

LEGISLATIVE ACTION

Senate Comm: RCS 02/17/2020 House

The Committee on Education (Baxley) recommended the following: Senate Amendment (with title amendment) Delete everything after the enacting clause and insert: Section 1. Subsection (5) is added to section 1001.23, Florida Statutes, to read: 1001.23 Specific powers and duties of the Department of Education.—In addition to all other duties assigned to it by law or by rule of the State Board of Education, the department shall: (5) Notwithstanding chapter 286, have the authority to hold

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12	patents, copyrights, trademarks, and service marks. The
13	department may take any action necessary to enforce its rights
14	with respect to such patents, copyrights, trademarks, and
15	service marks or enter into a transaction to sell, lease,
16	license, or transfer such rights for monetary gain or other
17	consideration, at the department's discretion. The department
18	shall notify the Department of State in writing when property
19	rights by patent, copyright, or trademark are secured by the
20	department. Any proceeds received by the department from the
21	exercise of these rights, except for educational materials and
22	products, shall be deposited in the department's Operating Trust
23	Fund.
24	Section 2. Subsection (3) is added to section 1003.33,
25	Florida Statutes, to read:
26	1003.33 Report cards; end-of-the-year status
27	(3) A student's final report card for a school year must be
28	issued no later than 1 week after the last day of school or 1
29	week after receipt of assessment results for students enrolled
30	in courses, as specified in the course code directory, with an
31	associated statewide, standardized end-of-course assessment
32	pursuant to s. 1008.22.
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34	District school boards shall not allow schools to exempt
35	students from academic performance requirements based on
36	practices or policies designed to encourage student attendance.
37	A student's attendance record may not be used in whole or in
38	part to provide an exemption from any academic performance
39	requirement.
40	Section 3. Paragraph (b) of subsection (1) of section

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41 1003.4156, Florida Statutes, is amended to read: 42 1003.4156 General requirements for middle grades 43 promotion.-

(1) In order for a student to be promoted to high school from a school that includes middle grades 6, 7, and 8, the 45 46 student must successfully complete the following courses:

47 (b) Three middle grades or higher courses in mathematics. Each school that includes middle grades must offer at least one 48 49 high school level mathematics course for which students may earn high school credit. Successful completion of a high school level 50 51 Algebra I or Geometry course is not contingent upon the 52 student's performance on the statewide, standardized end-of-53 course (EOC) assessment. To earn high school credit for Algebra 54 I, a middle grades student must take the statewide, standardized 55 Algebra I EOC assessment, which constitutes 30 percent of the 56 student's final course grade, and earn a passing grade in pass 57 the course, and in addition, beginning with the 2013-2014 school 58 year and thereafter, a student's performance on the Algebra I 59 EOC assessment constitutes 30 percent of the student's final course grade. To earn high school credit for a Geometry course, 60 a middle grades student must, until the Geometry EOC assessment 61 62 is discontinued, take the statewide, standardized Geometry EOC 63 assessment, which constitutes 30 percent of the student's final 64 course grade, and earn a passing grade in the course.

65 Section 4. Paragraphs (a), (b), and (d) of subsection (3), 66 subsection (7), and paragraph (e) of subsection (10) of section 67 1003.4282, Florida Statutes, are amended to read:

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1003.4282 Requirements for a standard high school diploma.-(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT



70 REQUIREMENTS.-

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

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(b) Four credits in mathematics.-

77 1. A student must earn one credit in Algebra I and one 78 credit in Geometry. A student's performance on the statewide, 79 standardized Algebra I end-of-course (EOC) assessment constitutes 30 percent of the student's final course grade. A 80 81 student must pass the statewide, standardized Algebra I EOC 82 assessment, or earn a comparative score, in order to earn a 83 standard high school diploma. Until the Geometry EOC assessment 84 is discontinued, a student's performance on the statewide, 85 standardized Geometry EOC assessment constitutes 30 percent of 86 the student's final course grade.

87 2. A student who earns an industry certification for which 88 there is a statewide college credit articulation agreement 89 approved by the State Board of Education may substitute the 90 certification for one mathematics credit. Substitution may occur 91 for up to two mathematics credits, except for Algebra I and 92 Geometry. A student may earn two mathematics credits by 93 successfully completing Algebra I through two full-year courses. 94 A certified school counselor or the principal's designee must 95 advise the student that admission to a state university may 96 require the student to earn 3 additional mathematics credits 97 that are at least as rigorous as Algebra I.

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3. A student who earns a computer science credit may



99 substitute the credit for up to one credit of the mathematics 100 requirement, with the exception of Algebra I and Geometry, if the commissioner identifies the computer science credit as being 101 102 equivalent in rigor to the mathematics credit. An identified 103 computer science credit may not be used to substitute for both a 104 mathematics and a science credit. A student who earns an 105 industry certification in 3D rapid prototype printing may 106 satisfy up to two credits of the mathematics requirement, with 107 the exception of Algebra I, if the commissioner identifies the 108 certification as being equivalent in rigor to the mathematics 109 credit or credits.

110 (d) Three credits in social studies.-A student must earn 111 one credit in United States History; one credit in World 112 History; one-half credit in economics; and one-half credit in 113 United States Government. The United States History EOC 114 assessment constitutes 30 percent of the student's final course 115 grade. Beginning with the 2020-2021 school year, all students in 116 grade 12 shall take the assessment of civic literacy identified 117 by the State Board of Education under s. 1007.25(4). A student 118 who earns a passing score on the assessment is exempt from the 119 postsecondary civic literacy assessment required by s.

120 1007.25(4).

(7) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS. Beginning with the 2012-2013 school year, If a student transfers to a Florida public high school from out of country, out of state, a private school, or a home education program and the student's transcript shows a credit in Algebra I, the student's transferring course final grade and credit shall be honored. However, the student must pass the statewide, standardized Algebra I EOC assessment



128 in order to earn a standard high school diploma unless the 129 student earned a comparative score, passed a statewide 130 assessment in Algebra I administered by the transferring entity, 131 or passed the statewide mathematics assessment the transferring 132 entity uses to satisfy the requirements of the Elementary and 133 Secondary Education Act, as amended by the Every Student 134 Succeeds Act (ESSA) of 2015, 20 U.S.C. ss. 6301 et seq. If a 135 student's transcript shows a credit in high school reading or 136 English Language Arts II or III, in order to earn a standard 137 high school diploma, the student must take and pass the statewide, standardized grade 10 Reading assessment or, when 138 139 implemented, the grade 10 ELA assessment, or earn a concordant 140 score. If a transfer student's transcript shows a final course 141 grade and course credit in Algebra I, Geometry, Biology I, or 142 United States History, the transferring course final grade and 143 credit shall be honored without the student taking the requisite 144 statewide, standardized EOC assessment and without the 145 assessment results constituting 30 percent of the student's 146 final course grade.

(10) STUDENTS WITH DISABILITIES.-Beginning with students entering grade 9 in the 2014-2015 school year, this subsection applies to a student with a disability.

(e) Any waiver of the statewide, standardized assessment requirements by the individual education plan team, pursuant to s. 1008.22(3)(d) s. 1008.22(3)(c), must be approved by the parent and is subject to verification for appropriateness by an independent reviewer selected by the parent as provided for in s. 1003.572.

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157 The State Board of Education shall adopt rules under ss. 158 120.536(1) and 120.54 to implement this subsection, including rules that establish the minimum requirements for students 159 160 described in this subsection to earn a standard high school 161 diploma. The State Board of Education shall adopt emergency 162 rules pursuant to ss. 120.536(1) and 120.54. 163 Section 5. Paragraph (a) of subsection (1) of section 1003.4285, Florida Statutes, is amended to read: 164 165 1003.4285 Standard high school diploma designations.-166 (1) Each standard high school diploma shall include, as 167 applicable, the following designations if the student meets the 168 criteria set forth for the designation: 169

(a) Scholar designation.-In addition to the requirements ofs. 1003.4282, in order to earn the Scholar designation, astudent must satisfy the following requirements:

1. Mathematics.-Earn one credit in Algebra II or an equally rigorous course and one credit in statistics or an equally rigorous course. Beginning with students entering grade 9 in the 2014-2015 school year, pass the Geometry statewide, standardized assessment.

177 2. Science.-Pass the statewide, standardized Biology I EOC 178 assessment and earn one credit in chemistry or physics and one 179 credit in a course equally rigorous to chemistry or physics. However, a student enrolled in an Advanced Placement (AP), 180 181 International Baccalaureate (IB), or Advanced International 182 Certificate of Education (AICE) Biology course who takes the 183 respective AP, IB, or AICE Biology assessment and earns the 184 minimum score necessary to earn college credit as identified pursuant to s. 1007.27(2) meets the requirement of this 185

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186 subparagraph without having to take the statewide, standardized 187 Biology I EOC assessment.

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

196 4. Foreign language.-Earn two credits in the same foreign 197 language.

5. Electives.-Earn at least one credit in an Advanced 199 Placement, an International Baccalaureate, an Advanced International Certificate of Education, or a dual enrollment 201 course.

Section 6. Effective upon becoming a law, subsection (5) is added to section 1006.33, Florida Statutes, to read:

1006.33 Bids or proposals; advertisement and its contents.-(5) Notwithstanding the requirements of this section and rules adopted to implement this section, for the 2020 adoption cycle, the department may establish timeframes for the advertisement and submission of bids for instructional materials.

Section 7. Subsection (4) of section 1007.25, Florida 211 Statutes, is amended to read:

212 1007.25 General education courses; common prerequisites; 213 other degree requirements.-

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(4) Beginning with students initially entering a Florida

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215 College System institution or state university in the 2020-2021 216 2018-2019 school year and thereafter, each student must 217 demonstrate competency in civic literacy. Students must have the 218 option to demonstrate competency through the successful 219 completion of a civic literacy course and or by achieving a 220 passing score on an assessment. The State Board of Education 221 must adopt in rule and the Board of Governors must adopt in 222 regulation at least one existing assessment that measures 223 competencies consistent with the required course competencies 224 outlined in paragraph (b). A student may fulfill the assessment 225 requirement by earning a passing score on the assessment while 226 in high school under s. 1003.4282(3)(d). The chair of the State 227 Board of Education and the chair of the Board of Governors, or 228 their respective designees, shall jointly appoint a faculty 229 committee to:

(a) Develop a new course in civic literacy or revise an
existing general education core course in American History or
American Government to include civic literacy.

233 (b) Establish course competencies and identify outcomes 234 that include, at a minimum, an understanding of the basic 235 principles of American democracy and how they are applied in our 236 republican form of government, an understanding of the United 237 States Constitution, knowledge of the founding documents and how 2.38 they have shaped the nature and functions of our institutions of 239 self-governance, and an understanding of landmark Supreme Court 240 cases and their impact on law and society.

241 Section 8. Paragraph (a) of subsection (8) of section 242 1007.35, Florida Statutes, is amended, and paragraph (1) is 243 added to subsection (6) of that section, to read:

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244 1007.35 Florida Partnership for Minority and 245 Underrepresented Student Achievement.-246 (6) The partnership shall: 247 (1) Provide information on resources and opportunities to 248 help students transition to postsecondary education, including 249 available financial aid and how to apply for such aid, as well 250 as public and private partnerships that provide college advising 251 services to assist students in the postsecondary education 252 application process. 253 (8) (a) By September 30 of each year, the partnership shall 254 submit to the department a report that contains an evaluation of 255 the effectiveness of the delivered services and activities. 256 Activities and services must be evaluated on their effectiveness 257 at raising student achievement and increasing the number of AP 258 or other advanced course examinations in low-performing middle 259 and high schools. Other indicators that must be addressed in the 260 evaluation report include the number of middle and high school 261 teachers trained; the effectiveness of the training; measures of postsecondary readiness of the students affected by the program; 262 263 levels of participation in 10th grade PSAT/NMSQT or the PreACT 264 testing; the number of students who submit at least one 265 postsecondary application; the number of students who submit an application for financial aid to help pay for postsecondary 266 2.67 expenses; and measures of student, parent, and teacher awareness

of and satisfaction with the services of the partnership. 269 Section 9. Paragraph (a) of subsection (1) and subsection 270 (2) of section 1008.212, Florida Statutes, are amended to read:

271 1008.212 Students with disabilities; extraordinary 272 exemption.-

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

(a) "Circumstance" means a situation in which accommodations allowable for use on the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment pursuant to <u>s. 1008.22(3)(d)</u> s. 1008.22(3)(c) are not offered to a student during the current year's assessment administration due to technological limitations in the testing administration program which lead to results that reflect the student's impaired sensory, manual, or speaking skills rather than the student's achievement of the benchmarks assessed by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment.

(2) A student with a disability for whom the individual education plan (IEP) team determines is prevented by a circumstance or condition from physically demonstrating the mastery of skills that have been acquired and are measured by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment pursuant to <u>s. 1008.22(3)(d)</u> s. 1008.22(3)(c) shall be granted an extraordinary exemption from the administration of the assessment. A learning, emotional, behavioral, or significant cognitive disability, or the receipt of services through the homebound or hospitalized program in accordance with rule 6A-6.03020, Florida Administrative Code, is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption.

300 Section 10. Present paragraph (c) of subsection (3) of 301 section 1008.22, Florida Statutes, is redesignated as paragraph

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(d), a new paragraph (c) is added to that subsection, and paragraphs (a) and (b), present paragraphs (c) and (d), and paragraph (g) of subsection (3), subsection (6), paragraphs (a), (b), (c), and (h) of subsection (7), and subsections (8) and (9) of that section are amended, to read:

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1008.22 Student assessment program for public schools.-

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.-The 308 309 Commissioner of Education shall design and implement a 310 statewide, standardized assessment program aligned to the core 311 curricular content established in the Next Generation Sunshine 312 State Standards. The commissioner also must develop or select 313 and implement a common battery of assessment tools that will be 314 used in all juvenile justice education programs in the state. 315 These tools must accurately measure the core curricular content 316 established in the Next Generation Sunshine State Standards. 317 Participation in the assessment program is mandatory for all 318 school districts and all students attending public schools, 319 including adult students seeking a standard high school diploma 320 under s. 1003.4282 and students in Department of Juvenile 321 Justice education programs, except as otherwise provided by law. If a student does not participate in the assessment program, the 322 323 school district must notify the student's parent and provide the 324 parent with information regarding the implications of such 325 nonparticipation. The statewide, standardized assessment program 326 shall be designed and implemented as follows:

327 (a) Statewide, standardized comprehensive assessments.-The
 328 statewide, standardized Reading assessment shall be administered
 329 annually in grades 3 through 10. The statewide, standardized
 330 Writing assessment shall be administered annually at least once

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331 at the elementary, middle, and high school levels. When the Reading and Writing assessments are replaced by English Language 332 333 Arts (ELA) assessments, ELA assessments shall be administered to 334 students in grades 3 through 8 and in grade 10. The grade 9 ELA 335 assessment shall be last administered in the 2021-2022 school 336 year. Retake opportunities for the grade 10 Reading assessment 337 or, upon implementation, the grade 10 ELA assessment must be 338 provided. Students taking the ELA assessments shall not take the 339 statewide, standardized assessments in Reading or Writing. 340 Reading passages and writing prompts for ELA assessments shall 341 incorporate grade-level core curricula content from social 342 studies. The statewide, standardized Mathematics assessments 343 shall be administered annually in grades 3 through 8. Students 344 taking a revised Mathematics assessment shall not take the 345 discontinued assessment. The statewide, standardized Science 346 assessment shall be administered annually at least once at the 347 elementary and middle grades levels. In order to earn a standard 348 high school diploma, a student who has not earned a passing 349 score on the grade 10 Reading assessment or, upon 350 implementation, the grade 10 ELA assessment must earn a passing 351 score on the assessment retake or earn a concordant score as authorized under subsection (9). Statewide, standardized ELA and 352 353 mathematics assessments in grades 3 through 6 must be delivered 354 in a paper-based format. 355 (b) End-of-course (EOC) assessments.-EOC assessments must

355 (b) End-of-course (EUC) assessments.—EUC assessments must 356 be statewide, standardized, and developed or approved by the 357 Department of Education as follows:

358 1. EOC assessments for Algebra I, Geometry, Biology I,359 United States History, and Civics shall be administered to

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360 students enrolled in such courses as specified in the course 361 code directory. <u>The Geometry EOC assessment shall be</u> 362 <u>administered to students enrolled in such courses as specified</u> 363 <u>in the course code directory until the assessment is</u> 364 discontinued.

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

372 3. The commissioner may select one or more nationally 373 developed comprehensive examinations, which may include 374 examinations for a College Board Advanced Placement course, 375 International Baccalaureate course, or Advanced International 376 Certificate of Education course, or industry-approved 377 examinations to earn national industry certifications identified 378 in the CAPE Industry Certification Funding List, for use as EOC 379 assessments under this paragraph if the commissioner determines 380 that the content knowledge and skills assessed by the 381 examinations meet or exceed the grade-level expectations for the 382 core curricular content established for the course in the Next 383 Generation Sunshine State Standards. Use of any such examination 384 as an EOC assessment must be approved by the state board in 385 rule.

386 4. Contingent upon funding provided in the General
387 Appropriations Act, including the appropriation of funds
388 received through federal grants, the commissioner may establish

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389 an implementation schedule for the development and 390 administration of additional statewide, standardized EOC 391 assessments that must be approved by the state board in rule. If 392 approved by the state board, student performance on such 393 assessments constitutes 30 percent of a student's final course 394 grade. 395 5. All statewide, standardized EOC assessments must be 396 administered online except as otherwise provided in paragraph 397 (c). 398 6. A student enrolled in an Advanced Placement (AP), 399 International Baccalaureate (IB), or Advanced International 400 Certificate of Education (AICE) course who takes the respective 401 AP, IB, or AICE assessment and earns the minimum score necessary 402 to earn college credit, as identified in s. 1007.27(2), meets 403 the requirements of this paragraph and does not have to take the 404 EOC assessment for the corresponding course. 405 (c) Nationally recognized high school assessments.-406 1. Beginning with the 2020-2021 school year, a nationally 407 recognized high school assessment, defined as either the ACT or

the SAT, shall be administered to students in grade 11.

2. The Commissioner of Education shall, through a competitive procurement, select either the ACT or the SAT for statewide administration.

3. Funding for the SAT and the ACT for all grade 11 students shall be as provided in the General Appropriations Act.

414 <u>(d) (c)</u> Students with disabilities; Florida Alternate 415 Assessment.-

416 1. Each district school board must provide instruction to 417 prepare students with disabilities in the core content knowledge

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418 and skills necessary for successful grade-to-grade progression 419 and high school graduation.

2. A student with a disability, as defined in s. 1007.02, 420 421 for whom the individual education plan (IEP) team determines 422 that the statewide, standardized assessments under this section 423 cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have 424 425 assessment results waived for the purpose of receiving a course 42.6 grade and a standard high school diploma. Such waiver shall be 427 designated on the student's transcript. The statement of waiver 428 shall be limited to a statement that performance on an 429 assessment was waived for the purpose of receiving a course 430 grade or a standard high school diploma, as applicable.

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

435 a. Accommodations that negate the validity of a statewide, 436 standardized assessment are not allowed during the 437 administration of the assessment. However, instructional 438 accommodations are allowed in the classroom if identified in a 439 student's IEP. Students using instructional accommodations in 440 the classroom that are not allowed on a statewide, standardized 441 assessment may have assessment results waived if the IEP team 442 determines that the assessment cannot accurately measure the 443 student's abilities.

b. If a student is provided with instructional
accommodations in the classroom that are not allowed as
accommodations for statewide, standardized assessments, the

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447 district must inform the parent in writing and provide the 448 parent with information regarding the impact on the student's 449 ability to meet expected performance levels. A parent must 450 provide signed consent for a student to receive classroom 451 instructional accommodations that would not be available or 452 permitted on a statewide, standardized assessment and 453 acknowledge in writing that he or she understands the 454 implications of such instructional accommodations.

455 c. If a student's IEP states that online administration of 456 a statewide, standardized assessment will significantly impair 457 the student's ability to perform, the assessment shall be 458 administered in hard copy.

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

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(d) Implementation schedule .-

465 1. The Commissioner of Education shall establish and 466 publish on the department's website an implementation schedule 467 to transition from the statewide, standardized Reading and 468 Writing assessments to the ELA assessments and to the revised 469 Mathematics assessments, including the Algebra I and Ceometry 470 EOC assessments. The schedule must take into consideration 471 funding, sufficient field and baseline data, access to 472 assessments, instructional alignment, and school district 473 readiness to administer the assessments online. All such 474 assessments must be delivered through computer-based testing, 475 however, the following assessments must be delivered in a

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476 computer-based format, as follows: the grade 3 Mathematics 477 assessment beginning in the 2016-2017 school year; the grade 4 478 ELA assessment, beginning in the 2015-2016 school year; and the 479 grade 4 Mathematics assessment, beginning in the 2016-2017 480 school year. Notwithstanding the requirements of this 481 subparagraph, statewide, standardized ELA and mathematics 482 assessments in grades 3 through 6 must be delivered only in a 483 paper-based format, beginning with the 2017-2018 school year, 484 and all such assessments must be paper-based no later than the 485 2018-2019 school year. 486 2. The Department of Education shall publish minimum and

487 recommended technology requirements that include specifications 488 for hardware, software, networking, security, and broadband capacity to facilitate school district compliance with the requirements of this section.

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(g) Contracts for assessments.-

492 1. The commissioner shall provide for the assessments to be 493 developed or obtained, as appropriate, through contracts and 494 project agreements with private vendors, public vendors, public 495 agencies, postsecondary educational institutions, or school 496 districts. The commissioner may enter into contracts for the 497 continued administration of the assessments authorized and 498 funded by the Legislature. Contracts may be initiated in 1 499 fiscal year and continue into the next fiscal year and may be 500 paid from the appropriations of either or both fiscal years. The 501 commissioner may negotiate for the sale or lease of tests, 502 scoring protocols, test scoring services, and related materials 503 developed pursuant to law.

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2. A student's performance results on statewide,

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505	standardized assessments, EOC assessments, and Florida
506	Alternative Assessments administered pursuant to this subsection
507	must be provided to the student's teachers and parents by the
508	end of the school year, unless the commissioner determines that
509	extenuating circumstances exist and reports the extenuating
510	circumstances to the State Board of Education. This subparagraph
511	does not apply to existing contracts for such assessments, but
512	shall apply to new contracts and any renewal of existing
513	contracts for such assessments.
514	3. If liquidated damages are applicable, the department
515	shall collect liquidated damages that are due in response to the
516	administration of the spring 2015 computer-based assessments of
517	the department's Florida Standards Assessment contract with
518	American Institutes for Research, and expend the funds to
519	reimburse parties that incurred damages.
520	(6) LOCAL ASSESSMENT OF STUDENT PERFORMANCE ON STATE
521	STANDARDS
522	(a) Measurement of student performance is the
523	responsibility of school districts except in those subjects and
524	grade levels measured under the statewide, standardized
525	assessment program described in this section. When available,
526	instructional personnel must be provided with information on
527	student achievement of standards and benchmarks in order to
528	improve instruction.
529	(b) The Commissioner of Education shall assist and support
530	districts in measuring student performance on the state

531 standards by maintaining a statewide item bank, facilitating the 532 sharing of developed tests or test items among school districts, 533 and providing technical assistance in best assessment practices.

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534 The commissioner may discontinue the item bank if he or she 535 determines that district participation is insufficient for its 536 sustainability.

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(7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.-

538 (a) The Commissioner of Education shall establish schedules 539 for the administration of statewide, standardized assessments 540 and the reporting of student assessment results. The 541 commissioner shall consider the observance of religious and 542 school holidays when developing the schedules. The assessment 543 and reporting schedules must provide the earliest possible 544 reporting of student assessment results to the school districts τ 545 consistent with the requirements of paragraph (3)(g). Assessment 546 results for the statewide, standardized ELA and mathematics 547 assessments and all statewide, standardized EOC assessments must 548 be made available no later than June 30, except for results for 549 the grade 3 statewide, standardized ELA assessment, which must 550 be made available no later than May 31. School districts shall 551 administer statewide, standardized assessments in accordance 552 with the schedule established by the commissioner.

553 (b) By January of each year, beginning in 2018, the 554 commissioner shall publish on the department's website a uniform 555 calendar that includes the assessment and reporting schedules 556 for, at a minimum, the next 2 school years. The uniform calendar 557 must be provided to school districts in an electronic format 558 that allows each school district and public school to populate 559 the calendar with, at minimum, the following information for 560 reporting the district assessment schedules under paragraph (d):

561 1. Whether the assessment is a district-required assessment562 or a state-required assessment.

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563 2. The specific date or dates that each assessment will be 564 administered. 3. The time allotted to administer each assessment. 565 566 4. Whether the assessment is a computer-based assessment or 567 a paper-based assessment. 568 5. The grade level or subject area associated with the 569 assessment. 570 6. The date that the assessment results are expected to be 571 available to teachers and parents. 572 7. The type of assessment, the purpose of the assessment, 573 and the use of the assessment results. 574 8. A glossary of assessment terminology. 575 9. Estimates of average time for administering state-576 required and district-required assessments, by grade level. 577 (c) Beginning with the 2018-2019 school year, The spring 578 administration of the statewide, standardized assessments in 579 paragraphs (3)(a) and (b), excluding assessment retakes, must be 580 in accordance with the following schedule: 581 1. The grade 3 statewide, standardized ELA assessment and 582 the writing portion of the statewide, standardized ELA 583 assessment for grades 4 through 10 must be administered no 584 earlier than April 1 each year within an assessment window not to exceed 2 weeks. 585 586 2. With the exception of assessments identified in 587 subparagraph 1., any statewide, standardized assessment that is 588 delivered in a paper-based format must be administered no 589 earlier than May 1 each year within an assessment window not to 590 exceed 2 weeks. 591 3. With the exception of assessments identified in



592 subparagraphs 1. and 2., any statewide, standardized assessment 593 must be administered within a 4-week assessment window that opens no earlier than May 1 each year. 594

596 Each school district shall administer the assessments identified under subparagraphs 2. and 3. no earlier than 4 weeks before the 597 598 last day of school for the district.

599 (h) The results of statewide, standardized ELA, and 600 mathematics, science, and social studies assessments, including 601 assessment retakes, shall be reported in an easy-to-read and 602 understandable format and delivered in time to provide useful, 603 actionable information to students, parents, and each student's current teacher of record and teacher of record for the 605 subsequent school year; however, in any case, the district shall 606 provide the results pursuant to this paragraph within 1 week after receiving the results from the department. A report of 608 student assessment results must, at a minimum, contain:

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

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

3. Specific actions that may be taken, and the available 613 614 resources that may be used, by the student's parent to assist 615 his or her child based on the student's areas of strength and 616 areas in need of improvement.

617 4. Longitudinal information, if available, on the student's 618 progress in each subject area based on previous statewide, 619 standardized assessment data.

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5. Comparative information showing the student's score

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621 compared to other students in the school district, in the state,622 or, if available, in other states.

623 6. Predictive information, if available, showing the 624 linkage between the scores attained by the student on the 625 statewide, standardized assessments and the scores he or she may 626 potentially attain on nationally recognized college entrance 627 examinations.

(8) PUBLICATION OF ASSESSMENTS.-To promote transparency in the statewide assessment program, in any procurement for the <u>statewide, standardized assessments in ELA, assessment in grades</u> 3 through 10 and the mathematics, <u>science</u>, <u>and social studies</u> assessment in grades 3 through 8, the Department of Education shall solicit cost proposals for publication of the state assessments on its website in accordance with this subsection.

(a) The department shall publish each assessment
administered under paragraph (3) (a) and subparagraph (3) (b)1.,
excluding assessment retakes, at least once on a triennial basis
pursuant to a schedule determined by the Commissioner of
Education. Each assessment, when published, must have been
administered during the most recent school year and be in a
format that facilitates the sharing of assessment items.

(b) The initial publication of assessments must occur no
later than June 30, <u>2024</u> 2021, subject to appropriation, and
must include, at a minimum, the grade 3 ELA and mathematics
assessments, the grade 10 ELA assessment, and the Algebra I EOC
assessment.

647 (c) The department must provide materials on its website to
648 help the public interpret assessment information published
649 pursuant to this subsection.

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650 (9) CONCORDANT SCORES. - The Commissioner of Education must 651 identify scores on the SAT and ACT that if achieved satisfy the 652 graduation requirement that a student pass the grade 10 653 statewide, standardized Reading assessment or, upon 654 implementation, the grade 10 ELA assessment. The commissioner 655 may identify concordant scores on assessments other than the SAT 656 and ACT. If the content or scoring procedures change for the 657 grade 10 Reading assessment or, upon implementation, the grade 658 10 ELA assessment, new concordant scores must be determined. If 659 new concordant scores are not timely adopted, the last-adopted 660 concordant scores remain in effect until such time as new scores 661 are adopted. The state board shall adopt concordant scores in 662 rule.

Section 11. Paragraph (a) of subsection (2) of section 1008.25, Florida Statutes, is amended to read:

1008.25 Public school student progression; student support; reporting requirements.-

(2) STUDENT PROGRESSION PLAN.-Each district school board shall establish a comprehensive plan for student progression which must provide for a student's progression from one grade to another based on the student's mastery of the standards in s. 1003.41, specifically English Language Arts, mathematics, science, and social studies standards. The plan must:

(a) Include criteria that emphasize student reading
proficiency in kindergarten through grade 3 and provide targeted
instructional support for students with identified deficiencies
in English Language Arts, mathematics, science, and social
studies. High schools shall use all available assessment
results, including the results of statewide, standardized

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679 English Language Arts assessments and end-of-course assessments 680 for Algebra I and Geometry, to advise students of any identified 681 deficiencies and to provide appropriate postsecondary 682 preparatory instruction before high school graduation. The 683 results of evaluations used to monitor a student's progress in 684 grades K-12 must be provided to the student's teacher in a 685 timely manner and as otherwise required by law. Thereafter, 686 evaluation results must be provided to the student's parent in a timely manner. When available, instructional personnel must be 687 688 provided with information on student achievement of standards 689 and benchmarks in order to improve instruction.

Section 12. Subsection (1), paragraphs (a) and (b) of subsection (3), and subsection (4) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.-

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

(3) (a) The academic performance of all students has a significant effect on the state school system. Pursuant to Art. IX of the State Constitution, which prescribes the duty of the State Board of Education to supervise Florida's public school system, the state board shall equitably enforce the accountability requirements of the state school system and may impose state requirements on school districts in order to

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improve the academic performance of all districts, schools, and students based upon the provisions of the Florida K-20 Education Code, chapters 1000-1013; the federal ESEA and its implementing regulations; and the ESEA <u>plan</u> flexibility waiver approved for Florida by the United States Secretary of Education.

(b) The Department of Education shall annually identify each public school in need of intervention and support to improve student academic performance. <u>A deficient and failing</u> <u>school is a school All schools</u> earning a grade of "D" or "F" pursuant to s. 1008.34 are schools in need of intervention and support.

719 (4) (a) The state board shall apply intensive intervention 720 and support strategies tailored to the needs of schools earning 721 a grade two consecutive grades of "D" or a grade of "F." In the 722 first full school year after a school initially earns a grade 723 two consecutive grades of "D" or a grade of "F," the school 724 district must immediately implement intervention and support 725 strategies prescribed in rule under paragraph (3)(c) and, by 726 September 1, provide the department with the memorandum of 727 understanding negotiated pursuant to s. 1001.42(21) and, by 728 October 1, a district-managed turnaround plan for approval by 729 the state board. The district-managed turnaround plan may 730 include a proposal for the district to implement an extended 7.31 school day, a summer program, or a combination of an extended 732 school day and a summer program. Upon approval by the state 733 board, the school district must implement the plan for the 734 remainder of the school year and continue the plan for 1 full 735 school year. The state board may allow a school an additional 736 year of implementation before the school must implement a

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737 turnaround option required under paragraph (b) if it determines 738 that the school is likely to improve to a grade of "C" or higher 739 after the first full school year of implementation, and will 740 sustain the improvement beyond the next school year.

(b) Unless an additional year of implementation is provided pursuant to paragraph (a), a school that <u>completes a district-</u> <u>managed turnaround plan cycle and does not improve to at least a</u> <u>grade of earns three consecutive grades below a</u> "C" <u>or higher</u> <u>must implement one of the following:</u>

1. Upon the recommendation of the Commissioner of Education, the state board may allow the school district to close the school and reassign students to another school with a school grade of "C" or higher, provide additional services to reassigned students which are designed to address deficiencies and improve performance, and monitor the progress of each reassigned student for 3 school years;

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

756 3. Enter into a performance contract with an external 757 operator outside entity that has a demonstrated record of effectiveness to operate the school. The contract must allow 758 759 unilateral cancellation by the school district upon revocation 760 of the turnaround plan under paragraph (f). An external operator 761 outside entity may include the State University System or 762 Florida College System institution or a district-managed charter 763 school in which all instructional personnel are not employees of 764 the school district, but are employees of an independent 765 governing board composed of members who did not participate in

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766 the review or approval of the charter.

(c) <u>During the implementation of a turnaround option, the</u> <u>district may request a new turnaround option.</u> Implementation of the turnaround option is no longer required if the school improves to a grade of "C" or higher.

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

(e) If a school earns a grade of "D" or "F" within 4 years after improving to a grade of "C" or higher, the school may only select a turnaround option under paragraph (b).

(f) The state board may revoke a turnaround plan if a school district fails to follow the terms and conditions of its approved plan. Before revoking a turnaround plan, the state board shall consider any curative action taken or proposed by the school district and the feasibility of improving performance under the plan during the remainder of the approval period. Upon revocation of a turnaround plan, a school district must submit a new turnaround plan or select a new turnaround option.

792 Section 13. Paragraphs (a) and (b) of subsection (1) and 793 paragraph (b) of subsection (3) of section 1008.34, Florida 794 Statutes, are amended to read:

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795	1008.34 School grading system; school report cards;
796	district grade
797	(1) DEFINITIONSFor purposes of the statewide,
798	standardized assessment program and school grading system, the
799	following terms are defined:
800	(a) "Achievement level," "student achievement," or
801	"achievement" describes the level of content mastery a student
802	has acquired in a particular subject as measured by a statewide,
803	standardized assessment administered pursuant to s.
804	1008.22(3)(a) and (b). There are five achievement levels. Level
805	1 is the lowest achievement level, level 5 is the highest
806	achievement level, and level 3 indicates satisfactory
807	performance. A student passes an assessment if the student
808	achieves a level 3, level 4, or level 5. For purposes of the
809	Florida Alternate Assessment administered pursuant to <u>s.</u>
810	1008.22(3)(d) s. $1008.22(3)(c)$, the state board shall provide,
811	in rule, the number of achievement levels and identify the
812	achievement levels that are considered passing. For the purpose
813	of calculating school grades under this section, the State Board
814	of Education shall adopt by rule passing scores for the
815	nationally recognized high school assessment selected pursuant
816	to s. 1008.22(3)(c).
817	(b) "Learning Gains $_{ au}$ " "annual learning gains," or "student
818	learning gains" means the degree of student learning growth
819	occurring over time from one school year to the next as required
820	by state board rule for purposes of calculating school grades
821	under this section.
822	(3) DESIGNATION OF SCHOOL GRADES
823	(b)1. Beginning with the 2014-2015 school year, A school's

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824 grade shall be based on the following components, each worth 100 825 points:

a. The percentage of eligible students passing statewide,
standardized assessments in English Language Arts under s.
1008.22(3), and beginning with the 2022-2023 school year, the
percentage of eligible students passing the relevant portions of
the nationally recognized high school assessment selected
pursuant to s. 1008.22(3)(c).

b. The percentage of eligible students passing statewide, standardized assessments in mathematics under s. 1008.22(3), and beginning with the 2022-2023 school year, the percentage of eligible students passing the relevant portions of the nationally recognized high school assessment selected pursuant to s. 1008.22(3)(c).

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

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

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

845 f. The percentage of eligible students who make Learning 846 Gains in mathematics as measured by statewide, standardized 847 assessments administered under s. 1008.22(3).

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

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853 h. The percentage of eligible students in the lowest 25 854 percent in mathematics, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains 855 856 as measured by statewide, standardized Mathematics assessments 857 administered under s. 1008.22(3). 858 i. For schools comprised of middle grades 6 through 8 or 859 grades 7 and 8, the percentage of eligible students passing high 860 school level statewide, standardized end-of-course assessments 861 or attaining national industry certifications identified in the 862 CAPE Industry Certification Funding List pursuant to rules 863 adopted by the State Board of Education. 864 865 In calculating Learning Gains for the components listed in sub-866 subparagraphs e.-h., the State Board of Education shall require 867 that learning growth toward achievement levels 3, 4, and 5 is 868 demonstrated by students who scored below each of those levels 869 in the prior year. In calculating the components in sub-870 subparagraphs a.-d., the state board shall include the 871 performance of English language learners only if they have been 872 enrolled in a school in the United States for more than 2 years. 873 2. For a school comprised of grades 9, 10, 11, and 12, or 874 grades 10, 11, and 12, the school's grade shall also be based on 875 the following components, each worth 100 points:

a. The 4-year high school graduation rate of the school asdefined by state board rule.

b. The percentage of students who were eligible to earn
college and career credit through College Board Advanced
Placement examinations, International Baccalaureate
examinations, dual enrollment courses, or Advanced International

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882 Certificate of Education examinations; or who, at any time 883 during high school, earned national industry certification identified in the CAPE Industry Certification Funding List, 884 885 pursuant to rules adopted by the state board.

886 Section 14. Subsection (2) of section 1008.3415, Florida 887 Statutes, is amended to read:

1008.3415 School grade or school improvement rating for exceptional student education centers.-

(2) Notwithstanding s. 1008.34, the achievement levels and 890 891 Learning Gains of a student with a disability who attends an 892 exceptional student education center and has not been enrolled 893 in or attended a public school other than an exceptional student 894 education center for grades K-12 within the school district 895 shall not be included in the calculation of the home school's 896 grade if the student is identified as an emergent student on the 897 alternate assessment described in s. 1008.22(3)(d) s. 898 $\frac{1008.22(3)(c)}{}$

Section 15. Subsection (21) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.-If the annual 902 allocation from the Florida Education Finance Program to each 903 district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as 906 follows:

907 (21) TURNAROUND SCHOOL SUPPLEMENTAL SERVICES ALLOCATION.-908 The turnaround school supplemental services allocation is 909 created to provide district-managed turnaround schools, as 910 identified in s. 1008.33(4)(a), schools implementing a charter

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911 or an external operator turnaround option, that earn three consecutive grades below a "C," as identified in s. 912 913 1008.33(4)(c)3. s. 1008.33(4)(b)3., and schools that have improved to a "C" or higher and are no longer in turnaround 914 915 status, as identified in s. 1008.33(4)(d) s. 1008.33(4)(c), with 916 funds to offer services designed to improve the overall academic 917 and community welfare of the schools' students and their 918 families.

919 (a)1. Services funded by the allocation may include, but 920 are not limited to, tutorial and after-school programs, student counseling, nutrition education, parental counseling, and an 921 922 extended school day and school year. In addition, services may 923 include models that develop a culture that encourages students 924 to complete high school and to attend college or career 925 training, set high academic expectations, and inspire character 926 development.

927 2. A school district may enter into a formal agreement with 928 a nonprofit organization that has tax-exempt status under s. 929 501(c)(3) of the Internal Revenue Code to implement an 930 integrated student support service model that provides students 931 and families with access to wrap-around services, including, but 932 not limited to, health services, after-school programs, drug 933 prevention programs, college and career readiness programs, and 934 food and clothing banks.

935 (b) Before distribution of the allocation, the school 936 district shall develop and submit a plan for implementation to 937 its school board for approval no later than August 1 of each 938 fiscal year.

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(c) At a minimum, the plan required under paragraph (b)

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must:
1. Establish comprehensive support services that develop
family and community partnerships;
2. Establish clearly defined and measurable high academic
and character standards;
3. Increase parental involvement and engagement in the
child's education;
4. Describe how instructional personnel will be identified,
recruited, retained, and rewarded;
5. Provide professional development that focuses on
academic rigor, direct instruction, and creating high academic
and character standards;
6. Provide focused instruction to improve student academic
proficiency, which may include additional instruction time
beyond the normal school day or school year; and
7. Include a strategy for continuing to provide services
after the school is no longer in turnaround status by virtue of
achieving a grade of "C" or higher.
(d) Each school district shall submit its approved plans to
the commissioner by September 1 of each fiscal year.
(e) Subject to legislative appropriation, each school
district's allocation must be based on the unweighted FTE
student enrollment at the eligible schools and a per-FTE funding
amount of \$500 or as provided in the General Appropriations Act.
The supplement provided in the General Appropriations Act shall
be based on the most recent school grades and shall serve as a
proxy for the official calculation. Once school grades are
available for the school year immediately preceding the fiscal
year coinciding with the appropriation, the supplement shall be



969 recalculated for the official participating schools as part of 970 the subsequent FEFP calculation. The commissioner may prepare a 971 preliminary calculation so that districts may proceed with 972 timely planning and use of the funds. If the calculated funds 973 for the statewide allocation exceed the funds appropriated, the 974 allocation of funds to each school district must be prorated 975 based on each school district's share of the total unweighted 976 FTE student enrollment for the eligible schools.

977 (f) Subject to legislative appropriation, each school shall 978 remain eligible for the allocation for a maximum of 4 continuous 979 fiscal years while implementing a turnaround option pursuant to 980 s. 1008.33(4). In addition, a school that improves to a grade of 981 "C" or higher shall remain eligible to receive the allocation 982 for a maximum of 2 continuous fiscal years after exiting 983 turnaround status.

Section 16. For the 2020-2021 fiscal year, the sum of \$8 million in recurring funds is appropriated from the General Revenue Fund to the Department of Education to implement s. 1008.22(3)(c), as created by this act.

994Delete everything before the enacting clause995and insert:

A bill to be entitled An act relating to education; amending s. 1001.23,

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998 F.S.; authorizing the Department of Education to hold 999 patents, copyrights, trademarks, and service marks; 1000 authorizing the department to take specified actions 1001 to enforce its rights under certain circumstances; 1002 requiring the department to notify the Department of 1003 State under certain circumstances; requiring certain 1004 proceeds to be deposited into a specified trust fund; 1005 amending s. 1003.33, F.S.; requiring final report 1006 cards to be issued within a multiple specified 1007 timeframes; amending s. 1003.4156, F.S.; conforming 1008 provisions to changes made by the act; amending s. 1009 1003.4282, F.S.; deleting obsolete language; requiring 1010 certain students to take a specified assessment 1011 relating to civic literacy; providing that such 1012 assessment meets certain postsecondary requirements 1013 under specified circumstances; amending s. 1003.4285, 1014 F.S.; revising the requirements for earning the 1015 Scholar designation on a standard high school diploma; 1016 amending s. 1006.33, F.S.; authorizing the department 1017 to establish timeframes for specified purposes 1018 relating to instructional materials for a certain 1019 adoption cycle; amending s. 1007.25, F.S.; requiring 1020 postsecondary students to complete a civic literacy 1021 course and pass a specified assessment to demonstrate 1022 competency in civic literacy; authorizing students to 1023 meet the assessment requirements in high school; 1024 amending s. 1007.35, F.S.; requiring the Florida 1025 Partnership for Minority and Underrepresented Student 1026 Achievement to provide specified information to



1027 students relating to transitioning to postsecondary 1028 education; revising certain reporting requirements; 1029 amending s. 1008.212, F.S.; conforming cross-1030 references; amending s. 1008.22, F.S.; deleting 1031 obsolete language; discontinuing a specified English Language Arts assessment at a certain time; requiring 1032 1033 certain statewide, standardized assessments to be 1034 administered in a paper-based format; requiring school 1035 districts to provide the SAT or ACT to grade 11 1036 students beginning in a specified school year; 1037 requiring the Commissioner of Education to choose 1038 which assessment to administer; providing that funding 1039 for the assessments shall be as provided by 1040 appropriation; deleting specified reporting 1041 requirements; deleting a requirement that the 1042 Commissioner of Education maintain a specified item 1043 bank; deleting specified requirements for the date of 1044 the administration of specified assessments; revising 1045 a deadline for the publication of certain assessments; 1046 amending s. 1008.25, F.S.; revising which assessments 1047 a high school must use to advise students of specified 1048 deficiencies; amending s. 1008.33, F.S.; revising 1049 requirements for certain intervention and support 1050 strategies; revising requirements for the State Board 1051 of Education to allow a school an additional year of 1052 implementation of a district-managed turnaround plan; 1053 revising the requirements for turnaround options for 1054 specified schools; authorizing a school district to 1055 request a new turnaround option; providing

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1056 requirements for certain schools that reenter the 1057 turnaround system; authorizing the state board to 1058 revoke a turnaround plan under certain circumstances; providing requirements for such revocation; amending 1059 1060 s. 1008.34, F.S.; revising definitions; revising 1061 school grade calculations to include specified 1062 assessment results beginning in a specified school year; amending s. 1008.3415, F.S.; conforming a cross-1063 reference; amending s. 1011.62, F.S.; revising the 1064 1065 eligibility criteria for the turnaround school 1066 supplemental services allocation; providing an 1067 appropriation; providing effective dates.