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LEGISLATIVE ACTION

Senate

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House

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Senator Legg moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (11) of section 1002.20, Florida  
Statutes, is amended to read:

1002.20 K-12 student and parent rights.—Parents of public  
school students must receive accurate and timely information  
regarding their child's academic progress and must be informed  
of ways they can help their child to succeed in school. K-12  
students and their parents are afforded numerous statutory



877970

12 rights including, but not limited to, the following:

13 (11) STUDENTS WITH READING DEFICIENCIES. ~~Each elementary~~  
14 ~~school shall regularly assess the reading ability of each K-3~~  
15 ~~student.~~ The parent of any K-3 student who exhibits a reading  
16 deficiency shall be immediately notified of the student's  
17 deficiency with a description and explanation, in terms  
18 understandable to the parent, of the exact nature of the  
19 student's difficulty in learning and lack of achievement in  
20 reading; shall be consulted in the development of a ~~progress~~  
21 ~~monitoring~~ plan, as described in s. 1008.25(4)(b); and shall be  
22 informed that the student will be given intensive reading  
23 instruction until the deficiency is corrected. This subsection  
24 operates in addition to the remediation and notification  
25 provisions contained in s. 1008.25 and in no way reduces the  
26 rights of a parent or the responsibilities of a school district  
27 under that section.

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

30 1003.4156 General requirements for middle grades  
31 promotion.—

32 ~~(2) If a middle grades student scores Level 1 or Level 2 on~~  
33 ~~the statewide, standardized Reading assessment or, when~~  
34 ~~implemented, the English Language Arts (ELA) assessment, the~~  
35 ~~following year the student must enroll in and complete a~~  
36 ~~remedial course or a content area course in which remediation~~  
37 ~~strategies are incorporated into course content delivery. The~~  
38 ~~department shall provide guidance on appropriate strategies for~~  
39 ~~diagnosing and meeting the varying instructional needs of~~  
40 ~~students performing below grade level.~~



877970

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

45 Section 3. Subsection (5) of section 1003.4282, Florida  
46 Statutes, is amended to read:

47 1003.4282 Requirements for a standard high school diploma.-

48 ~~(5) REMEDIATION FOR HIGH SCHOOL STUDENTS.-~~

49 ~~(a) Each year a student scores Level 1 or Level 2 on the~~  
50 ~~statewide, standardized grade 9 or grade 10 Reading assessment~~  
51 ~~or, when implemented, the grade 9, grade 10, or grade 11 ELA~~  
52 ~~assessment, the student must be enrolled in and complete an~~  
53 ~~intensive remedial course the following year or be placed in a~~  
54 ~~content area course that includes remediation of skills not~~  
55 ~~acquired by the student.~~

56 ~~(b) Each year a student scores Level 1 or Level 2 on the~~  
57 ~~statewide, standardized Algebra I EOC assessment, the student~~  
58 ~~must be enrolled in and complete an intensive remedial course~~  
59 ~~the following year or be placed in a content area course that~~  
60 ~~includes remediation of skills not acquired by the student.~~

61 Section 4. Paragraph (a) of subsection (1) of section  
62 1003.4285, Florida Statutes, is amended to read:

63 1003.4285 Standard high school diploma designations.-

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

67 (a) *Scholar designation.*-In addition to the requirements of  
68 s. 1003.4282, in order to earn the Scholar designation, a  
69 student must satisfy the following requirements:



877970

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

73 ~~1.2. Mathematics.—Earn one credit in Algebra II and one~~  
74 ~~credit in statistics or an equally rigorous course. Beginning~~  
75 ~~with students entering grade 9 in the 2014-2015 school year,~~  
76 ~~pass the Algebra II and Geometry statewide, standardized~~  
77 ~~assessments.~~

78 ~~2.3. Science.—Pass the statewide, standardized Biology I~~  
79 ~~EOC assessment and earn one credit in chemistry or physics and~~  
80 ~~one credit in a course equally rigorous to chemistry or physics.~~  
81 ~~However, a student enrolled in an Advanced Placement (AP),~~  
82 ~~International Baccalaureate (IB), or Advanced International~~  
83 ~~Certificate of Education (AICE) Biology course who takes the~~  
84 ~~respective AP, IB, or AICE Biology assessment and earns the~~  
85 ~~minimum score necessary to earn college credit as identified~~  
86 ~~pursuant to s. 1007.27(2) meets the requirement of this~~  
87 ~~subparagraph without having to take the statewide, standardized~~  
88 ~~Biology I EOC assessment.~~

89 ~~3.4. Social studies.—Pass the statewide, standardized~~  
90 ~~United States History EOC assessment. However, a student~~  
91 ~~enrolled in an AP, IB, or AICE course that includes United~~  
92 ~~States History topics who takes the respective AP, IB, or AICE~~  
93 ~~assessment and earns the minimum score necessary to earn college~~  
94 ~~credit as identified pursuant to s. 1007.27(2) meets the~~  
95 ~~requirement of this subparagraph without having to take the~~  
96 ~~statewide, standardized United States History EOC assessment.~~

97 ~~4.5. Foreign language.—Earn two credits in the same foreign~~  
98 ~~language.~~



877970

99           ~~5.6.~~ Electives.—Earn at least one credit in an Advanced  
100 Placement, an International Baccalaureate, an Advanced  
101 International Certificate of Education, or a dual enrollment  
102 course.

103           Section 5. Subsections (1), (3), (4), and (6) of section  
104 1008.22, Florida Statutes, are amended, subsections (7) through  
105 (11) are redesignated as subsections (8) through (12),  
106 respectively, and a new subsection (7) is added to that section,  
107 to read:

108           1008.22 Student assessment program for public schools.—

109           (1) PURPOSE.—The primary purpose of the student assessment  
110 program is to provide student academic achievement and learning  
111 gains data to students, parents, teachers, school  
112 administrators, and school district staff. This data is to be  
113 used by districts to improve instruction; by students, parents,  
114 and teachers to guide learning objectives; by education  
115 researchers to assess national and international education  
116 comparison data; and by the public to assess the cost benefit of  
117 the expenditure of taxpayer dollars. The program must be  
118 designed to:

119           (f) When available, provide instructional personnel with  
120 information on student achievement of standards and benchmarks  
121 in order to improve instruction.

122           (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The  
123 Commissioner of Education shall design and implement a  
124 statewide, standardized assessment program aligned to the core  
125 curricular content established in the Next Generation Sunshine  
126 State Standards. The commissioner also must develop or select  
127 and implement a common battery of assessment tools that will be



877970

128 used in all juvenile justice education programs in the state.  
129 These tools must accurately measure the core curricular content  
130 established in the Next Generation Sunshine State Standards.  
131 Participation in the assessment program is mandatory for all  
132 school districts and all students attending public schools,  
133 including adult students seeking a standard high school diploma  
134 under s. 1003.4282 and students in Department of Juvenile  
135 Justice education programs, except as otherwise provided by law.  
136 If a student does not participate in the assessment program, the  
137 school district must notify the student's parent and provide the  
138 parent with information regarding the implications of such  
139 nonparticipation. The statewide, standardized assessment program  
140 shall be designed and implemented as follows:

141 (a) *Statewide, standardized comprehensive assessments.*—The  
142 statewide, standardized Reading assessment shall be administered  
143 annually in grades 3 through 10. The statewide, standardized  
144 Writing assessment shall be administered annually at least once  
145 at the elementary, middle, and high school levels. When the  
146 Reading and Writing assessments are replaced by English Language  
147 Arts (ELA) assessments, ELA assessments shall be administered to  
148 students in grades 3 through 10 ~~11~~. Retake opportunities for the  
149 grade 10 Reading assessment or, upon implementation, the grade  
150 10 ELA assessment must be provided. Students taking the ELA  
151 assessments shall not take the statewide, standardized  
152 assessments in Reading or Writing. ELA assessments shall be  
153 administered online. The statewide, standardized Mathematics  
154 assessments shall be administered annually in grades 3 through  
155 8. Students taking a revised Mathematics assessment shall not  
156 take the discontinued assessment. The statewide, standardized



877970

157 Science assessment shall be administered annually at least once  
158 at the elementary and middle grades levels. In order to earn a  
159 standard high school diploma, a student who has not earned a  
160 passing score on the grade 10 Reading assessment or, upon  
161 implementation, the grade 10 ELA assessment must earn a passing  
162 score on the assessment retake or earn a concordant score as  
163 authorized under subsection (8) ~~(7)~~.

164 (b) *End-of-course (EOC) assessments.*—EOC assessments must  
165 be statewide, standardized, and developed or approved by the  
166 Department of Education as follows:

167 1. EOC assessments for Algebra I, Geometry, Algebra II,  
168 Biology I, United States History, and Civics shall be  
169 administered to students enrolled in such courses as specified  
170 in the course code directory ~~Statewide, standardized EOC~~  
171 ~~assessments in mathematics shall be administered according to~~  
172 ~~this subparagraph. Beginning with the 2010-2011 school year, all~~  
173 ~~students enrolled in Algebra I must take the Algebra I EOC~~  
174 ~~assessment. Except as otherwise provided in paragraph (c),~~  
175 ~~beginning with students entering grade 9 in the 2011-2012 school~~  
176 ~~year, a student who is enrolled in Algebra I must earn a passing~~  
177 ~~score on the Algebra I EOC assessment or attain a comparative~~  
178 ~~score as authorized under subsection (8) in order to earn a~~  
179 ~~standard high school diploma. In order to earn a standard high~~  
180 ~~school diploma, a student who has not earned a passing score on~~  
181 ~~the Algebra I EOC assessment must earn a passing score on the~~  
182 ~~assessment retake or a comparative score as authorized under~~  
183 ~~subsection (8). Beginning with the 2011-2012 school year, all~~  
184 ~~students enrolled in Geometry must take the Geometry EOC~~  
185 ~~assessment. Middle grades students enrolled in Algebra I,~~



877970

186 ~~Geometry, or Biology I must take the statewide, standardized EOC~~  
187 ~~assessment for those courses and shall not take the~~  
188 ~~corresponding subject and grade-level statewide, standardized~~  
189 ~~assessment. When a statewide, standardized EOC assessment in~~  
190 ~~Algebra II is administered, all students enrolled in Algebra II~~  
191 ~~must take the EOC assessment. Pursuant to the commissioner's~~  
192 ~~implementation schedule, student performance on the Algebra II~~  
193 ~~EOC assessment constitutes 30 percent of a student's final~~  
194 ~~course grade.~~

195 ~~2. Statewide, standardized EOC assessments in science shall~~  
196 ~~be administered according to this subparagraph. Beginning with~~  
197 ~~the 2011-2012 school year, all students enrolled in Biology I~~  
198 ~~must take the Biology I EOC assessment. Beginning with students~~  
199 ~~entering grade 9 in the 2013-2014 school year, performance on~~  
200 ~~the Biology I EOC assessment constitutes 30 percent of the~~  
201 ~~student's final course grade.~~

202 ~~2.3. Students enrolled in a course, as specified in the~~  
203 ~~course code directory, with an associated statewide,~~  
204 ~~standardized EOC assessment must take the EOC assessment for~~  
205 ~~such course and may not take the corresponding subject or grade-~~  
206 ~~level statewide, standardized assessment pursuant to paragraph~~  
207 ~~(a). Sections 1003.4156 and 1003.4282 govern the use of~~  
208 ~~statewide, standardized EOC assessment results for students~~  
209 ~~Beginning with the 2013-2014 school year, each student's~~  
210 ~~performance on the statewide, standardized middle grades Civics~~  
211 ~~EOC assessment constitutes 30 percent of the student's final~~  
212 ~~course grade in civics education.~~

213 ~~3.4. The commissioner may select one or more nationally~~  
214 ~~developed comprehensive examinations, which may include~~



877970

215 examinations for a College Board Advanced Placement course,  
216 International Baccalaureate course, or Advanced International  
217 Certificate of Education course, or industry-approved  
218 examinations to earn national industry certifications identified  
219 in the Industry Certification Funding List, for use as EOC  
220 assessments under this paragraph if the commissioner determines  
221 that the content knowledge and skills assessed by the  
222 examinations meet or exceed the grade-level expectations for the  
223 core curricular content established for the course in the Next  
224 Generation Sunshine State Standards. Use of any such examination  
225 as an EOC assessment must be approved by the state board in  
226 rule.

227 ~~4.5.~~ Contingent upon funding provided in the General  
228 Appropriations Act, including the appropriation of funds  
229 received through federal grants, the commissioner may establish  
230 an implementation schedule for the development and  
231 administration of additional statewide, standardized EOC  
232 assessments that must be approved by the state board in rule. If  
233 approved by the state board, student performance on such  
234 assessments constitutes 30 percent of a student's final course  
235 grade.

236 ~~5.6.~~ All statewide, standardized EOC assessments must be  
237 administered online except as otherwise provided in paragraph  
238 (c).

239 (c) *Students with disabilities; Florida Alternate*  
240 *Assessment.*—

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



877970

244 and high school graduation.

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

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

260         a. Accommodations that negate the validity of a statewide,  
261 standardized assessment are not allowed during the  
262 administration of the assessment. However, instructional  
263 accommodations are allowed in the classroom if identified in a  
264 student's IEP. Students using instructional accommodations in  
265 the classroom that are not allowed on a statewide, standardized  
266 assessment may have assessment results waived if the IEP team  
267 determines that the assessment cannot accurately measure the  
268 student's abilities.

269         b. If a student is provided with instructional  
270 accommodations in the classroom that are not allowed as  
271 accommodations for statewide, standardized assessments, the  
272 district must inform the parent in writing and provide the



877970

273 parent with information regarding the impact on the student's  
274 ability to meet expected performance levels. A parent must  
275 provide signed consent for a student to receive classroom  
276 instructional accommodations that would not be available or  
277 permitted on a statewide, standardized assessment and  
278 acknowledge in writing that he or she understands the  
279 implications of such instructional accommodations.

280 c. If a student's IEP states that online administration of  
281 a statewide, standardized assessment will significantly impair  
282 the student's ability to perform, the assessment shall be  
283 administered in hard copy.

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

289 (d) *Implementation schedule.*—

290 1. The Commissioner of Education shall establish and  
291 publish on the department's website an implementation schedule  
292 to transition from the statewide, standardized Reading and  
293 Writing assessments to the ELA assessments and to the revised  
294 Mathematics assessments, including the Algebra I and Geometry  
295 EOC assessments. The schedule must take into consideration  
296 funding, sufficient field and baseline data, access to  
297 assessments, instructional alignment, and school district  
298 readiness to administer the assessments online. All such  
299 assessments must be delivered through computer-based testing,  
300 however, the following assessments must be delivered in a  
301 computer-based format, as follows: the grade 3 ELA assessment,



877970

302 beginning in the 2017-2018 school year; the grade 3 mathematics  
303 assessment beginning in the 2016-2017 school year; the grade 4  
304 ELA assessment, beginning in the 2015-2016 school year; and the  
305 grade 4 mathematics assessment, beginning in the 2016-2017  
306 school year.

307         2. The Department of Education shall publish minimum and  
308 recommended technology requirements that include specifications  
309 for hardware, software, networking, security, and broadband  
310 capacity to facilitate school district compliance with the  
311 requirement that assessments be administered online.

312         (e) *Assessment scores and achievement levels.*—

313         1. All statewide, standardized EOC assessments and ELA,  
314 mathematics Reading, Writing, and Science assessments shall use  
315 scaled scores and achievement levels. Achievement levels shall  
316 range from 1 through 5, with level 1 being the lowest  
317 achievement level, level 5 being the highest achievement level,  
318 and level 3 indicating satisfactory performance on an  
319 assessment. ~~For purposes of the statewide, standardized Writing~~  
320 ~~assessment, student achievement shall be scored using a scale of~~  
321 ~~1 through 6.~~

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

324         3. If the commissioner seeks to revise a statewide,  
325 standardized assessment and the revisions require the state  
326 board to modify performance level scores, including the passing  
327 score, the commissioner shall provide a copy of the proposed  
328 scores and implementation plan to the President of the Senate  
329 and the Speaker of the House of Representatives at least 90 days  
330 before submission to the state board for review. Until the state



877970

331 board adopts the modifications by rule, the commissioner shall  
332 use calculations for scoring the assessment that adjust student  
333 scores on the revised assessment for statistical equivalence to  
334 student scores on the former assessment. The state board shall  
335 adopt by rule the passing score for the revised assessment that  
336 is statistically equivalent to the passing score on the  
337 discontinued assessment for a student who is required to attain  
338 a passing score on the discontinued assessment. The commissioner  
339 may, with approval of the state board, discontinue  
340 administration of the former assessment upon the graduation,  
341 based on normal student progression, of students participating  
342 in the final regular administration of the former assessment. If  
343 the commissioner revises a statewide, standardized assessment  
344 and the revisions require the state board to modify the passing  
345 score, only students taking the assessment for the first time  
346 after the rule is adopted are affected.

347 ~~(f) Assessment schedules and reporting of results. The~~  
348 ~~Commissioner of Education shall establish schedules for the~~  
349 ~~administration of assessments and the reporting of student~~  
350 ~~assessment results. The commissioner shall consider the~~  
351 ~~observance of religious and school holidays when developing the~~  
352 ~~schedule. By August 1 of each year, the commissioner shall~~  
353 ~~notify each school district in writing and publish on the~~  
354 ~~department's website the assessment and reporting schedules for,~~  
355 ~~at a minimum, the school year following the upcoming school~~  
356 ~~year. The assessment and reporting schedules must provide the~~  
357 ~~earliest possible reporting of student assessment results to the~~  
358 ~~school districts. Assessment results for the statewide,~~  
359 ~~standardized Reading assessments, or upon implementation the ELA~~



877970

360 ~~assessments, and Mathematics assessments, including the EOC~~  
361 ~~assessments in Algebra I and Geometry, must be made available no~~  
362 ~~later than the week of June 8. The administration of the~~  
363 ~~statewide, standardized Writing assessment and the Florida~~  
364 ~~Alternate Assessment may be no earlier than the week of March 1.~~  
365 ~~School districts shall administer assessments in accordance with~~  
366 ~~the schedule established by the commissioner.~~

367 (f) ~~(g)~~ *Prohibited activities.*—A district school board shall  
368 prohibit each public school from suspending a regular program of  
369 curricula for purposes of administering practice assessments or  
370 engaging in other assessment-preparation activities for a  
371 statewide, standardized assessment. However, a district school  
372 board may authorize a public school to engage in the following  
373 assessment-preparation activities:

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

376 2. Providing individualized instruction in assessment-  
377 taking strategies, without suspending the school's regular  
378 program of curricula, for a student who scores Level 1 or Level  
379 2 on a prior administration of an assessment.

380 3. Providing individualized instruction in the content  
381 knowledge and skills assessed, without suspending the school's  
382 regular program of curricula, for a student who scores Level 1  
383 or Level 2 on a prior administration of an assessment or a  
384 student who, through a diagnostic assessment administered by the  
385 school district, is identified as having a deficiency in the  
386 content knowledge and skills assessed.

387 4. Administering a practice assessment or engaging in other  
388 assessment-preparation activities that are determined necessary



389 to familiarize students with the organization of the assessment,  
390 the format of assessment items, and the assessment directions or  
391 that are otherwise necessary for the valid and reliable  
392 administration of the assessment, as set forth in rules adopted  
393 by the State Board of Education with specific reference to this  
394 paragraph.

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

396 1. The commissioner shall provide for the assessments to be  
397 developed or obtained, as appropriate, through contracts and  
398 project agreements with private vendors, public vendors, public  
399 agencies, postsecondary educational institutions, or school  
400 districts. The commissioner may enter into contracts for the  
401 continued administration of the assessments authorized and  
402 funded by the Legislature. Contracts may be initiated in 1  
403 fiscal year and continue into the next fiscal year and may be  
404 paid from the appropriations of either or both fiscal years. The  
405 commissioner may negotiate for the sale or lease of tests,  
406 scoring protocols, test scoring services, and related materials  
407 developed pursuant to law.

408 2. A student's performance results on statewide,  
409 standardized assessments, EOC assessments, and Florida  
410 Alternative Assessments administered pursuant to this subsection  
411 must be provided to the student's teachers and parents by the  
412 end of the school year, unless the commissioner determines that  
413 extenuating circumstances exist and reports the extenuating  
414 circumstances to the State Board of Education. This subparagraph  
415 does not apply to existing contracts for such assessments, but  
416 shall apply to new contracts and any renewal of existing  
417 contracts for such assessments.



877970

418           3. If liquidated damages are applicable, the department  
419 shall collect liquidated damages that are due in response to the  
420 administration of the spring 2015 computer-based assessments of  
421 the department's Florida Standards Assessment contract with  
422 American Institutes for Research, and expend the funds to  
423 reimburse parties that incurred damages.

424           (4) SCHOOL PARTICIPATION IN THE STATEWIDE, STANDARDIZED  
425 ASSESSMENT PROGRAM PROGRAMS.—Each public school shall  
426 participate in the statewide, standardized assessment program in  
427 accordance with the assessment and reporting schedules and the  
428 minimum and recommended technology requirements published by the  
429 Commissioner of Education. District school boards shall not  
430 establish school calendars that conflict with or jeopardize  
431 implementation of the assessment program. All district school  
432 boards shall report assessment results using ~~as required by~~ the  
433 state management information system. Performance data shall be  
434 analyzed and reported to parents, the community, and the state.  
435 Student performance data shall be used by districts in  
436 developing objectives for the school improvement plan,  
437 evaluating instructional personnel and administrative personnel,  
438 assigning staff, allocating resources, acquiring instructional  
439 materials and technology, implementing performance-based  
440 budgeting, and promoting and assigning students to educational  
441 programs. The analysis of student performance data must also  
442 identify strengths and needs in the educational program and  
443 trends over time. The analysis must be used in conjunction with  
444 the budgetary planning processes developed pursuant to s.  
445 1008.385 and the development of remediation programs.

446           (6) LOCAL ASSESSMENT OF STUDENT PERFORMANCE ON STATE



877970

447 STANDARDS ASSESSMENTS.-

448 (a) Measurement of student performance is the  
449 responsibility of school districts ~~in all subjects and grade~~  
450 ~~levels,~~ except in those subjects and grade levels measured under  
451 the statewide, standardized assessment program described in this  
452 section, ~~is the responsibility of the school districts.~~ When  
453 available, instructional personnel must be provided with  
454 information on student achievement of standards and benchmarks  
455 in order to improve instruction.

456 (b) ~~Except for those subjects and grade levels measured~~  
457 ~~under the statewide, standardized assessment program, beginning~~  
458 ~~with the 2014-2015 school year, each school district shall~~  
459 ~~administer for each course offered in the district a local~~  
460 ~~assessment that measures student mastery of course content at~~  
461 ~~the necessary level of rigor for the course. As adopted pursuant~~  
462 ~~to State Board of Education rule, course content is set forth in~~  
463 ~~the state standards required by s. 1003.41 and in the course~~  
464 ~~description. Local assessments may include:~~

- 465 1. ~~Statewide assessments.~~
- 466 2. ~~Other standardized assessments, including nationally~~  
467 ~~recognized standardized assessments.~~
- 468 3. ~~Industry certification assessments.~~
- 469 4. ~~District-developed or district-selected end-of-course~~  
470 ~~assessments.~~
- 471 5. ~~Teacher-selected or principal-selected assessments.~~

472 (c) ~~Each district school board must adopt policies for~~  
473 ~~selection, development, administration, and scoring of local~~  
474 ~~assessments and for collection of assessment results. Local~~  
475 ~~assessments implemented under subparagraphs (b)4. and 5. may~~



877970

476 ~~include a variety of assessment formats, including, but not~~  
477 ~~limited to, project-based assessments, adjudicated performances,~~  
478 ~~and practical application assignments. For all English Language~~  
479 ~~Arts, mathematics, science, and social studies courses offered~~  
480 ~~in the district that are used to meet graduation requirements~~  
481 ~~under s. 1002.3105, s. 1003.4281, or s. 1003.4282 and that are~~  
482 ~~not otherwise assessed by statewide, standardized assessments,~~  
483 ~~the district school board must select the assessments described~~  
484 ~~in subparagraphs (b)1.-4.~~

485       ~~(b)(d)~~ The Commissioner of Education shall ~~identify methods~~  
486 ~~to assist and support districts in measuring student performance~~  
487 ~~on the state standards by maintaining a statewide the~~  
488 ~~development and acquisition of assessments required under this~~  
489 ~~subsection. Methods may include developing item bank banks,~~  
490 ~~facilitating the sharing of developed tests or test items among~~  
491 ~~school districts, acquiring assessments from state and national~~  
492 ~~curriculum-area organizations, and providing technical~~  
493 ~~assistance in best assessment professional practices. The~~  
494 ~~commissioner may discontinue the item bank if he or she~~  
495 ~~determines that district participation is insufficient for its~~  
496 ~~sustainability of test development based upon state-adopted~~  
497 ~~curriculum standards, administration, and security.~~

498       ~~(c)~~ Each school district shall ~~establish schedules for the~~  
499 ~~administration of any district-mandated assessment and approve~~  
500 ~~the schedules as an agenda item at a district school board~~  
501 ~~meeting. The school district shall publish the testing schedules~~  
502 ~~on its website, clearly specifying the district-mandated~~  
503 ~~assessments, and report the schedules to the Department of~~  
504 ~~Education by October 1 of each year.~~



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

506 (a) The Commissioner of Education shall establish schedules  
507 for the administration of statewide, standardized assessments  
508 and the reporting of student assessment results. The  
509 commissioner shall consider the observance of religious and  
510 school holidays when developing the schedules. The assessment  
511 and reporting schedules must provide the earliest possible  
512 reporting of student assessment results to the school districts,  
513 consistent with the requirements of paragraph (3)(g). Assessment  
514 results for the statewide, standardized ELA and mathematics  
515 assessments and all statewide, standardized EOC assessments must  
516 be made available no later than the week of June 8, except for  
517 results of assessments administered in the 2014-2015 school  
518 year. School districts shall administer statewide, standardized  
519 assessments in accordance with the schedule established by the  
520 commissioner.

521 (b) By August of each year, beginning in 2016, the  
522 commissioner shall publish on the department's website a uniform  
523 calendar that includes the assessment and reporting schedules  
524 for, at a minimum, the next 2 school years. The uniform calendar  
525 must be provided to school districts in an electronic format  
526 that allows each school district and public school to populate  
527 the calendar with, at minimum, the following information for  
528 reporting the district assessment schedules under paragraph (c):

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

531 2. The specific date or dates that each assessment will be  
532 administered.

533 3. The time allotted to administer each assessment.



877970

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

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

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

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

542 8. A glossary of assessment terminology.

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

545 (c) Each school district shall establish schedules for the  
546 administration of any statewide, standardized assessments and  
547 district-required assessments and approve the schedules as an  
548 agenda item at a district school board meeting. Each school  
549 district shall publish the testing schedules on its website  
550 using the uniform calendar, including all information required  
551 under paragraph (b), and submit the schedules to the Department  
552 of Education by October 1 of each year. Each public school shall  
553 publish schedules for statewide, standardized assessments and  
554 district-required assessments on its website using the uniform  
555 calendar, including all information required under paragraph  
556 (b). The uniform calendar must be included in the parent guide  
557 required by s. 1002.23(5).

558 (d) A school district may not schedule more than 5 percent  
559 of a student's total school hours in a school year to administer  
560 statewide, standardized assessments and district-required local  
561 assessments. The district must secure written consent from a  
562 student's parent before administering district-required local



563 assessments that, after applicable statewide, standardized are  
564 scheduled, exceed the 5 percent test administration limit for  
565 that student under this paragraph. The 5 percent test  
566 administration limit for a student under this paragraph may be  
567 exceeded as needed to provide test accommodations that are  
568 required by an IEP or are appropriate for an English language  
569 learner who is currently receiving services in a program  
570 operated in accordance with an approved English language learner  
571 district plan pursuant to s. 1003.56. Notwithstanding, this  
572 paragraph, a student may choose within a school year to take an  
573 examination or assessment adopted by State Board of Education  
574 rule pursuant to this section and ss. 1007.27, 1008.30, and  
575 1008.44.

576 (e) A statewide, standardized EOC assessment must be used  
577 as the final cumulative examination for its associated course.  
578 No additional final assessment may be administered in a course  
579 with a statewide, standardized EOC assessment. A district-  
580 required local assessment may be used as the final cumulative  
581 examination for its associated course in accordance with the  
582 school district's policy.

583 (f) A school district must provide a student's performance  
584 results on district-required local assessments to the student's  
585 teachers and parents no later than 30 days after administering  
586 such assessments, unless the superintendent determines in  
587 writing that extenuating circumstances exist and reports the  
588 extenuating circumstances to the district school board.

589 (g) The State Board of Education shall adopt rules for the  
590 development of the uniform calendar that, at minimum, define  
591 terms that must be used in the calendar to describe various



877970

592 assessments, including the terms "summative assessment,"  
593 "formative assessment," and "interim assessment."

594 Section 6. Subsection (3) of section 1008.24, Florida  
595 Statutes, is amended to read:

596 1008.24 Test administration and security; public records  
597 exemption.—

598 (3) (a) A school district may contract with qualified  
599 contractors to administer and proctor statewide, standardized  
600 assessments required under s. 1008.22 or assessments associated  
601 with Florida approved courses under s. 1003.499, as approved by  
602 the Department of Education in accordance with rules of the  
603 State Board of Education. Assessments may be administered or  
604 proctored by qualified contractors at sites that meet criteria  
605 established by rules of the State Board of Education and adopted  
606 pursuant to ss. 120.536(1) and 120.54 to implement the  
607 contracting requirements of this subsection.

608 (b) A school district may use district employees, such as  
609 education paraprofessionals as described in s. 1012.37, to  
610 administer and proctor statewide, standardized assessments  
611 required under s. 1008.22 or assessments associated with Florida  
612 approved courses under s. 1003.499, in accordance with this  
613 section and related rules adopted by the State Board of  
614 Education. The rules must establish training requirements that  
615 must be successfully completed by district employees prior to  
616 the employees performing duties pursuant this paragraph.

617 Section 7. Section 1008.25, Florida Statutes, is amended to  
618 read:

619 1008.25 Public school student progression; student support  
620 ~~remedial instruction~~; reporting requirements.—



877970

621 (1) INTENT.—It is the intent of the Legislature that each  
622 student's progression from one grade to another be determined,  
623 in part, upon satisfactory performance in English Language arts,  
624 social studies, ~~reading, writing,~~ science, and mathematics; that  
625 district school board policies facilitate student achievement;  
626 that each student and his or her parent be informed of that  
627 student's academic progress; and that students have access to  
628 educational options that provide academically challenging  
629 coursework or accelerated instruction pursuant to s. 1002.3105.

630 (2) ~~COMPREHENSIVE~~ STUDENT PROGRESSION PLAN.—Each district  
631 school board shall establish a comprehensive plan for student  
632 progression which must provide for a student's progression from  
633 one grade to another based on the student's mastery of the  
634 standards in s. 1003.41, specifically English language arts,  
635 mathematics, science, and social studies standards. The plan  
636 must:

637 (a) Include criteria that emphasizes student reading  
638 proficiency in kindergarten through grade 3 and provide targeted  
639 instructional support for students with identified deficiencies  
640 in English language arts, mathematics, science, and social  
641 studies. High schools shall use all available assessment  
642 results, including the results of statewide, standardized  
643 English Language Arts assessments and end-of-course assessments  
644 for Algebra I and Geometry, to advise students of any identified  
645 deficiencies and to provide appropriate postsecondary  
646 preparatory instruction before high school graduation. The  
647 results of evaluations used to monitor a student's progress in  
648 grades K-12 must be provided to the student's teacher in a  
649 timely manner and as otherwise required by law. Thereafter,



877970

650 evaluation results must be provided to the student's parent in a  
651 timely manner. When available, instructional personnel must be  
652 provided with information on student achievement of standards  
653 and benchmarks in order to improve instruction.

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

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

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

666 (b)-(d)1. List the student eligibility and procedural  
667 requirements established by the school district for whole-grade  
668 promotion, midyear promotion, and subject-matter acceleration  
669 that would result in a student attending a different school,  
670 pursuant to s. 1002.3105(2) (b) .

671 2. Notify parents and students of the school district's  
672 process by which a parent may request student participation in  
673 whole-grade promotion, midyear promotion, or subject-matter  
674 acceleration that would result in a student attending a  
675 different school, pursuant to s. 1002.3105(4) (b)2.

676 (c)-(e)1. Advise parents and students that additional ACCEL  
677 options may be available at the student's school, pursuant to s.  
678 1002.3105.



877970

679           2. Advise parents and students to contact the principal at  
680 the student's school for information related to student  
681 eligibility requirements for whole-grade promotion, midyear  
682 promotion, and subject-matter acceleration when the promotion or  
683 acceleration occurs within the principal's school; virtual  
684 instruction in higher grade level subjects; and any other ACCEL  
685 options offered by the principal, pursuant to s.  
686 1002.3105(2) (a).

687           3. Advise parents and students to contact the principal at  
688 the student's school for information related to the school's  
689 process by which a parent may request student participation in  
690 whole-grade promotion, midyear promotion, and subject-matter  
691 acceleration when the promotion or acceleration occurs within  
692 the principal's school; virtual instruction in higher grade  
693 level subjects; and any other ACCEL options offered by the  
694 principal, pursuant to s. 1002.3105(4) (b)1.

695           (d)~~(f)~~ Advise parents and students of the early graduation  
696 options under s. 1003.4281.

697           (e)~~(g)~~ List, or incorporate by reference, all dual  
698 enrollment courses contained within the dual enrollment  
699 articulation agreement established pursuant to s. 1007.271(21).

700           (f)~~(h)~~ Provide instructional sequences by which students in  
701 kindergarten through high school may attain progressively higher  
702 levels of skill in the use of digital tools and applications.  
703 The instructional sequences must include participation in  
704 curricular and instructional options and the demonstration of  
705 competence of standards required pursuant to ss. 1003.41 and  
706 1003.4203 through attainment of industry certifications and  
707 other means of demonstrating credit requirements identified



877970

708 under ss. 1002.3105, 1003.4203, and 1003.4282.

709 (3) ALLOCATION OF RESOURCES.—District school boards shall  
710 allocate remedial and supplemental instruction resources to  
711 students in the following priority:

712 (a) Students who are deficient in reading by the end of  
713 grade 3.

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

717 (4) ASSESSMENT AND SUPPORT REMEDIATION.—

718 (a) Each student must participate in the statewide,  
719 standardized assessment program required by s. 1008.22. Each  
720 student who does not achieve a ~~meet specific levels of~~  
721 ~~performance on the required assessments as determined by the~~  
722 ~~district school board or who scores below Level 3~~ or above on  
723 the statewide, standardized Reading assessment ~~or, upon~~  
724 ~~implementation, the English Language Arts assessment, or on the~~  
725 statewide, standardized Mathematics assessment, or assessments  
726 ~~in grades 3 through 8 and the Algebra I EOC assessment must be~~  
727 evaluated ~~provided with additional diagnostic assessments to~~  
728 determine the nature of the student's difficulty, the areas of  
729 academic need, and strategies for providing academic supports to  
730 improve the student's performance ~~appropriate intervention and~~  
731 ~~instruction as described in paragraph (b).~~

732 (b) ~~The school in which the student is enrolled must~~  
733 ~~develop, in consultation with the student's parent, and must~~  
734 ~~implement a progress monitoring plan. A progress monitoring plan~~  
735 ~~is intended to provide the school district and the school~~  
736 ~~flexibility in meeting the academic needs of the student and to~~



877970

737 ~~reduce paperwork.~~ A student who is not meeting the school  
738 district or state requirements for satisfactory performance in  
739 English Language Arts and mathematics must proficiency in  
740 ~~reading and mathematics shall~~ be covered by one of the following  
741 ~~plans to target instruction and identify ways to improve his or~~  
742 ~~her academic achievement:~~

743 1. A federally required student plan such as an individual  
744 education plan;

745 2. A schoolwide system of progress monitoring for all  
746 students, except a student who scores Level 4 or above on the  
747 English Language Arts and mathematics assessments may be  
748 exempted from participation by the principal; or

749 3. An individualized progress monitoring plan.

750  
751 ~~The plan chosen must be designed to assist the student or the~~  
752 ~~school in meeting state and district expectations for~~  
753 ~~proficiency. If the student has been identified as having a~~  
754 ~~deficiency in reading, the K-12 comprehensive reading plan~~  
755 ~~required by s. 1011.62(9) shall include instructional and~~  
756 ~~support services to be provided to meet the desired levels of~~  
757 ~~performance. District school boards may require low-performing~~  
758 ~~students to attend remediation programs held before or after~~  
759 ~~regular school hours or during the summer if transportation is~~  
760 ~~provided.~~

761 ~~(c) Upon subsequent evaluation, if the documented~~  
762 ~~deficiency has not been remediated, the student may be retained.~~  
763 ~~Each student who does not meet the minimum performance~~  
764 ~~expectations defined by the Commissioner of Education for the~~  
765 ~~statewide assessment tests in reading, writing, science, and~~



877970

766 ~~mathematics must continue to be provided with remedial or~~  
767 ~~supplemental instruction until the expectations are met or the~~  
768 ~~student graduates from high school or is not subject to~~  
769 ~~compulsory school attendance.~~

770 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

771 (a) Any student who exhibits a substantial deficiency in  
772 reading, based upon locally determined or statewide assessments  
773 conducted in kindergarten or grade 1, grade 2, or grade 3, or  
774 through teacher observations, must be given intensive reading  
775 instruction immediately following the identification of the  
776 reading deficiency. The student's reading proficiency must be  
777 monitored and the intensive instruction must continue until the  
778 student demonstrates grade level proficiency in a manner  
779 determined by the district, which may include achieving a Level  
780 3 on the statewide, standardized English Language Arts  
781 assessment reassessed by locally determined assessments or  
782 through teacher observations at the beginning of the grade  
783 following the intensive reading instruction. The student must  
784 continue to be provided with intensive reading instruction until  
785 the reading deficiency is remedied.

786 (b) To be promoted to grade 4, a student must score a Level  
787 2 or higher on the statewide, standardized English Language Arts  
788 assessment required under s. 1008.22 for grade 3. If a student's  
789 reading deficiency is not remedied by the end of grade 3, as  
790 demonstrated by scoring Level 2 or higher on the statewide,  
791 standardized assessment required under s. 1008.22 for grade 3,  
792 the student must be retained.

793 (c) The parent of any student who exhibits a substantial  
794 deficiency in reading, as described in paragraph (a), must be



877970

795 notified in writing of the following:

796 1. That his or her child has been identified as having a  
797 substantial deficiency in reading.

798 2. A description of the current services that are provided  
799 to the child.

800 3. A description of the proposed supplemental instructional  
801 services and supports that will be provided to the child that  
802 are designed to remediate the identified area of reading  
803 deficiency.

804 4. That if the child's reading deficiency is not remediated  
805 by the end of grade 3, the child must be retained unless he or  
806 she is exempt from mandatory retention for good cause.

807 5. Strategies for parents to use in helping their child  
808 succeed in reading proficiency.

809 6. That the statewide, standardized English Language Arts  
810 assessment ~~Florida Comprehensive Assessment Test (FCAT)~~ is not  
811 the sole determiner of promotion and that additional  
812 evaluations, portfolio reviews, and assessments are available to  
813 the child to assist parents and the school district in knowing  
814 when a child is reading at or above grade level and ready for  
815 grade promotion.

816 7. The district's specific criteria and policies for a  
817 portfolio as provided in subparagraph (6)(b)4. and the evidence  
818 required for a student to demonstrate mastery of Florida's  
819 academic standards for English Language Arts. A parent of a  
820 student in grade 3 who is identified anytime during the year as  
821 being at risk of retention may request that the school  
822 immediately begin collecting evidence for a portfolio.

823 8. The district's specific criteria and policies for



877970

824 midyear promotion. Midyear promotion means promotion of a  
825 retained student at any time during the year of retention once  
826 the student has demonstrated ability to read at grade level.

827 (6) ELIMINATION OF SOCIAL PROMOTION.—

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

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

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

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

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



877970

853 Education.

854 4. A student who demonstrates through a student portfolio  
855 that he or she is performing at least at Level 2 on the  
856 statewide, standardized ~~Reading assessment or, upon~~  
857 ~~implementation, the~~ English Language Arts assessment.

858 5. Students with disabilities who take the statewide,  
859 standardized ~~Reading assessment or, upon implementation, the~~  
860 English Language Arts assessment and who have an individual  
861 education plan or a Section 504 plan that reflects that the  
862 student has received intensive instruction ~~remediation~~ in  
863 reading or English Language Arts for more than 2 years but still  
864 demonstrates a deficiency and was previously retained in  
865 kindergarten, grade 1, grade 2, or grade 3.

866 6. Students who have received intensive reading  
867 intervention for 2 or more years but still demonstrate a  
868 deficiency in reading and who were previously retained in  
869 kindergarten, grade 1, grade 2, or grade 3 for a total of 2  
870 years. A student may not be retained more than once in grade 3.

871 7. Students who have received intensive remediation in  
872 reading or English Language Arts for 2 or more years but still  
873 demonstrate a deficiency and who were previously retained in  
874 kindergarten, grade 1, grade 2, or grade 3 for a total of 2  
875 years. Intensive instruction for students so promoted must  
876 include an altered instructional day that includes specialized  
877 diagnostic information and specific reading strategies for each  
878 student. The district school board shall assist schools and  
879 teachers to implement reading strategies that research has shown  
880 to be successful in improving reading among low-performing  
881 readers.



877970

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

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

893 2. The school principal shall review and discuss such  
894 recommendation with the teacher and make the determination as to  
895 whether the student should be promoted or retained. If the  
896 school principal determines that the student should be promoted,  
897 the school principal shall make such recommendation in writing  
898 to the district school superintendent. The district school  
899 superintendent shall accept or reject the school principal's  
900 recommendation in writing.

901 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE  
902 STUDENTS.—

903 (a) Students retained under the provisions of paragraph  
904 (5)(b) must be provided intensive interventions in reading to  
905 ameliorate the student's specific reading deficiency, as  
906 identified by a valid and reliable diagnostic assessment. This  
907 intensive intervention must include effective instructional  
908 strategies, participation in the school district's summer  
909 reading camp, and appropriate teaching methodologies necessary  
910 to assist those students in becoming successful readers, able to



877970

911 read at or above grade level, and ready for promotion to the  
912 next grade.

913 (b) Each school district shall:

914 1. Provide third grade students who are retained under the  
915 provisions of paragraph (5) (b) with intensive instructional  
916 services and supports to remediate the identified areas of  
917 reading deficiency, including participation in the school  
918 district's summer reading camp as required under paragraph (a)  
919 and a minimum of 90 minutes of daily, uninterrupted,  
920 scientifically research-based reading instruction which includes  
921 phonemic awareness, phonics, fluency, vocabulary, and  
922 comprehension and other strategies prescribed by the school  
923 district, which may include, but are not limited to:

924 a. Integration of science and social studies content within  
925 the 90-minute block.

926 b. Small group instruction.

927 c. Reduced teacher-student ratios.

928 d. More frequent progress monitoring.

929 e. Tutoring or mentoring.

930 f. Transition classes containing 3rd and 4th grade  
931 students.

932 g. Extended school day, week, or year.

933 2. Provide written notification to the parent of a student  
934 who is retained under the provisions of paragraph (5) (b) that  
935 his or her child has not met the proficiency level required for  
936 promotion and the reasons the child is not eligible for a good  
937 cause exemption as provided in paragraph (6) (b). The  
938 notification must comply with the provisions of s. 1002.20(15)  
939 and must include a description of proposed interventions and



877970

940 supports that will be provided to the child to remediate the  
941 identified areas of reading deficiency.

942 3. Implement a policy for the midyear promotion of a  
943 student retained under the provisions of paragraph (5) (b) who  
944 can demonstrate that he or she is a successful and independent  
945 reader and performing at or above grade level in reading or,  
946 upon implementation of English Language Arts assessments,  
947 performing at or above grade level in English Language Arts.  
948 Tools that school districts may use in reevaluating a student  
949 retained may include subsequent assessments, alternative  
950 assessments, and portfolio reviews, in accordance with rules of  
951 the State Board of Education.

952 4. Provide students who are retained under the provisions  
953 of paragraph (5) (b) with a highly effective teacher as  
954 determined by the teacher's performance evaluation under s.  
955 1012.34.

956 5. Establish at each school, when applicable, an Intensive  
957 Acceleration Class for retained grade 3 students who  
958 subsequently score Level 1 on the required statewide,  
959 standardized assessment identified in s. 1008.22. The focus of  
960 the Intensive Acceleration Class shall be to increase a child's  
961 reading and English Language Arts skill level at least two grade  
962 levels in 1 school year. The Intensive Acceleration Class shall:

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

967 b. Have a reduced teacher-student ratio.

968 c. Provide uninterrupted reading instruction for the



877970

969 majority of student contact time each day and incorporate  
970 opportunities to master the grade 4 Next Generation Sunshine  
971 State Standards in other core subject areas.

972 d. Use a reading program that is scientifically research-  
973 based and has proven results in accelerating student reading  
974 achievement within the same school year.

975 e. Provide intensive language and vocabulary instruction  
976 using a scientifically research-based program, including use of  
977 a speech-language therapist.

978 (8) ANNUAL REPORT.—

979 (a) In addition to the requirements in paragraph (5) (b),  
980 each district school board must annually report to the parent of  
981 each student the progress of the student toward achieving state  
982 and district expectations for proficiency in English Language  
983 Arts, reading, writing, science, social studies, and  
984 mathematics. The district school board must report to the parent  
985 the student's results on each statewide, standardized assessment  
986 ~~test~~. The evaluation of each student's progress must be based  
987 upon the student's classroom work, observations, tests, district  
988 and state assessments, and other relevant information. Progress  
989 reporting must be provided to the parent in writing in a format  
990 adopted by the district school board.

991 (b) Each district school board must annually publish on the  
992 district website ~~and in the local newspaper~~ the following  
993 information on the prior school year:

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

997 2. By grade, the number and percentage of all students in



877970

998 grades 3 through 10 performing at Levels 1 and 2 on the  
999 statewide, standardized English Language Arts assessment ~~reading~~  
1000 ~~portion of the FCAT.~~

1001 3. By grade, the number and percentage of all students  
1002 retained in kindergarten ~~grades 3~~ through grade 10.

1003 4. Information on the total number of students who were  
1004 promoted for good cause, by each category of good cause as  
1005 specified in paragraph (6) (b).

1006 5. Any revisions to the district school board's policies  
1007 and procedures ~~policy~~ on student retention and promotion from  
1008 the prior year.

1009 (9) RULEMAKING.—The State Board of Education shall adopt  
1010 rules pursuant to ss. 120.536(1) and 120.54 for the  
1011 administration of this section.

1012 Section 8. Subsection (3) of section 1008.30, Florida  
1013 Statutes, is amended to read:

1014 1008.30 Common placement testing for public postsecondary  
1015 education.—

1016 ~~(3) The State Board of Education shall adopt rules that~~  
1017 ~~require high schools to evaluate before the beginning of grade~~  
1018 ~~12 the college readiness of each student who scores Level 2 or~~  
1019 ~~Level 3 on grade 10 FCAT Reading or the English Language Arts~~  
1020 ~~assessment under s. 1008.22, as applicable, or Level 2, Level 3,~~  
1021 ~~or Level 4 on the Algebra I assessment under s. 1008.22. High~~  
1022 ~~schools shall perform this evaluation using results from the~~  
1023 ~~corresponding component of the common placement test prescribed~~  
1024 ~~in this section, or an alternative test identified by the State~~  
1025 ~~Board of Education. The high school shall use the results of the~~  
1026 ~~test to advise the students of any identified deficiencies and~~



877970

1027 ~~to provide 12th grade students, and require them to complete,~~  
1028 ~~appropriate postsecondary preparatory instruction before high~~  
1029 ~~school graduation. The curriculum provided under this subsection~~  
1030 ~~shall be identified in rule by the State Board of Education and~~  
1031 ~~encompass Florida's Postsecondary Readiness Competencies. Other~~  
1032 ~~elective courses may not be substituted for the selected~~  
1033 ~~postsecondary mathematics, reading, writing, or English Language~~  
1034 ~~Arts preparatory course unless the elective course covers the~~  
1035 ~~same competencies included in the postsecondary mathematics,~~  
1036 ~~reading, writing, or English Language Arts preparatory course.~~

1037 Section 9. Subsection (7) of section 1008.34, Florida  
1038 Statutes, is amended to read:

1039 1008.34 School grading system; school report cards;  
1040 district grade.—

1041 (7) TRANSITION.—School grades pursuant to this section and  
1042 school improvement ratings pursuant to s. 1008.341 for the 2013-  
1043 2014 school year shall be calculated based on statutes and rules  
1044 in effect on June 30, 2014. To assist in the transition to 2014-  
1045 2015 school grades and school improvement ratings, calculated  
1046 based on new statewide, standardized assessments administered  
1047 pursuant to s. 1008.22, the 2014-2015 school grades and school  
1048 improvement ratings shall serve as an informational baseline for  
1049 schools to work toward improved performance in future years.  
1050 Accordingly, notwithstanding any other provision of law:

1051 (a) A school may not be required to select and implement a  
1052 turnaround option pursuant to s. 1008.33 in the 2015-2016 school  
1053 year based on the school's 2014-2015 grade or school improvement  
1054 rating under s. 1008.341, as applicable. The benefits of s.  
1055 1008.33(4)(c), relating to a school being released from



877970

1056 implementation of the turnaround option, and s. 1008.33(4)(d),  
1057 relating to a school implementing strategies identified in its  
1058 school improvement plan, apply to a school using turnaround  
1059 options pursuant to s. 1008.33 which improves at least one  
1060 letter grade during the 2014-2015 school year.

1061 (b)1. A school or approved provider under s. 1002.45 which  
1062 ~~that~~ receives the same or a lower school grade or school  
1063 improvement rating for the 2014-2015 school year compared to the  
1064 2013-2014 school year is not subject to sanctions or penalties  
1065 that would otherwise occur as a result of the 2014-2015 school  
1066 grade or rating. A charter school system or a school district  
1067 designated as high performing may not lose the designation based  
1068 on the 2014-2015 school grades of any of the schools within the  
1069 charter school system or school district, as applicable.

1070 2. The Florida School Recognition Program established under  
1071 s. 1008.36 shall continue to be implemented as otherwise  
1072 provided in the General Appropriations Act.

1073 (c) Until such time as an independent verification of the  
1074 psychometric validity of the statewide, standardized assessments  
1075 first implemented in 2014-2015 is provided, for purposes of  
1076 ~~determining~~ grade 3 English Language Arts student performance  
1077 ~~retention pursuant to s. 1008.25(5)~~ and high school graduation  
1078 requirements pursuant to s. 1003.4282, student performance on  
1079 the 2014-2015 statewide, standardized assessments shall be  
1080 linked to 2013-2014 student performance expectations. Students  
1081 who score in the bottom quintile on the 2014-2015 grade 3  
1082 English Language Arts assessment shall be identified as students  
1083 at risk of retention. School districts must notify parents of  
1084 such students, provide evidence as outlined in s. 1008.25(6)(b),



877970

1085 and provide the appropriate intervention and support services  
1086 for student success in fourth grade.

1087

1088 This subsection is repealed July 1, 2017.

1089 Section 10. School district contingency plan.-

1090 Notwithstanding s. 1008.34(7), Florida Statutes, a school  
1091 district may, by majority vote of the district school board,  
1092 request approval from the State Board of Education to waive all  
1093 requirements and benefits specified in ss. 1008.34(7), 1008.36,  
1094 and 1003.621, Florida Statutes, and instead use results from  
1095 student performance on the new statewide, standardized  
1096 assessments administered in the 2014-2015 school year pursuant  
1097 to s. 1008.22, Florida Statutes, for diagnostic and baseline  
1098 purposes only.

1099 (1) A school district's request must be submitted to the  
1100 Commissioner of Education by the school district superintendent  
1101 during the period from the last day of administration of  
1102 statewide, standardized assessments through June 5, 2015, in  
1103 accordance with the guidelines established by the commissioner.  
1104 At a minimum, the request, must include identification of:

1105 (a) The scope of the request, to apply either to the school  
1106 district or to a school or certain schools within the school  
1107 district. The request must be made at a district or school  
1108 level. The request may not be made at a grade level, a subject-  
1109 area level, or another level.

1110 (b) The reason for the request, including a description of  
1111 the systemic or unique technical implementation failure.  
1112 Quantifiable data substantiating the reason for such failure  
1113 must accompany the request. A school district's inability to



1114 assess the minimum percentage of students pursuant to ss.  
1115 1008.34 and 1008.341, Florida Statutes, does not constitute a  
1116 reasonable justification for requesting the waiver under this  
1117 section.

1118 (c) The school district's corrective action plan, which has  
1119 been adopted by the district school board, and certification  
1120 that the identified technical implementation failure must be  
1121 resolved in time for successful administration of the statewide,  
1122 standardized assessments during the 2015-2016 school year and  
1123 each school year thereafter. The district must identify how the  
1124 district plans to allocate resources and technical assistance  
1125 that the district needs from the Department of Education to  
1126 facilitate the district's successful resolution of technical  
1127 deficiencies.

1128 (d) The school district's plan for using the diagnostic  
1129 data to facilitate continuous improvement in student performance  
1130 and the effectiveness of schools, instructional personnel, and  
1131 school administrators; public reporting on the performance of  
1132 students, schools, and the district; and informing parents about  
1133 instruction associated with remediation and retention and  
1134 options available to students including acceleration,  
1135 graduation, and school choice. The district must also describe  
1136 its plans for implementing student progression plans,  
1137 performance evaluations of instructional personnel and school  
1138 administrators, performance salary schedule requirements, and  
1139 other uses as identified by the commissioner.

1140 (2) The commissioner shall review each request for a waiver  
1141 and consult with the applicable school district superintendent.  
1142 The commissioner shall make, and provide reasons for,



877970

1143 recommendations to the State Board of Education regarding  
1144 granting or denying a request for waiver. The state board may  
1145 consider recommendations made by the commissioner to approve or  
1146 deny school district requests. Notwithstanding any other  
1147 provision of law, the commissioner's recommendation to approve a  
1148 request may, after consultation with the school district  
1149 superintendent, include conditional requirements that must apply  
1150 if approved by the state board. The decision of the state board,  
1151 including any modifications adopted by the state board, is  
1152 final.

1153 (3) For only the 2014-2015 school year, if a waiver is  
1154 granted under this section:

1155 (a) A school or a school district may not receive a school  
1156 grade, school improvement rating, or school district grade, as  
1157 applicable.

1158 (b) A school may, at the school district's discretion,  
1159 choose to use new statewide, standardized assessment results in  
1160 performance evaluations of instructional personnel and school  
1161 administrators.

1162 (c) A school district shall continue to have its student  
1163 performance results included in the statewide, standardized  
1164 assessment results published by the department pursuant to s.  
1165 1008.22, Florida Statutes.

1166 (d) A school shall forfeit eligibility to earn school  
1167 recognition funds pursuant to s. 1008.36, Florida Statutes, as  
1168 provided in the General Appropriations Act.

1169 (e) A school district shall forfeit the district's  
1170 eligibility to earn the designation and benefits associated with  
1171 high performing school districts pursuant to s. 1003.621,



877970

1172 Florida Statutes.

1173

1174 This section expires July 1, 2016.

1175 Section 12. Section 1012.34, Florida Statutes, is amended  
1176 to read:

1177 1012.34 Personnel evaluation procedures and criteria.—

1178 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

1179 (a) For the purpose of increasing student academic  
1180 performance by improving the quality of instructional,  
1181 administrative, and supervisory services in the public schools  
1182 of the state, the district school superintendent shall establish  
1183 procedures for evaluating the performance of duties and  
1184 responsibilities of all instructional, administrative, and  
1185 supervisory personnel employed by the school district. The  
1186 district school superintendent shall provide instructional  
1187 personnel the opportunity to review their class rosters for  
1188 accuracy and to correct any mistakes. The district school  
1189 superintendent shall report accurate class rosters for the  
1190 purpose of calculating district and statewide student  
1191 performance and annually report the evaluation results of  
1192 instructional personnel and school administrators to the  
1193 Department of Education in addition to the information required  
1194 under subsection (5).

1195 (b) The department must approve each school district's  
1196 instructional personnel and school administrator evaluation  
1197 systems. The department shall monitor each district's  
1198 implementation of its instructional personnel and school  
1199 administrator evaluation systems for compliance with the  
1200 requirements of this section ~~and s. 1012.3401.~~



877970

1201 (c) Annually, by February ~~December~~ 1, the Commissioner of  
1202 Education shall publish on the department's website ~~report to~~  
1203 ~~the Governor, the President of the Senate, and the Speaker of~~  
1204 ~~the House of Representatives the approval and implementation~~  
1205 status of each school district's instructional personnel and  
1206 school administrator evaluation systems. This information must  
1207 ~~The report shall~~ include:

1208 1. Performance evaluation results for the prior school year  
1209 for instructional personnel and school administrators using the  
1210 four levels of performance specified in paragraph (2) (e). The  
1211 performance evaluation results for instructional personnel shall  
1212 be disaggregated by classroom teachers, as defined in s.  
1213 1012.01(2) (a), excluding substitute teachers, and all other  
1214 instructional personnel, as defined in s. 1012.01(2) (b)-(d).

1215 2. An analysis that compares performance evaluation results  
1216 calculated by each school district to indicators of performance  
1217 calculated by the department using the standards for performance  
1218 levels adopted by the state board under subsection (8). ~~The~~  
1219 ~~commissioner shall include in the report each district's~~  
1220 ~~performance-level standards established under subsection (7), a~~  
1221 ~~comparative analysis of the district's student academic~~  
1222 ~~performance results and evaluation results,~~

1223 3. Data reported under s. 1012.341, ~~and the status of any~~  
1224 ~~evaluation system revisions requested by a school district~~  
1225 ~~pursuant to subsection (6).~~

1226 (2) EVALUATION SYSTEM REQUIREMENTS.—The evaluation systems  
1227 for instructional personnel and school administrators must:

1228 (a) Be designed to support effective instruction and  
1229 student learning growth, and performance evaluation results must



877970

1230 be used when developing district and school level improvement  
1231 plans.

1232 (b) Provide appropriate instruments, procedures, timely  
1233 feedback, and criteria for continuous quality improvement of the  
1234 professional skills of instructional personnel and school  
1235 administrators, and performance evaluation results must be used  
1236 when identifying professional development.

1237 (c) Include a mechanism to examine performance data from  
1238 multiple sources, including opportunities for parents to provide  
1239 input into employee performance evaluations when appropriate.

1240 (d) Identify those teaching fields for which special  
1241 evaluation procedures and criteria are necessary.

1242 (e) Differentiate among four levels of performance as  
1243 follows:

- 1244 1. Highly effective.
- 1245 2. Effective.
- 1246 3. Needs improvement or, for instructional personnel in the  
1247 first 3 years of employment who need improvement, developing.
- 1248 4. Unsatisfactory.

1249  
1250 ~~The Commissioner of Education shall consult with experts,~~  
1251 ~~instructional personnel, school administrators, and education~~  
1252 ~~stakeholders in developing the criteria for the performance~~  
1253 ~~levels.~~

1254 (f) Provide for training and monitoring programs ~~that are~~  
1255 based upon guidelines provided by the department to ensure that  
1256 all individuals with evaluation responsibilities understand the  
1257 proper use of the evaluation criteria and procedures.

1258 ~~(g) Include a process for monitoring and evaluating the~~



877970

1259 ~~effective and consistent use of the evaluation criteria by~~  
1260 ~~employees with evaluation responsibilities.~~

1261 ~~(h) Include a process for monitoring and evaluating the~~  
1262 ~~effectiveness of the system itself in improving instruction and~~  
1263 ~~student learning.~~

1264

1265 In addition, each district school board may establish a peer  
1266 assistance process. This process may be a part of the regular  
1267 evaluation system or used to assist employees placed on  
1268 performance probation, newly hired classroom teachers, or  
1269 employees who request assistance.

1270 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional  
1271 personnel and school administrator performance evaluations must  
1272 be based upon the performance of students assigned to their  
1273 classrooms or schools, as provided in this section. Pursuant to  
1274 this section, a school district's performance evaluation system  
1275 is not limited to basing unsatisfactory performance of  
1276 instructional personnel and school administrators solely upon  
1277 student performance, but may include other criteria ~~approved~~ to  
1278 evaluate instructional personnel and school administrators'  
1279 performance, or any combination of student performance and other  
1280 ~~approved~~ criteria. Evaluation procedures and criteria must  
1281 comply with, but are not limited to, the following:

1282 (a) A performance evaluation must be conducted for each  
1283 employee at least once a year, except that a classroom teacher,  
1284 as defined in s. 1012.01(2)(a), excluding substitute teachers,  
1285 who is newly hired by the district school board must be observed  
1286 and evaluated at least twice in the first year of teaching in  
1287 the school district. The performance evaluation must be based



877970

1288 upon sound educational principles and contemporary research in  
1289 effective educational practices. The evaluation criteria must  
1290 include:

1291 1. Performance of students.-At least one-third ~~50 percent~~  
1292 of a performance evaluation must be based upon data and  
1293 indicators of student performance ~~learning growth assessed~~  
1294 ~~annually by statewide assessments or, for subjects and grade~~  
1295 ~~levels not measured by statewide assessments, by school district~~  
1296 ~~assessments as provided in s. 1008.22(6). Each school district~~  
1297 ~~must use the formula adopted pursuant to paragraph (7)(a) for~~  
1298 ~~measuring student learning growth in all courses associated with~~  
1299 ~~statewide assessments and must select an equally appropriate~~  
1300 ~~formula for measuring student learning growth for all other~~  
1301 ~~grades and subjects, except as otherwise provided in accordance~~  
1302 ~~with~~ subsection (7).

1303 ~~a. For classroom teachers, as defined in s. 1012.01(2)(a),~~  
1304 ~~excluding substitute teachers, the student learning growth~~ This  
1305 portion of the evaluation must include growth or achievement  
1306 data of the teacher's students or, for a school administrator,  
1307 the students attending the school ~~for students assigned to the~~  
1308 ~~teacher~~ over the course of at least 3 years. If less than 3  
1309 years of data are available, the years for which data are  
1310 available must be used. The proportion of growth or achievement  
1311 data may be determined by instructional assignment and the  
1312 percentage of the evaluation based upon student learning growth  
1313 may be reduced to not less than 40 percent.

1314 ~~b. For instructional personnel who are not classroom~~  
1315 ~~teachers, the student learning growth portion of the evaluation~~  
1316 ~~must include growth data on statewide assessments for students~~



877970

1317 ~~assigned to the instructional personnel over the course of at~~  
1318 ~~least 3 years, or may include a combination of student learning~~  
1319 ~~growth data and other measurable student outcomes that are~~  
1320 ~~specific to the assigned position, provided that the student~~  
1321 ~~learning growth data accounts for not less than 30 percent of~~  
1322 ~~the evaluation. If less than 3 years of student growth data are~~  
1323 ~~available, the years for which data are available must be used~~  
1324 ~~and the percentage of the evaluation based upon student learning~~  
1325 ~~growth may be reduced to not less than 20 percent.~~

1326 ~~e. For school administrators, the student learning growth~~  
1327 ~~portion of the evaluation must include growth data for students~~  
1328 ~~assigned to the school over the course of at least 3 years. If~~  
1329 ~~less than 3 years of data are available, the years for which~~  
1330 ~~data are available must be used and the percentage of the~~  
1331 ~~evaluation based upon student learning growth may be reduced to~~  
1332 ~~not less than 40 percent.~~

1333 2. Instructional practice.~~For instructional personnel, at~~  
1334 ~~least one-third of the performance evaluation must be based upon~~  
1335 ~~instructional practice.~~ Evaluation criteria used when annually  
1336 observing classroom teachers, as defined in s. 1012.01(2)(a),  
1337 excluding substitute teachers, must include indicators based  
1338 upon each of the Florida Educator Accomplished Practices adopted  
1339 by the State Board of Education. For instructional personnel who  
1340 are not classroom teachers, evaluation criteria must be based  
1341 upon indicators of the Florida Educator Accomplished Practices  
1342 and may include specific job expectations related to student  
1343 support.

1344 3. Instructional leadership.~~For school administrators, at~~  
1345 ~~least one-third of the performance evaluation must be based on~~



877970

1346 instructional leadership. Evaluation criteria for instructional  
1347 leadership must include indicators based upon each of the  
1348 leadership standards adopted by the State Board of Education  
1349 under s. 1012.986, including performance measures related to the  
1350 effectiveness of classroom teachers in the school, the  
1351 administrator's appropriate use of evaluation criteria and  
1352 procedures, recruitment and retention of effective and highly  
1353 effective classroom teachers, improvement in the percentage of  
1354 instructional personnel evaluated at the highly effective or  
1355 effective level, and other leadership practices that result in  
1356 student learning growth. The system may include a means to give  
1357 parents and instructional personnel an opportunity to provide  
1358 input into the administrator's performance evaluation.

1359 4. Other indicators of performance ~~Professional and job~~  
1360 ~~responsibilities.~~ For instructional personnel and school  
1361 administrators, the remainder of a performance evaluation may  
1362 include, but is not limited to, For instructional personnel and  
1363 ~~school administrators, other~~ professional and job  
1364 responsibilities ~~must be included~~ as recommended ~~adopted~~ by the  
1365 State Board of Education or identified by the district school  
1366 board and, for instructional personnel, peer reviews,  
1367 objectively reliable survey information from students and  
1368 parents based on teaching practices that are consistently  
1369 associated with higher student achievement, and other valid and  
1370 reliable measures of instructional practice. ~~The district school~~  
1371 ~~board may identify additional professional and job~~  
1372 ~~responsibilities.~~

1373 (b) All personnel must be fully informed of the criteria,  
1374 data sources, methodologies, and procedures associated with the



877970

1375 evaluation process before the evaluation takes place.

1376 (c) The individual responsible for supervising the employee  
1377 must evaluate the employee's performance. The evaluation system  
1378 may provide for the evaluator to consider input from other  
1379 personnel trained under subsection (2) ~~paragraph (2)(f)~~. The  
1380 evaluator must submit a written report of the evaluation to the  
1381 district school superintendent for the purpose of reviewing the  
1382 employee's contract. The evaluator must submit the written  
1383 report to the employee no later than 10 days after the  
1384 evaluation takes place. The evaluator must discuss the written  
1385 evaluation report with the employee. The employee shall have the  
1386 right to initiate a written response to the evaluation, and the  
1387 response shall become a permanent attachment to his or her  
1388 personnel file.

1389 (d) The evaluator may amend an evaluation based upon  
1390 assessment data from the current school year if the data becomes  
1391 available within 90 days after the close of the school year. The  
1392 evaluator must then comply with the procedures set forth in  
1393 paragraph (c).

1394 (4) NOTIFICATION OF UNSATISFACTORY PERFORMANCE.—If an  
1395 employee who holds a professional service contract as provided  
1396 in s. 1012.33 is not performing his or her duties in a  
1397 satisfactory manner, the evaluator shall notify the employee in  
1398 writing of such determination. The notice must describe such  
1399 unsatisfactory performance and include notice of the following  
1400 procedural requirements:

1401 (a) Upon delivery of a notice of unsatisfactory  
1402 performance, the evaluator must confer with the employee who  
1403 holds a professional service contract, make recommendations with



877970

1404 respect to specific areas of unsatisfactory performance, and  
1405 provide assistance in helping to correct deficiencies within a  
1406 prescribed period of time.

1407 (b)1. The employee who holds a professional service  
1408 contract shall be placed on performance probation and governed  
1409 by the provisions of this section for 90 calendar days following  
1410 the receipt of the notice of unsatisfactory performance to  
1411 demonstrate corrective action. School holidays and school  
1412 vacation periods are not counted when calculating the 90-  
1413 calendar-day period. During the 90 calendar days, the employee  
1414 who holds a professional service contract must be evaluated  
1415 periodically and apprised of progress achieved and must be  
1416 provided assistance and inservice training opportunities to help  
1417 correct the noted performance deficiencies. At any time during  
1418 the 90 calendar days, the employee who holds a professional  
1419 service contract may request a transfer to another appropriate  
1420 position with a different supervising administrator; however, if  
1421 a transfer is granted pursuant to ss. 1012.27(1) and 1012.28(6),  
1422 it does not extend the period for correcting performance  
1423 deficiencies.

1424 2. Within 14 days after the close of the 90 calendar days,  
1425 the evaluator must evaluate whether the performance deficiencies  
1426 have been corrected and forward a recommendation to the district  
1427 school superintendent. Within 14 days after receiving the  
1428 evaluator's recommendation, the district school superintendent  
1429 must notify the employee who holds a professional service  
1430 contract in writing whether the performance deficiencies have  
1431 been satisfactorily corrected and whether the district school  
1432 superintendent will recommend that the district school board



877970

1433 continue or terminate his or her employment contract. If the  
1434 employee wishes to contest the district school superintendent's  
1435 recommendation, the employee must, within 15 days after receipt  
1436 of the district school superintendent's recommendation, submit a  
1437 written request for a hearing. The hearing shall be conducted at  
1438 the district school board's election in accordance with one of  
1439 the following procedures:

1440       a. A direct hearing conducted by the district school board  
1441 within 60 days after receipt of the written appeal. The hearing  
1442 shall be conducted in accordance with the provisions of ss.  
1443 120.569 and 120.57. A majority vote of the membership of the  
1444 district school board shall be required to sustain the district  
1445 school superintendent's recommendation. The determination of the  
1446 district school board shall be final as to the sufficiency or  
1447 insufficiency of the grounds for termination of employment; or

1448       b. A hearing conducted by an administrative law judge  
1449 assigned by the Division of Administrative Hearings of the  
1450 Department of Management Services. The hearing shall be  
1451 conducted within 60 days after receipt of the written appeal in  
1452 accordance with chapter 120. The recommendation of the  
1453 administrative law judge shall be made to the district school  
1454 board. A majority vote of the membership of the district school  
1455 board shall be required to sustain or change the administrative  
1456 law judge's recommendation. The determination of the district  
1457 school board shall be final as to the sufficiency or  
1458 insufficiency of the grounds for termination of employment.

1459       (5) ADDITIONAL NOTIFICATIONS.—The district school  
1460 superintendent shall annually notify the department of any  
1461 instructional personnel or school administrators who receive two



877970

1462 consecutive unsatisfactory evaluations. The district school  
1463 superintendent shall also notify the department of any  
1464 instructional personnel or school administrators who are given  
1465 written notice by the district of intent to terminate or not  
1466 renew their employment. The department shall conduct an  
1467 investigation to determine whether action shall be taken against  
1468 the certificateholder pursuant to s. 1012.795.

1469 (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT  
1470 EVALUATION SYSTEMS.—The district school board shall establish a  
1471 procedure for annually reviewing instructional personnel and  
1472 school administrator evaluation systems to determine compliance  
1473 with this section ~~and s. 1012.3401~~. All substantial revisions to  
1474 an approved system must be reviewed and approved by the district  
1475 school board before being used to evaluate instructional  
1476 personnel or school administrators. Upon request by a school  
1477 district, the department shall provide assistance in developing,  
1478 improving, or reviewing an evaluation system.

1479 (7) MEASUREMENT OF STUDENT PERFORMANCE ~~LEARNING GROWTH~~.—

1480 (a) The Commissioner of Education shall approve a formula  
1481 to measure individual student learning growth on the statewide,  
1482 standardized assessments in English Language Arts and  
1483 mathematics administered under s. 1008.22. The formula must take  
1484 into consideration each student's prior academic performance.  
1485 The formula must not set different expectations for student  
1486 learning growth based upon a student's gender, race, ethnicity,  
1487 or socioeconomic status. In the development of the formula, the  
1488 commissioner shall consider other factors such as a student's  
1489 attendance record, disability status, or status as an English  
1490 language learner. The commissioner may ~~shall~~ select additional



1491 formulas to measure student performance as appropriate for the  
1492 remainder of the statewide, standardized assessments included  
1493 under s. 1008.22 and continue to select formulas as new  
1494 assessments are implemented in the state system. After the  
1495 commissioner approves the formula to measure individual student  
1496 learning growth, the State Board of Education shall adopt these  
1497 formulas in rule.

1498 (b) Each school district shall measure student learning  
1499 growth using the formulas approved by the commissioner under  
1500 paragraph (a) and the standards for performance levels adopted  
1501 by the state board under subsection (8) for courses associated  
1502 with the statewide, standardized assessments administered under  
1503 s. 1008.22 no later than the school year immediately following  
1504 the year the formula is approved by the commissioner. For grades  
1505 and subjects not assessed by statewide, standardized assessments  
1506 ~~but otherwise assessed as required under s. 1008.22(6),~~ each  
1507 school district shall measure student performance ~~of students~~  
1508 using a methodology determined by the district. ~~The department~~  
1509 ~~shall provide models for measuring performance of students which~~  
1510 ~~school districts may adopt.~~

1511 ~~(c) For a course that is not measured by a statewide,~~  
1512 ~~standardized assessment, a school district may request, through~~  
1513 ~~the evaluation system approval process, to use a student's~~  
1514 ~~achievement level rather than student learning growth if~~  
1515 ~~achievement is demonstrated to be a more appropriate measure of~~  
1516 ~~classroom teacher performance. A school district may also~~  
1517 ~~request to use a combination of student learning growth and~~  
1518 ~~achievement, if appropriate.~~

1519 ~~(d) For a course that is not measured by a statewide,~~



877970

1520 ~~standardized assessment, a school district may request, through~~  
1521 ~~the evaluation system approval process, that the performance~~  
1522 ~~evaluation for the classroom teacher assigned to that course~~  
1523 ~~include the learning growth of his or her students on one or~~  
1524 ~~more statewide, standardized assessments. The request must~~  
1525 ~~clearly explain the rationale supporting the request.~~

1526 ~~(e) For purposes of this section and only for the 2014-2015~~  
1527 ~~school year, a school district may use measurable learning~~  
1528 ~~targets on local assessments administered under s. 1008.22(6) to~~  
1529 ~~evaluate the performance of students portion of a classroom~~  
1530 ~~teacher's evaluation for courses that are not assessed by~~  
1531 ~~statewide, standardized assessments. Learning targets must be~~  
1532 ~~approved by the school principal. A district school~~  
1533 ~~superintendent may assign to instructional personnel in an~~  
1534 ~~instructional team the student learning growth of the~~  
1535 ~~instructional team's students on statewide assessments. This~~  
1536 ~~paragraph expires July 1, 2015.~~

1537 ~~(8) RULEMAKING.—No later than August 1, 2015, the State~~  
1538 ~~Board of Education shall adopt rules pursuant to ss. 120.536(1)~~  
1539 ~~and 120.54 which establish uniform procedures and format for the~~  
1540 ~~submission, review, and approval of district evaluation systems~~  
1541 ~~and reporting requirements for the annual evaluation of~~  
1542 ~~instructional personnel and school administrators; specific,~~  
1543 ~~discrete standards for each performance level required under~~  
1544 ~~subsection (2), based on student learning growth models approved~~  
1545 ~~by the commissioner, to ensure clear and sufficient~~  
1546 ~~differentiation in the performance levels and to provide~~  
1547 ~~consistency in meaning across school districts; the measurement~~  
1548 ~~of student learning growth and associated implementation~~



877970

1549 procedures required under subsection (7); and a process for  
1550 monitoring school district implementation of evaluation systems  
1551 in accordance with this section. ~~Specifically, the rules shall~~  
1552 ~~establish student performance levels that if not met will result~~  
1553 ~~in the employee receiving an unsatisfactory performance~~  
1554 ~~evaluation rating. In like manner, the rules shall establish a~~  
1555 ~~student performance level that must be met in order for an~~  
1556 ~~employee to receive a highly effective rating and a student~~  
1557 ~~learning growth standard that must be met in order for an~~  
1558 ~~employee to receive an effective rating.~~

1559 (9) TRANSITION TO NEW STATEWIDE, STANDARDIZED ASSESSMENTS.—  
1560 Standards for each performance level required under subsection  
1561 (2) shall be established by the State Board of Education  
1562 beginning with the 2015-2016 school year.

1563 ~~(10) DISTRICT BONUS REWARDS FOR PERFORMANCE PAY BASED ON~~  
1564 ~~EVALUATION PROGRESS. School districts are eligible for bonus~~  
1565 ~~rewards as provided for in the 2014 General Appropriations Act~~  
1566 ~~for making outstanding progress toward educator effectiveness,~~  
1567 ~~including implementation of instructional personnel salaries~~  
1568 ~~based on performance results under s. 1012.34 and the use of~~  
1569 ~~local assessment results in personnel evaluations when~~  
1570 ~~statewide, standardized assessments are not administered.~~

1571 Section 13. Section 1012.3401, Florida Statutes, is  
1572 repealed.

1573 Section 14. Subsection (10) of section 1012.98, Florida  
1574 Statutes, is amended to read:

1575 1012.98 School Community Professional Development Act.—

1576 (10) For instructional personnel ~~teachers, managers,~~ and  
1577 administrative personnel who have been evaluated as less than



1578 effective ~~satisfactory~~, a district school board shall require  
1579 participation in specific professional development programs as  
1580 provided in subparagraph (4)(b)4. as part of the improvement  
1581 prescription.

1582 Section 15. Except as otherwise expressly provided in this  
1583 act, this act shall take effect upon becoming a law.

1584  
1585 ===== T I T L E A M E N D M E N T =====

1586 And the title is amended as follows:

1587 Delete everything before the enacting clause  
1588 and insert:

1589 A bill to be entitled  
1590 An act relating to education accountability; amending  
1591 s. 1002.20, F.S.; revising provisions relating to  
1592 reading instruction to conform to changes made by the  
1593 act; amending ss. 1003.4156 and 1003.4282, F.S.;  
1594 deleting provisions relating to remediation for  
1595 certain middle grades and high school students,  
1596 respectively; amending s. 1003.4285, F.S.; revising  
1597 requirements for the scholar designation on standard  
1598 high school diplomas; amending s. 1008.22, F.S.;  
1599 revising the purpose of the student assessment program  
1600 to include providing instructional personnel with  
1601 certain information when available; revising the grade  
1602 levels of students who must take the statewide,  
1603 standardized English Language Arts assessment;  
1604 revising provisions relating to end-of-course  
1605 assessments; requiring that all students enrolled in  
1606 certain courses take the statewide, standardized end-



1607 of-course assessment associated with the course;  
1608 prohibiting students who take an end-of-course  
1609 assessment for a course from taking other specified  
1610 assessments; requiring computer-based testing for  
1611 certain assessments during specified school years;  
1612 requiring that paper-based accommodations be made  
1613 available for certain students; providing for use of  
1614 certain assessment results for students; requiring  
1615 that a student's performance results on certain  
1616 assessments be provided to the student's teachers and  
1617 parents within a specified time after administration  
1618 of the assessments; providing for liquidated damages;  
1619 revising provisions relating to local assessments  
1620 administered by school districts; requiring that  
1621 certain information relating to student achievement be  
1622 provided to instructional personnel when available;  
1623 requiring that all end-of-course assessment results be  
1624 reported annually by a specified date; providing an  
1625 exemption for the 2014-2015 school year; requiring the  
1626 Commissioner of Education to annually publish a  
1627 uniform calendar for assessment and reporting on the  
1628 Department of Education's website; requiring each  
1629 school district to establish assessment schedules,  
1630 approve such schedules at a district school board  
1631 meeting, and publish such schedules on the district's  
1632 website; requiring each public school to publish such  
1633 schedules on the school's website; providing that  
1634 certain assessments replace final assessments in  
1635 certain courses; requiring teachers and parents to be



1636 provided with results of district-required local  
1637 assessments in a timely manner; requiring rulemaking  
1638 relating to the uniform calendar; amending s. 1008.24,  
1639 F.S.; authorizing a school district to use district  
1640 employees to administer and proctor specified  
1641 assessments; providing minimum requirements for State  
1642 Board of Education rules regarding the training of  
1643 such employees; amending s. 1008.25, F.S.; deleting  
1644 requirements for the comprehensive student progression  
1645 plan; requiring each district school board to adopt  
1646 criteria for student grade-level progression; revising  
1647 provisions relating to support for certain students  
1648 and student promotion from grade 3 to grade 4;  
1649 requiring that certain information relating to student  
1650 achievement be provided to instructional personnel  
1651 when available; providing for intensive instruction  
1652 for certain students; revising reporting requirements;  
1653 amending s. 1008.30, F.S.; deleting a requirement for  
1654 certain students to be evaluated for college  
1655 readiness; amending s. 1008.34, F.S.; adding  
1656 references to school improvement ratings to provisions  
1657 regarding the school grading system; specifying  
1658 applicability of certain accountability measures to  
1659 schools using turnaround options; requiring that  
1660 students who score in the bottom quintile on the 2014-  
1661 2015 grade 3 English Language Arts assessment be  
1662 identified as students at risk of retention; requiring  
1663 that each school district notify such students'  
1664 parents, provide evidence, and provide intervention



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1665 and support services; authorizing a school district to  
1666 request approval from the state board to use student  
1667 performance results on new statewide assessments for  
1668 diagnostic and baseline purposes; requiring a district  
1669 school superintendent to submit the waiver request to  
1670 the Commissioner of Education; specifying required  
1671 content of a waiver request; requiring the  
1672 commissioner to review and make recommendations to the  
1673 state board regarding each waiver request; specifying  
1674 conditions and requirements for a school that is  
1675 granted a waiver for the 2014-2015 school year;  
1676 providing for expiration; amending s. 1012.34, F.S.;  
1677 revising reporting requirements relating to school  
1678 district personnel evaluation systems; revising  
1679 evaluation criteria and requirements; revising  
1680 provisions relating to the measurement of student  
1681 performance; deleting provisions relating to district  
1682 bonus rewards for performance pay based on evaluation  
1683 progress; repealing s. 1012.3401, F.S., relating to  
1684 requirements for measuring student performance in  
1685 instructional personnel and school administrator  
1686 performance evaluations and performance evaluation of  
1687 personnel for purposes of performance salary schedule;  
1688 amending s. 1012.98, F.S.; revising provisions  
1689 relating to personnel evaluation for purposes of  
1690 professional development; providing effective dates.