA
1053 and Mathematics assessments in grades 3 through 8 may not occur
1054 earlier than the last 4 weeks of school.

1055 6.3. If liquidated damages are applicable, the department
1056 shall collect liquidated damages that are due in response to the
1057 administration of the spring 2015 computer-based assessments of
1058 the department's Florida Standards Assessment contract with
1059 American Institutes for Research, and expend the funds to
1060 reimburse parties that incurred damages.

1061 (4) SCHOOL PARTICIPATION IN THE STATEWIDE, STANDARDIZED
1062 ASSESSMENT PROGRAM.—Each public school shall participate in the
1063 statewide, standardized assessment program in accordance with
1064 the assessment and reporting schedules and the minimum and
1065 recommended technology requirements published by the
1066 Commissioner of Education. A district school superintendent
1067 shall notify the commissioner of the schools that will use a
1068 nonelectronic option, and the commissioner shall provide an
1069 alternative, nonelectronic option to the school district for the
1070 successful and timely administration of the statewide,
1071 standardized assessments and the reporting of assessment results
1072 to the Department of Education, as specified in paragraph
1073 (3) (d). District school boards may ~~shall~~ not establish school

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1074 calendars that conflict with or jeopardize implementation of the
1075 assessment program. All district school boards shall report
1076 assessment results using the state management information
1077 system. Performance data shall be analyzed and reported to
1078 parents, the community, and the state. Student performance data
1079 shall be used by districts in developing objectives for the
1080 school improvement plan, evaluating instructional personnel and
1081 administrative personnel, assigning staff, allocating resources,
1082 acquiring instructional materials and technology, implementing
1083 performance-based budgeting, and promoting and assigning
1084 students to educational programs. The analysis of student
1085 performance data must also identify strengths and needs in the
1086 educational program and trends over time. The analysis must be
1087 used in conjunction with the budgetary planning processes
1088 developed pursuant to s. 1008.385 and the development of
1089 remediation programs.

1090 (5) REQUIRED ANALYSES.—The commissioner shall provide, at a
1091 minimum, statewide, standardized assessment data analysis
1092 showing student achievement levels and Learning Gains by
1093 teacher, school, and school district. As part of the analysis,
1094 the commissioner shall provide all of the following information
1095 to school districts for student achievement levels and Learning
1096 Gains on each statewide, standardized assessment:

1097 (a) The percent of correct items by cognitive complexity.

1098 (b) The percent of correct items for each measured
1099 standard.

1100 (c) The identification of each standard measured on the
1101 assessment.

1102 (d) At item analysis of the standard measured on each

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1103 assessment.

1104 (e) The reading level at which each reading assessment is
 1105 administered.

1106 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

1107 (a) The Commissioner of Education shall establish schedules
 1108 for the administration of statewide, standardized assessments
 1109 and the reporting of student assessment results. The
 1110 commissioner shall consider the observance of religious and
 1111 school holidays when developing the schedules. The assessment
 1112 and reporting schedules must provide the earliest possible
 1113 reporting of student assessment results to the school districts,
 1114 consistent with the requirements of paragraph (3) (h) ~~(3) (g)~~.
 1115 Assessment results for the statewide, standardized ELA and
 1116 Mathematics assessments and the all statewide, standardized
 1117 Algebra I and Biology I EOC assessments must be made available
 1118 no later than the week of June 8, except for results of
 1119 assessments administered in the 2014-2015 school year. School
 1120 districts shall administer statewide, standardized assessments
 1121 in accordance with the schedule established by the commissioner.

1122 (e) The Algebra I and Biology I ~~A statewide, standardized~~
 1123 EOC assessments ~~assessment~~ must be used as the final cumulative
 1124 examination for its associated course. No additional final
 1125 assessment may be administered in an Algebra I or Biology I ~~a~~
 1126 course ~~with a statewide, standardized EOC assessment~~. A
 1127 district-required local assessment may be used as the final
 1128 cumulative examination for its associated course in accordance
 1129 with the school district's policy.

1130 (11) REPORTS.—The Department of Education shall annually
 1131 provide a report to the Governor, the President of the Senate,

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1132 and the Speaker of the House of Representatives which shall
1133 include the following:

1134 (g) A summary of the analysis required under subsection
1135 (5).

1136 Section 6. Section 1008.223, Florida Statutes, is created
1137 to read:

1138 1008.223 Selection of a nationally recognized alternate
1139 high school assessment.-

1140 (1) PURPOSE.-

1141 (a) This section provides a school district the option of
1142 selecting a nationally recognized high school assessment in lieu
1143 of administering the Florida Standards Assessment to students in
1144 grade 10, and is in compliance with the federal Every Student
1145 Succeeds Act provisions authorizing the selection by a school
1146 district of a nationally recognized high school assessment to
1147 administer as an alternate assessment in high school.

1148 (b) The student assessment program in high school must be
1149 implemented in a way that does not substantially disrupt
1150 instruction to students or displace students from using a
1151 classroom computer that is needed for instruction. The
1152 assessment results must be returned within 30 days after
1153 administration of the assessment or by the end of the school
1154 year, whichever occurs earlier, to allow a student and parent to
1155 know whether the student is achieving at grade level and to
1156 allow the school district to make more timely decisions
1157 regarding promotion, retention, summer school placement, and
1158 scheduling for the next school year. A nationally recognized
1159 high school assessment that is substantially aligned with the
1160 applicable state standards will allow a parent to know how a

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1161 student compares nationally and even internationally.

1162 (2) RESPONSIBILITIES OF THE COMMISSIONER OF EDUCATION.—In
1163 addition to the requirements of s. 1008.22, the commissioner
1164 shall provide an approved list of nationally recognized high
1165 school assessments from which a school district may select as an
1166 alternate assessment to administer to students in grade 10 for
1167 English Language Arts in lieu of the Florida Standards
1168 Assessment.

1169 (a) The nationally recognized high school assessment must
1170 meet all of the following requirements:

1171 1. Be available to school districts no later than the 2018-
1172 2019 school year;

1173 2. Be substantially aligned with the Next Generation
1174 Sunshine State Standards;

1175 3. Provide for differentiation and comparability between
1176 schools and districts;

1177 4. Provide the same or additional accommodations to
1178 students with disabilities and other students which are provided
1179 for the Florida Standards Assessment and other statewide,
1180 standardized assessments;

1181 5. Meet applicable assessment security requirements
1182 determined by the commissioner for the state and for school
1183 districts;

1184 6. Meet reasonable technical specification requirements
1185 determined by the commissioner which allow for implementation by
1186 the state and by school districts; and

1187 7. Satisfy any threshold legal requirement, including, but
1188 not limited to, the standard set forth in Debra P. v.
1189 Turlington, 474 F. Supp. 244 (M.D. Fla. 1979).

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1190 (b) The commissioner must use an invitation to negotiate,
1191 as defined in s. 287.012, to fulfill the requirements of this
1192 section. The commissioner must require each entity that responds
1193 to an invitation to negotiate to include information
1194 demonstrating compliance with paragraph (a).

1195 (c) The commissioner shall consult with and receive
1196 recommendations for alternate assessments from education
1197 stakeholders, including district school superintendents, testing
1198 and measurement administrators, curriculum directors,
1199 principals, teachers, and other educators who have experience
1200 and expertise in the administration of high school assessments.

1201 (d) The nationally recognized high school assessment, if
1202 administered, satisfies the high school graduation requirements
1203 contained in s. 1003.4282.

1204 (3) RESPONSIBILITIES OF SCHOOL DISTRICTS.—A district school
1205 superintendent may recommend, and the school board may approve,
1206 the administration of the state-approved nationally recognized
1207 high school assessment to be administered in lieu of the Florida
1208 Standards Assessment in grade 10. Administrators, teachers, and
1209 parents of high school students must be notified at the
1210 beginning of each school year that an assessment other than the
1211 Florida Standards Assessment will be administered in grade 10.

1212 Section 7. Paragraph (a) of subsection (8) of section
1213 1008.25, Florida Statutes, is amended to read:

1214 1008.25 Public school student progression; student support;
1215 reporting requirements.—

1216 (8) ANNUAL REPORT.—

1217 (a) In addition to the requirements in paragraph (5) (b),
1218 each district school board must annually report to the parent of

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1219 each student the progress of the student toward achieving state
1220 and district expectations for proficiency in English Language
1221 Arts, science, social studies, and mathematics. The district
1222 school board must report to the parent the student's results on
1223 each statewide, standardized assessment. The report must include
1224 the results of the analysis required under s. 1008.22(5). The
1225 evaluation of each student's progress must be based upon the
1226 student's classroom work, observations, tests, district and
1227 state assessments, and other relevant information. Progress
1228 reporting must be provided to the parent in writing in a format
1229 adopted by the district school board.

1230 Section 8. Paragraph (b) of subsection (1), paragraphs (a)
1231 and (b) of subsection (3), and subsections (4), (6), and (7) of
1232 section 1008.34, Florida Statutes, are amended to read:

1233 1008.34 School grading system; school report cards;
1234 district grade.—

1235 (1) DEFINITIONS.—For purposes of the statewide,
1236 standardized assessment program and school grading system, the
1237 following terms are defined:

1238 (b) "Learning Gains," "annual learning gains," or "student
1239 learning gains" means the degree of student learning growth
1240 occurring from one school year to the next as required by state
1241 board rule for purposes of calculating school grades under this
1242 section. For the purpose of school grades, maintaining
1243 achievement level 3, level 4, or level 5 or increasing such
1244 achievement level constitutes Learning Gains.

1245 (3) DESIGNATION OF SCHOOL GRADES.—

1246 (a) Each school must assess at least 95 percent of its
1247 eligible students, except as provided under s. 1008.341 for

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1248 alternative schools. Each school shall receive a school grade
1249 based on the ~~school's~~ performance on the components listed in
1250 subparagraphs (b)1. and 2. If a school does not have at least 10
1251 students with complete data for one or more of the components
1252 listed in subparagraphs (b)1. and 2., those components may not
1253 be used in calculating the school's grade. In addition to
1254 statewide, standardized assessments, a school grade shall be
1255 based on any nationally recognized high school assessment used
1256 pursuant to s. 1008.223, an assessment used for concordant
1257 scores pursuant to s. 1008.22(8), and any comparative score for
1258 an end-of-course assessment used pursuant to s. 1008.22(9). The
1259 grades for acceleration courses taken in middle school must also
1260 be reflected in the school grade for the high school to which
1261 the student will transfer.

1262 1. An alternative school may choose to receive a school
1263 grade under this section or a school improvement rating under s.
1264 1008.341. For charter schools that meet the definition of an
1265 alternative school pursuant to State Board of Education rule,
1266 the decision to receive a school grade is the decision of the
1267 charter school governing board.

1268 2. A school that serves any combination of students in
1269 kindergarten through grade 3 and that does not receive a school
1270 grade because its students are not tested and included in the
1271 school grading system shall receive the school grade designation
1272 of a K-3 feeder pattern school identified by the Department of
1273 Education and verified by the school district. A school feeder
1274 pattern exists if at least 60 percent of the students in the
1275 school serving a combination of students in kindergarten through
1276 grade 3 are scheduled to be assigned to the graded school.

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1277 3. If a collocated school does not earn a school grade or
1278 school improvement rating for the performance of its students,
1279 the student performance data of all schools operating at the
1280 same facility must be aggregated to develop a school grade that
1281 will be assigned to all schools at that location. A collocated
1282 school is a school that has its own unique master school
1283 identification number, provides for the education of each of its
1284 enrolled students, and operates at the same facility as another
1285 school that has its own unique master school identification
1286 number and provides for the education of each of its enrolled
1287 students.

1288 (b)1. Beginning with the 2014-2015 school year, a school's
1289 grade shall be based on the following components, each worth 100
1290 points:

1291 a. The percentage of eligible students passing statewide,
1292 standardized assessments in English Language Arts under s.
1293 1008.22(3).

1294 b. The percentage of eligible students passing statewide,
1295 standardized assessments in mathematics under s. 1008.22(3).

1296 c. The percentage of eligible students passing statewide,
1297 standardized assessments in science under s. 1008.22(3).

1298 ~~d. The percentage of eligible students passing statewide,
1299 standardized assessments in social studies under s. 1008.22(3).~~

1300 d.e. The percentage of eligible students who make Learning
1301 Gains in English Language Arts as measured by statewide,
1302 standardized assessments administered under s. 1008.22(3).

1303 ~~e.f.~~ The percentage of eligible students who make Learning
1304 Gains in mathematics as measured by statewide, standardized
1305 assessments administered under s. 1008.22(3).

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1306 ~~f.g.~~ The percentage of eligible students in the lowest 25
1307 percent in English Language Arts, as identified by prior year
1308 performance on statewide, standardized assessments, who make
1309 Learning Gains as measured by statewide, standardized English
1310 Language Arts assessments administered under s. 1008.22(3).

1311 ~~g.h.~~ The percentage of eligible students in the lowest 25
1312 percent in mathematics, as identified by prior year performance
1313 on statewide, standardized assessments, who make Learning Gains
1314 as measured by statewide, standardized Mathematics assessments
1315 administered under s. 1008.22(3).

1316 ~~h.i.~~ For schools consisting ~~comprised~~ of middle grades 6
1317 through 8 or grades 7 and 8, the percentage of eligible students
1318 passing high school level statewide, standardized end-of-course
1319 assessments or attaining national industry certifications
1320 identified in the CAPE Industry Certification Funding List
1321 pursuant to rules adopted by the State Board of Education.

1322
1323 In calculating Learning Gains for the components listed in sub-
1324 subparagraphs d.-g. ~~e.-h.~~, the State Board of Education shall
1325 require that learning growth toward achievement levels 3, 4, and
1326 5 is demonstrated by students who scored below or remained at
1327 achievement level 3, level 4, or level 5 ~~each of those levels~~ in
1328 the prior year. In calculating the components in sub-
1329 subparagraphs a.-c. ~~a.-d.~~, the state board shall include the
1330 performance of English language learners only if they have been
1331 enrolled in a school in the United States for more than 2 years.

1332 2. For a school consisting ~~comprised~~ of grades 9, 10, 11,
1333 and 12, or grades 10, 11, and 12, the school's grade shall also
1334 be based on the following components, each worth 100 points:

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1335 a. The 4-year high school graduation rate of the school as
1336 defined by state board rule.

1337 b. The percentage of students who were eligible to earn
1338 college and career credit through College Board Advanced
1339 Placement examinations, International Baccalaureate
1340 examinations, dual enrollment courses, or Advanced International
1341 Certificate of Education examinations; or who, at any time
1342 during high school, earned national industry certification
1343 identified in the CAPE Industry Certification Funding List,
1344 pursuant to rules adopted by the state board.

1345 (4) SCHOOL REPORT CARD.—The Department of Education shall
1346 annually develop, in collaboration with the school districts, a
1347 school report card to be provided by the school district to
1348 parents within the district. The report card shall include the
1349 school's grade; student performance in English Language Arts,
1350 mathematics and, ~~science, and social studies~~; information
1351 regarding school improvement; an explanation of school
1352 performance as evaluated by the federal Elementary and Secondary
1353 Education Act (ESEA), 20 U.S.C. ss. 6301 et seq.; and indicators
1354 of return on investment. The report card must incorporate the
1355 summary results of the analysis required in s. 1008.22(5). Each
1356 school's report card shall be published annually by the
1357 department on its website based upon the most recent data
1358 available.

1359 (6) 2018-2019 SCHOOL GRADE CALCULATION.—

1360 (a) Beginning with the 2018-2019 school year, the school's
1361 grade shall also be based on the following components:

1362 1. The extended-year adjusted cohort graduation rate for
1363 schools consisting of grades 9, 10, 11, and 12, or grades 10,

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1364 11, and 12.

1365 2. At least one indicator of school quality or student
1366 access which is measurable and may include, but is not limited
1367 to, student engagement; educator engagement; student access to
1368 and completion of advanced coursework, postsecondary readiness,
1369 school climate and safety; student attendance; or student
1370 persistence, for at least 10 percent of the school grade.

1371 (b) Learning Gains shall be calculated in English Language
1372 Arts for students who take the statewide, standardized
1373 assessment or the approved nationally recognized high school
1374 assessment. The Learning Gains shall be calculated based on the
1375 performance on the English Language Arts assessments
1376 administered in grade 8 under s. 1008.22(3).

1377 (c) The commissioner shall develop models that may be used
1378 for differentiation and comparability between schools and
1379 districts that use an approved nationally recognized high school
1380 assessment pursuant to s. 1008.223.

1381 (7) RULES.—The State Board of Education shall adopt rules
1382 under ss. 120.536(1) and 120.54 to administer this section.

1383 ~~(7) TRANSITION. School grades pursuant to this section and~~
1384 ~~school improvement ratings pursuant to s. 1008.341 for the 2013-~~
1385 ~~2014 school year shall be calculated based on statutes and rules~~
1386 ~~in effect on June 30, 2014. To assist in the transition to 2014-~~
1387 ~~2015 school grades and school improvement ratings, calculated~~
1388 ~~based on new statewide, standardized assessments administered~~
1389 ~~pursuant to s. 1008.22, the 2014-2015 school grades and school~~
1390 ~~improvement ratings shall serve as an informational baseline for~~
1391 ~~schools to work toward improved performance in future years.~~
1392 ~~Accordingly, notwithstanding any other provision of law:~~

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1393 ~~(a) A school may not be required to select and implement a~~
1394 ~~turnaround option pursuant to s. 1008.33 in the 2015-2016 school~~
1395 ~~year based on the school's 2014-2015 grade or school improvement~~
1396 ~~rating under s. 1008.341, as applicable. The benefits of s.~~
1397 ~~1008.33(4)(c), relating to a school being released from~~
1398 ~~implementation of the turnaround option, and s. 1008.33(4)(d),~~
1399 ~~relating to a school implementing strategies identified in its~~
1400 ~~school improvement plan, apply to a school using turnaround~~
1401 ~~options pursuant to s. 1008.33 which improves at least one~~
1402 ~~letter grade during the 2014-2015 school year.~~

1403 ~~(b)1. A school or approved provider under s. 1002.45 which~~
1404 ~~receives the same or a lower school grade or school improvement~~
1405 ~~rating for the 2014-2015 school year compared to the 2013-2014~~
1406 ~~school year is not subject to sanctions or penalties that would~~
1407 ~~otherwise occur as a result of the 2014-2015 school grade or~~
1408 ~~rating. A charter school system or a school district designated~~
1409 ~~as high performing may not lose the designation based on the~~
1410 ~~2014-2015 school grades of any of the schools within the charter~~
1411 ~~school system or school district, as applicable.~~

1412 ~~2. The Florida School Recognition Program established under~~
1413 ~~s. 1008.36 shall continue to be implemented as otherwise~~
1414 ~~provided in the General Appropriations Act.~~

1415 ~~(c) Until such time as an independent verification of the~~
1416 ~~psychometric validity of the statewide, standardized assessments~~
1417 ~~first implemented in 2014-2015 is provided, for purposes of~~
1418 ~~grade 3 English Language Arts student performance and high~~
1419 ~~school graduation requirements pursuant to s. 1003.4282, student~~
1420 ~~performance on the 2014-2015 statewide, standardized assessments~~
1421 ~~shall be linked to 2013-2014 student performance expectations.~~

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1422 ~~Students who score in the bottom quintile on the 2014-2015 grade~~
1423 ~~3 English Language Arts assessment shall be identified as~~
1424 ~~students at risk of retention. School districts must notify~~
1425 ~~parents of such students, provide evidence as outlined in s.~~
1426 ~~1008.25(6)(b), and provide the appropriate intervention and~~
1427 ~~support services for student success in grade 4.~~

1428

1429 ~~This subsection is repealed July 1, 2017.~~

1430 Section 9. Paragraph (d) is added to subsection (5) of
1431 section 1008.345, Florida Statutes, to read:

1432 1008.345 Implementation of state system of school
1433 improvement and education accountability.—

1434 (5) The commissioner shall report to the Legislature and
1435 recommend changes in state policy necessary to foster school
1436 improvement and education accountability. The report shall
1437 include:

1438 (d) The results of the analysis required under s.
1439 1008.22(5).

1440

1441 School reports shall be distributed pursuant to this subsection
1442 and s. 1001.42(18)(c) and according to rules adopted by the
1443 State Board of Education.

1444 Section 10. Paragraphs (b) and (c) of subsection (1),
1445 paragraph (a) of subsection (3), and subsections (6) through (9)
1446 of section 1012.34, Florida Statutes, are amended to read:

1447 1012.34 Personnel evaluation procedures and criteria.—

1448 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

1449 ~~(b) The department must approve each school district's~~
1450 ~~instructional personnel and school administrator evaluation~~

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1451 ~~systems.~~ The department shall monitor each district's
 1452 implementation of its instructional personnel and school
 1453 administrator evaluation systems for compliance with the
 1454 requirements of this section.

1455 (c) Annually, by February 1, the Commissioner of Education
 1456 shall publish on the department's website the status of each
 1457 school district's instructional personnel and school
 1458 administrator evaluation systems. This information must include:

1459 ~~1.~~ performance evaluation results for the prior school year
 1460 for instructional personnel and school administrators using the
 1461 four levels of performance specified in paragraph (2)(e). The
 1462 performance evaluation results for instructional personnel shall
 1463 be disaggregated by classroom teachers, as defined in s.
 1464 1012.01(2)(a), excluding substitute teachers, and all other
 1465 instructional personnel, as defined in s. 1012.01(2)(b)-(d).

1466 ~~2. An analysis that compares performance evaluation results~~
 1467 ~~calculated by each school district to indicators of performance~~
 1468 ~~calculated by the department using the standards for performance~~
 1469 ~~levels adopted by the state board under subsection (8).~~

1470 ~~3. Data reported under s. 1012.341.~~

1471 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
 1472 personnel and school administrator performance evaluations must
 1473 be based upon the performance of students assigned to their
 1474 classrooms or schools, as provided in this section. Pursuant to
 1475 this section, a school district's performance evaluation system
 1476 is not limited to basing unsatisfactory performance of
 1477 instructional personnel and school administrators solely upon
 1478 student performance, but may include other criteria to evaluate
 1479 instructional personnel and school administrators' performance,

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1480 or any combination of student performance and other criteria.
1481 Evaluation procedures and criteria must comply with, but are not
1482 limited to, the following:

1483 (a) A performance evaluation must be conducted for each
1484 employee at least once a year, except that a classroom teacher,
1485 as defined in s. 1012.01(2)(a), excluding substitute teachers,
1486 who is newly hired by the district school board must be observed
1487 and evaluated at least twice in the first year of teaching in
1488 the school district. The performance evaluation must be based
1489 upon sound educational principles and contemporary research in
1490 effective educational practices. The evaluation criteria must
1491 include:

1492 1. Performance of students.—At least one-third of a
1493 performance evaluation must be based upon data and indicators of
1494 student performance ~~in accordance with subsection (7). This~~
1495 ~~portion of the evaluation must include growth or achievement~~
1496 ~~data of the teacher's students or, for a school administrator,~~
1497 ~~the students attending the school over the course of at least 3~~
1498 ~~years. If less than 3 years of data are available, the years for~~
1499 ~~which data are available must be used. The proportion of growth~~
1500 ~~or achievement data may be determined by instructional~~
1501 ~~assignment.~~

1502 2. Instructional practice.—For instructional personnel, the
1503 remainder at least one-third of the performance evaluation must
1504 be based upon instructional practice and other indicators of
1505 performance. The performance evaluation must include, but is not
1506 limited to, practices and indicators that relate to the
1507 following:

1508 a. Comprehensive knowledge of the subject taught;

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1509 b. Instruction in the applicable Next Generation Sunshine
1510 State Standards with rigor and fidelity;

1511 c. The planning and delivery of instruction using
1512 technology in the classroom;

1513 d. The application of data from assessments and measures to
1514 diagnose learning needs and to use applicable instructional
1515 strategies;

1516 e. The ability to maintain appropriate classroom
1517 discipline;

1518 f. The ability to establish and maintain a positive
1519 collaborative relationship with students' families to increase
1520 student achievement;

1521 g. Adherence to the Code of Ethics and the Principles of
1522 Professional Conduct for the Education Profession in Florida;
1523 and

1524 h. Adherence to the Florida Educator Accomplished Practices
1525 and other professional competencies, responsibilities, and
1526 requirements as established by rules of the State Board of
1527 Education and policies of the district school board.

1528
1529 Evaluation criteria used when annually observing classroom
1530 teachers, as defined in s. 1012.01(2)(a), excluding substitute
1531 teachers, must include indicators based upon each of the Florida
1532 Educator Accomplished Practices adopted by the State Board of
1533 Education. For instructional personnel who are not classroom
1534 teachers, evaluation criteria must be based upon indicators of
1535 the Florida Educator Accomplished Practices and may include
1536 specific job expectations related to student support.

1537 3. Instructional leadership.—For school administrators, the

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1538 remainder ~~at least one-third~~ of the performance evaluation must
1539 be based on the Florida Principal Leadership Standards and other
1540 indicators of performance instructional leadership. Evaluation
1541 criteria for instructional leadership must include indicators
1542 based upon each of the leadership standards adopted by the State
1543 Board of Education under s. 1012.986, including performance
1544 measures related to the effectiveness of classroom teachers in
1545 the school, the administrator's appropriate use of evaluation
1546 criteria and procedures, recruitment and retention of effective
1547 and highly effective classroom teachers, improvement in the
1548 percentage of instructional personnel evaluated at the highly
1549 effective or effective level, and other leadership practices
1550 that result in student learning growth. The system may include a
1551 means to give parents and instructional personnel an opportunity
1552 to provide input into the administrator's performance
1553 evaluation.

1554 ~~4. Other indicators of performance. For instructional~~
1555 ~~personnel and school administrators, the remainder of a~~
1556 ~~performance evaluation may include, but is not limited to,~~
1557 ~~professional and job responsibilities as recommended by the~~
1558 ~~State Board of Education or identified by the district school~~
1559 ~~board and, for instructional personnel, peer reviews,~~
1560 ~~objectively reliable survey information from students and~~
1561 ~~parents based on teaching practices that are consistently~~
1562 ~~associated with higher student achievement, and other valid and~~
1563 ~~reliable measures of instructional practice.~~

1564 (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT
1565 EVALUATION SYSTEMS.—The district school board shall establish a
1566 procedure for annually reviewing instructional personnel and

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1567 school administrator evaluation systems to determine compliance
1568 with this section. All substantial revisions to the ~~an approved~~
1569 system must be reviewed and approved by the district school
1570 board before being used to evaluate instructional personnel or
1571 school administrators. Upon request by a school district, the
1572 department shall provide assistance in developing, improving, or
1573 reviewing an evaluation system.

1574 ~~(7) MEASUREMENT OF STUDENT PERFORMANCE.—~~

1575 ~~(a) The Commissioner of Education shall approve a formula~~
1576 ~~to measure individual student learning growth on the statewide,~~
1577 ~~standardized assessments in English Language Arts and~~
1578 ~~mathematics administered under s. 1008.22. The formula must take~~
1579 ~~into consideration each student's prior academic performance.~~
1580 ~~The formula must not set different expectations for student~~
1581 ~~learning growth based upon a student's gender, race, ethnicity,~~
1582 ~~or socioeconomic status. In the development of the formula, the~~
1583 ~~commissioner shall consider other factors such as a student's~~
1584 ~~attendance record, disability status, or status as an English~~
1585 ~~language learner. The commissioner may select additional~~
1586 ~~formulas to measure student performance as appropriate for the~~
1587 ~~remainder of the statewide, standardized assessments included~~
1588 ~~under s. 1008.22 and continue to select formulas as new~~
1589 ~~assessments are implemented in the state system. After the~~
1590 ~~commissioner approves the formula to measure individual student~~
1591 ~~learning growth, the State Board of Education shall adopt these~~
1592 ~~formulas in rule.~~

1593 ~~(b) Each school district shall measure student learning~~
1594 ~~growth using the formulas approved by the commissioner under~~
1595 ~~paragraph (a) and the standards for performance levels adopted~~

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1596 ~~by the state board under subsection (8) for courses associated~~
1597 ~~with the statewide, standardized assessments administered under~~
1598 ~~s. 1008.22 no later than the school year immediately following~~
1599 ~~the year the formula is approved by the commissioner. For grades~~
1600 ~~and subjects not assessed by statewide, standardized~~
1601 ~~assessments, each school district shall measure student~~
1602 ~~performance using a methodology determined by the district.~~

1603 (7) ~~(8)~~ RULEMAKING. ~~No later than August 1, 2015,~~ The State
1604 Board of Education shall adopt rules pursuant to ss. 120.536(1)
1605 and 120.54 which establish uniform procedures and format for the
1606 monitoring ~~submission, review, and approval~~ of district
1607 evaluation systems and reporting requirements for the annual
1608 evaluation of instructional personnel and school administrators;
1609 ~~specific, discrete standards for each performance level required~~
1610 ~~under subsection (2), based on student learning growth models~~
1611 ~~approved by the commissioner, to ensure clear and sufficient~~
1612 ~~differentiation in the performance levels and to provide~~
1613 ~~consistency in meaning across school districts; the measurement~~
1614 ~~of student learning growth and associated implementation~~
1615 ~~procedures required under subsection (7); and a process for~~
1616 ~~monitoring school district implementation of evaluation systems~~
1617 ~~in accordance with this section.~~

1618 ~~(9) TRANSITION TO NEW STATEWIDE, STANDARDIZED ASSESSMENTS.~~
1619 ~~Standards for each performance level required under subsection~~
1620 ~~(2) shall be established by the State Board of Education~~
1621 ~~beginning with the 2015-2016 school year.~~

1622 Section 11. Paragraph (e) of subsection (2) of section
1623 1002.331, Florida Statutes, is amended to read:
1624 1002.331 High-performing charter schools.-

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1625 (2) A high-performing charter school is authorized to:

1626 (e) Receive a modification of its charter to a term of 15
 1627 years or a 15-year charter renewal. The charter may be modified
 1628 or renewed for a shorter term at the option of the high-
 1629 performing charter school. The charter must be consistent with
 1630 s. 1002.33(7)(a)20. ~~s. 1002.33(7)(a)19.~~ and (10)(h) and (i), is
 1631 subject to annual review by the sponsor, and may be terminated
 1632 during its term pursuant to s. 1002.33(8).

1633

1634 A high-performing charter school shall notify its sponsor in
 1635 writing by March 1 if it intends to increase enrollment or
 1636 expand grade levels the following school year. The written
 1637 notice shall specify the amount of the enrollment increase and
 1638 the grade levels that will be added, as applicable. If a charter
 1639 school notifies the sponsor of its intent to expand, the sponsor
 1640 shall modify the charter within 90 days to include the new
 1641 enrollment maximum and may not make any other changes. The
 1642 sponsor may deny a request to increase the enrollment of a high-
 1643 performing charter school if the commissioner has declassified
 1644 the charter school as high-performing. If a high-performing
 1645 charter school requests to consolidate multiple charters, the
 1646 sponsor shall have 40 days after receipt of that request to
 1647 provide an initial draft charter to the charter school. The
 1648 sponsor and charter school shall have 50 days thereafter to
 1649 negotiate and notice the charter contract for final approval by
 1650 the sponsor.

1651 Section 12. Paragraph (b) of subsection (2) of section
 1652 1012.341, Florida Statutes, is amended to read:

1653 1012.341 Exemption from performance evaluation system and

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1654 compensation and salary schedule requirements.-

1655 (2) By October 1 annually, the superintendent of
1656 Hillsborough County School District shall attest, in writing, to
1657 the Commissioner of Education that:

1658 (b) The instructional personnel and school administrator
1659 evaluation systems adopt the ~~Commissioner of Education's~~ student
1660 learning growth formula for statewide assessments as provided
1661 under s. 1012.34 ~~s. 1012.34(7)~~.

1662

1663 This section is repealed August 1, 2017, unless reviewed and
1664 reenacted by the Legislature.

1665 Section 13. Paragraph (b) of subsection (2) of section
1666 1012.562, Florida Statutes, is amended to read:

1667 1012.562 Public accountability and state approval of school
1668 leader preparation programs.-The Department of Education shall
1669 establish a process for the approval of Level I and Level II
1670 school leader preparation programs that will enable aspiring
1671 school leaders to obtain their certificate in educational
1672 leadership under s. 1012.56. School leader preparation programs
1673 must be competency-based, aligned to the principal leadership
1674 standards adopted by the state board, and open to individuals
1675 employed by public schools, including charter schools and
1676 virtual schools. Level I programs may be offered by school
1677 districts or postsecondary institutions and lead to initial
1678 certification in educational leadership for the purpose of
1679 preparing individuals to serve as school administrators. Level
1680 II programs may be offered by school districts, build upon Level
1681 I training, and lead to renewal certification as a school
1682 principal.

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1683 (2) LEVEL I PROGRAMS.—

1684 (b) Renewal of a Level I program's approval shall be for a
1685 period of 5 years and shall be based upon evidence of the
1686 program's continued ability to meet the requirements of
1687 paragraph (a). A postsecondary institution or school district
1688 must submit an institutional program evaluation plan in a format
1689 prescribed by the department for a Level I program to be
1690 considered for renewal. The plan must include:

1691 1. The percentage of personnel who complete the program and
1692 are placed in school leadership positions in public schools
1693 within the state.

1694 2. Results from the personnel evaluations required under s.
1695 1012.34 for personnel who complete the program.

1696 3. The passage rate of personnel who complete the program
1697 on the Florida Education Leadership Examination.

1698 4. The impact personnel who complete the program have on
1699 student learning as measured by the formulas developed ~~by the~~
1700 ~~commissioner~~ pursuant to s. 1012.34 ~~s. 1012.34(7)~~.

1701 5. Strategies for continuous improvement of the program.

1702 6. Strategies for involving personnel who complete the
1703 program, other school personnel, community agencies, business
1704 representatives, and other stakeholders in the program
1705 evaluation process.

1706 7. Additional data included at the discretion of the
1707 postsecondary institution or school district.

1708 Section 14. This act shall take effect July 1, 2017.