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1  
2 An act relating to education; amending s. 1001.23,  
3 F.S.; authorizing the Department of Education to hold  
4 patents, copyrights, trademarks, and service marks;  
5 authorizing the department to take specified actions  
6 to enforce its rights under certain circumstances;  
7 requiring the department to notify the Department of  
8 State in writing when property rights by patent,  
9 copyright, trademark, or service marks are secured by  
10 the department; requiring, except for educational  
11 materials and products, any proceeds received by the  
12 department from the exercise of its rights to be  
13 deposited in the department's Operating Trust Fund;  
14 creating s. 1002.334, F.S.; establishing the  
15 Innovative Blended Learning and Real-Time Student  
16 Assessment Pilot Program within the department;  
17 providing the purpose of the program; defining the  
18 term "innovative blended learning"; specifying program  
19 eligibility; requiring program applicants to submit  
20 applications to the department in a format prescribed  
21 by the department; requiring program applications to  
22 include specified information; requiring applications  
23 to be considered only for synchronous innovative  
24 blended learning programs; requiring the Commissioner  
25 of Education to select applicants to participate in  
26 the program; providing a start date for the program;  
27 providing for funding; authorizing the commissioner to  
28 remove an approved applicant from the program under  
29 certain circumstances; providing for future

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30 expiration; amending s. 1003.42, F.S.; requiring  
31 character development curriculum for certain grades to  
32 include instruction on voting using specified ballot;  
33 amending s. 1003.4282, F.S.; deleting obsolete  
34 language; requiring certain students to take a  
35 specified assessment relating to civic literacy;  
36 providing that such assessment meets certain  
37 postsecondary requirements under specified  
38 circumstances; conforming a cross-reference; amending  
39 s. 1003.433, F.S.; authorizing certain students to  
40 meet the grade 10 English Language Arts assessment  
41 requirements in a specified manner; amending s.  
42 1003.4996, F.S.; extending the timeframe for the  
43 Competency-Based Education Pilot Program; amending s.  
44 1007.25, F.S.; requiring certain postsecondary  
45 students to complete a civic literacy course and pass  
46 a specified assessment to demonstrate competency in  
47 civic literacy; authorizing students to meet the  
48 assessment requirements in high school; providing for  
49 rulemaking; authorizing the development of new civic  
50 literacy courses; providing requirements for such  
51 courses; amending s. 1008.212, F.S.; conforming cross-  
52 references; amending s. 1008.22, F.S.; revising the  
53 purpose of the assessment program; deleting obsolete  
54 language; requiring that certain assessments be given  
55 in a paper-based format; requiring school districts to  
56 provide the SAT or ACT to grade 11 students beginning  
57 in a specified school year; requiring school districts  
58 to choose which assessment to administer; deleting

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59 specified reporting requirements; deleting a  
60 requirement that the Commissioner of Education  
61 maintain a specified item bank; deleting specified  
62 requirements for the date of the administration of  
63 specified assessments; revising a deadline for the  
64 publication of certain assessments; conforming  
65 provisions to changes made by the act; amending s.  
66 1008.24, F.S.; revising the tests that are included  
67 under test administration and security rules; amending  
68 ss. 1008.34 and 1008.3415, F.S.; conforming cross-  
69 references; amending s. 1009.286, F.S.; providing an  
70 additional exception to credit hours used when  
71 calculating baccalaureate degrees; providing an  
72 effective date.

73  
74 Be It Enacted by the Legislature of the State of Florida:

75  
76 Section 1. Subsection (5) is added to section 1001.23,  
77 Florida Statutes, to read:

78 1001.23 Specific powers and duties of the Department of  
79 Education.—In addition to all other duties assigned to it by law  
80 or by rule of the State Board of Education, the department  
81 shall:

82 (5) Notwithstanding the provisions of chapter 286, have the  
83 authority to hold patents, copyrights, trademarks, and service  
84 marks. The department may take any action necessary to enforce  
85 its rights with respect to such patents, copyrights, trademarks,  
86 and service marks or enter into a transaction to sell, lease,  
87 license, or transfer such rights for monetary gain or other

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88 consideration at the discretion of the department. The  
89 department shall notify the Department of State in writing when  
90 property rights by patent, copyright, trademark, or service  
91 marks are secured by the department. Except for educational  
92 materials and products, any proceeds received by the department  
93 from the exercise of such rights shall be deposited in the  
94 department's Operating Trust Fund.

95 Section 2. Section 1002.334, Florida Statutes, is created  
96 to read:

97 1002.334 Innovative Blended Learning and Real-Time Student  
98 Assessment Pilot Program.—

99 (1) There is created within the Department of Education the  
100 Innovative Blended Learning and Real-Time Student Assessment  
101 Pilot Program. The purpose of the program is to develop and  
102 measure innovative blended learning and real-time weekly student  
103 assessment educational models that improve the educational  
104 progress of this state's students and help close achievement  
105 gaps for this state's traditionally underserved students.

106 (2) As used in this section, the term "innovative blended  
107 learning" means:

108 (a) A mode of learning where in-person and remote students  
109 are combined in one classroom environment where the education,  
110 instruction, and engagement occurs at the same time with the  
111 teacher and other students physically present in the classroom;  
112 and

113 (b) For a given course, students learn in part through  
114 online delivery of content and instruction with some element of  
115 student control over time, place, path, or pace and in part at a  
116 traditional supervised classroom location away from home.

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117       (3) To be eligible to work with the program, an applicant  
118 must be:

119       (a) A high-performing charter school under s. 1002.331;

120       (b) A high-performing charter school system under s.  
121 1002.332; or

122       (c) An academically high-performing school district  
123 pursuant to s. 1003.621.

124       (4) A program applicant must submit an application to the  
125 department in a format prescribed by the department. The  
126 application must include all of the following:

127       (a) A plan for the synchronous technological and resource  
128 design, curriculum, classroom operation, school or district  
129 management, privacy protection and teacher professional  
130 development, and at least weekly progress monitoring of real-  
131 time student performance in innovative blended learning  
132 programs.

133       (b) A plan to reduce achievement gaps through innovative  
134 blended learning.

135       (c) A requirement that distance learning will always be at  
136 the choosing of the student or the student's parent or guardian  
137 and that a family will never be coerced to choose distance  
138 learning.

139       (d) A requirement that a participating classroom may not be  
140 fully virtual such that at least two-thirds of the students in a  
141 class must be present for in-person learning on any regularly  
142 scheduled school day.

143       (e) A requirement that any struggling student who is  
144 participating in this program and who, according to progress  
145 monitoring data, is on pace to learn less than a year's content

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146 in a year's time must return to learning in person.

147 (f) A requirement that any student can choose to switch  
148 learning modalities, in person or distance, on any given day,  
149 without notice and therefore a seat must always be available for  
150 every student registered to take any participating course.

151 (g) A requirement that the applicant provide all requested  
152 student-level data from participating schools, including, as  
153 necessary, benchmark historical data for up to the prior 3  
154 school years, to the department upon request.

155 (5) Applications may be considered only for synchronous  
156 innovative blended learning programs.

157 (6) The Commissioner of Education shall select applicants  
158 to participate in the program.

159 (7) Districts and schools may not begin approved  
160 synchronous innovative blended learning programs until October  
161 1, 2021.

162 (8) (a) Applicants approved by the commissioner shall  
163 receive funding based upon the number of full-time equivalent  
164 students being educated under the pilot program, as if each  
165 student were being educated full-time in person at his or her  
166 respective school.

167 (b) The commissioner may remove an approved applicant from  
168 program participation if the applicant fails to maintain the  
169 designations listed in subsection (3) or the applicant fails to  
170 meet any of the requirements listed in subsection (4).

171 (9) This section expires July 1, 2024.

172 Section 3. Paragraph (s) of subsection (2) of section  
173 1003.42, Florida Statutes, is amended to read:

174 1003.42 Required instruction.—

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175 (2) Members of the instructional staff of the public  
176 schools, subject to the rules of the State Board of Education  
177 and the district school board, shall teach efficiently and  
178 faithfully, using the books and materials required that meet the  
179 highest standards for professionalism and historical accuracy,  
180 following the prescribed courses of study, and employing  
181 approved methods of instruction, the following:

182 (s) A character development program in the elementary  
183 schools, similar to Character First or Character Counts, which  
184 is secular in nature. Beginning in school year 2004-2005, the  
185 character development program shall be required in kindergarten  
186 through grade 12. Each district school board shall develop or  
187 adopt a curriculum for the character development program that  
188 shall be submitted to the department for approval.

189 1. The character development curriculum shall stress the  
190 qualities of patriotism; responsibility; citizenship; kindness;  
191 respect for authority, life, liberty, and personal property;  
192 honesty; charity; self-control; racial, ethnic, and religious  
193 tolerance; and cooperation.

194 2. The character development curriculum for grades 9  
195 through 12 shall, at a minimum, include instruction on  
196 developing leadership skills, interpersonal skills, organization  
197 skills, and research skills; creating a resume; developing and  
198 practicing the skills necessary for employment interviews;  
199 conflict resolution, workplace ethics, and workplace law;  
200 managing stress and expectations; and developing skills that  
201 enable students to become more resilient and self-motivated.

202 3. The character development curriculum for grades 11 and  
203 12 shall include instruction on voting using the uniform primary

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204 and general election ballot described in s. 101.151(9).

205

206 The State Board of Education is encouraged to adopt standards  
207 and pursue assessment of the requirements of this subsection. A  
208 character development program that incorporates the values of  
209 the recipients of the Congressional Medal of Honor and that is  
210 offered as part of a social studies, English Language Arts, or  
211 other schoolwide character building and veteran awareness  
212 initiative meets the requirements of paragraphs (s) and (t).

213 Section 4. Paragraphs (a) and (d) of subsection (3),  
214 subsection (7), and paragraph (e) of subsection (10) of section  
215 1003.4282, Florida Statutes, are amended to read:

216 1003.4282 Requirements for a standard high school diploma.—

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

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

224 (d) *Three credits in social studies.*—A student must earn  
225 one credit in United States History; one credit in World  
226 History; one-half credit in economics; and one-half credit in  
227 United States Government. The United States History EOC  
228 assessment constitutes 30 percent of the student's final course  
229 grade. Beginning with the 2021-2022 school year, students taking  
230 the United States Government course are required to take the  
231 assessment of civic literacy identified by the State Board of  
232 Education pursuant to s. 1007.25(4). Students earning a passing



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233 score on the assessment are exempt from the postsecondary civic  
234 literacy assessment required by s. 1007.25(4).

235 (7) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning with  
236 the 2012-2013 school year, if a student transfers to a Florida  
237 public high school from out of country, out of state, a private  
238 school, or a home education program and the student's transcript  
239 shows a credit in Algebra I, the student must pass the  
240 statewide, standardized Algebra I EOC assessment in order to  
241 earn a standard high school diploma unless the student earned a  
242 comparative score, passed a statewide assessment in Algebra I  
243 administered by the transferring entity, or passed the statewide  
244 mathematics assessment the transferring entity uses to satisfy  
245 the requirements of the Elementary and Secondary Education Act,  
246 as amended by the Every Student Succeeds Act (ESSA), 20 U.S.C.  
247 ss. 6301 et seq. If a student's transcript shows a credit in  
248 high school reading or English Language Arts II or III, in order  
249 to earn a standard high school diploma, the student must take  
250 and pass the statewide, standardized grade 10 ~~Reading assessment~~  
251 ~~or, when implemented, the grade 10 ELA assessment~~, or earn a  
252 concordant score. If a transfer student's transcript shows a  
253 final course grade and course credit in Algebra I, Geometry,  
254 Biology I, or United States History, the transferring course  
255 final grade and credit shall be honored without the student  
256 taking the requisite statewide, standardized EOC assessment and  
257 without the assessment results constituting 30 percent of the  
258 student's final course grade.

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

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

268  
269 The State Board of Education shall adopt rules under ss.  
270 120.536(1) and 120.54 to implement this subsection, including  
271 rules that establish the minimum requirements for students  
272 described in this subsection to earn a standard high school  
273 diploma. The State Board of Education shall adopt emergency  
274 rules pursuant to ss. 120.536(1) and 120.54.

275 Section 5. Subsection (3) of section 1003.433, Florida  
276 Statutes, is amended to read:

277 1003.433 Learning opportunities for out-of-state and out-  
278 of-country transfer students and students needing additional  
279 instruction to meet high school graduation requirements.-

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

285 (a) Receive immersion English language instruction during  
286 the summer following their senior year. Students receiving such  
287 instruction are eligible to take the required assessment or  
288 alternate assessment and receive a standard high school diploma  
289 upon passage of the required assessment or alternate assessment.  
290 This paragraph ~~subsection~~ shall be implemented to the extent

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291 funding is provided in the General Appropriations Act.

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

297 Section 6. Section 1003.4996, Florida Statutes, is amended  
298 to read:

299 1003.4996 Competency-Based Education Pilot Program.—  
300 Beginning with the 2016-2017 school year, the Competency-Based  
301 Education Pilot Program is created within the Department of  
302 Education to be administered for a period of 7 ~~5~~ years. The  
303 purpose of the pilot program is to provide an educational  
304 environment that allows students to advance to higher levels of  
305 learning upon the mastery of concepts and skills through  
306 statutory exemptions relating to student progression and the  
307 awarding of credits.

308 (1) PARTICIPATION.—The P.K. Yonge Developmental Research  
309 School and the Lake, Palm Beach, Pinellas, and Seminole County  
310 School Districts may submit an application in a format  
311 prescribed by the department to participate in the pilot  
312 program.

313 (2) APPLICATION.—The application to participate in the  
314 pilot program must, at a minimum, include:

315 (a) The vision and timelines for the implementation of  
316 competency-based education within the school district, including  
317 a list of the schools that will participate in the pilot program  
318 during the first school year and the list of schools that will  
319 be integrated into the program in subsequent school years.

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320 (b) The annual goals and performance outcomes for  
321 participating schools, including, but not limited to:

- 322 1. Student performance as defined in s. 1008.34.  
323 2. Promotion and retention rates.  
324 3. Graduation rates.  
325 4. Indicators of college and career readiness.

326 (c) A communication plan for parents and other  
327 stakeholders, including local businesses and community members.

328 (d) The scope of and timelines for professional development  
329 for school instructional and administrative personnel.

330 (e) A plan for student progression based on the mastery of  
331 content, including mechanisms that determine and ensure that a  
332 student has satisfied the requirements for grade-level promotion  
333 and content mastery.

334 (f) A plan for using technology and digital and blended  
335 learning to enhance student achievement and facilitate the  
336 competency-based education system.

337 (g) The proposed allocation of resources for the pilot  
338 program at the school and district levels.

339 (h) The recruitment and selection of participating schools.

340 (i) The rules to be waived for participating schools  
341 pursuant to subsection (3) to implement the pilot program.

342 (3) EXEMPTION FROM RULES.—In addition to the waivers  
343 authorized in s. 1001.10(3), the State Board of Education may  
344 authorize the commissioner to grant an additional waiver of  
345 rules relating to student progression and the awarding of  
346 credits.

347 (4) STUDENT FUNDING.—Students enrolled in a participating  
348 school shall be reported for and generate funding pursuant to s.

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349 1011.62.

350 (5) DEPARTMENT DUTIES.—The department shall:

351 (a) Compile the student and staff schedules of  
352 participating schools before and after implementation of the  
353 pilot program.

354 (b) Provide participating schools with access to statewide,  
355 standardized assessments required under s. 1008.22.

356 (c) Annually, by June 1, provide to the Governor, the  
357 President of the Senate, and the Speaker of the House of  
358 Representatives a report summarizing the activities and  
359 accomplishments of the pilot program and any recommendations for  
360 statutory revisions.

361 (6) RULES.—The State Board of Education shall adopt rules  
362 to administer this section.

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

365 1007.25 General education courses; common prerequisites;  
366 other degree requirements.—

367 (4) (a) Beginning with students initially entering a Florida  
368 College System institution or state university in the 2018-2019  
369 school year and thereafter, each student must demonstrate  
370 competency in civic literacy. Students must have the option to  
371 demonstrate competency either through successful completion of a  
372 civic literacy course or by achieving a passing score on an  
373 assessment. The State Board of Education must adopt in rule and  
374 the Board of Governors must adopt in regulation at least one  
375 existing assessment that measures competencies consistent with  
376 the required course competencies outlined in subparagraph (b)2  
377 ~~paragraph (b)~~.

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378           (b) Beginning with students initially entering a Florida  
379 College System institution or state university in the 2021-2022  
380 school year and thereafter, each student must demonstrate  
381 competency in civic literacy by achieving a passing score on an  
382 assessment and by successfully completing a civic literacy  
383 course. Credits earned for such courses via articulated  
384 acceleration mechanisms in s. 1007.27 will count toward the  
385 civic literacy competency requirement. The State Board of  
386 Education and the Board of Governors shall adopt by rule and  
387 regulation, respectively, approved assessments that address the  
388 competencies in subparagraph 2. and courses that meet the  
389 requirements in subparagraph 1. The chair of the State Board of  
390 Education and the chair of the Board of Governors, or their  
391 respective designees, shall jointly appoint a faculty committee  
392 to:

393           1.(a) Develop one or more a new courses eourse in civic  
394 literacy or revise an existing general education core course in  
395 American History or American Government to include, at a  
396 minimum, opportunities to engage synchronously in political  
397 discussions and civil debates with multiple points of view and  
398 to master the ability to synthesize information that informs  
399 civic decisionmaking ~~civic literacy~~.

400           2.(b) Establish course competencies and identify outcomes  
401 that include, at a minimum, an understanding of the basic  
402 principles of American democracy and how they are applied in our  
403 republican form of government, an understanding of the United  
404 States Constitution, knowledge of the founding documents and how  
405 they have shaped the nature and functions of our institutions of  
406 self-governance, and an understanding of landmark Supreme Court

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407 cases and their impact on law and society.

408 Section 8. Paragraph (a) of subsection (1) and subsection  
409 (2) of section 1008.212, Florida Statutes, are amended to read:

410 1008.212 Students with disabilities; extraordinary  
411 exemption.—

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

413 (a) "Circumstance" means a situation in which  
414 accommodations allowable for use on the statewide standardized  
415 assessment, a statewide standardized end-of-course assessment,  
416 or an alternate assessment pursuant to s. 1008.22(3)(d) ~~s.~~  
417 ~~1008.22(3)(e)~~ are not offered to a student during the current  
418 year's assessment administration due to technological  
419 limitations in the testing administration program which lead to  
420 results that reflect the student's impaired sensory, manual, or  
421 speaking skills rather than the student's achievement of the  
422 benchmarks assessed by the statewide standardized assessment, a  
423 statewide standardized end-of-course assessment, or an alternate  
424 assessment.

425 (2) A student with a disability for whom the individual  
426 education plan (IEP) team determines is prevented by a  
427 circumstance or condition from physically demonstrating the  
428 mastery of skills that have been acquired and are measured by  
429 the statewide standardized assessment, a statewide standardized  
430 end-of-course assessment, or an alternate assessment pursuant to  
431 s. 1008.22(3)(d) ~~s. 1008.22(3)(e)~~ shall be granted an  
432 extraordinary exemption from the administration of the  
433 assessment. A learning, emotional, behavioral, or significant  
434 cognitive disability, or the receipt of services through the  
435 homebound or hospitalized program in accordance with rule 6A-

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436 6.03020, Florida Administrative Code, is not, in and of itself,  
437 an adequate criterion for the granting of an extraordinary  
438 exemption.

439 Section 9. Present paragraph (c) of subsection (3) of  
440 section 1008.22, Florida Statutes, is redesignated as paragraph  
441 (d), a new paragraph (c) is added to that subsection, and  
442 paragraph (a) of subsection (1), paragraphs (a) and (b), present  
443 paragraph (d), and paragraph (g) of subsection (3), subsection  
444 (6), paragraphs (a), (b), (c), and (h) of subsection (7),  
445 subsections (8) and (9), and paragraph (e) of subsection (12) of  
446 that section are amended, to read:

447 1008.22 Student assessment program for public schools.—

448 (1) PURPOSE.—The primary purpose of the student assessment  
449 program is to provide student academic achievement and learning  
450 gains data to students, parents, teachers, school  
451 administrators, and school district staff. This data is to be  
452 used by districts to improve instruction; by students, parents,  
453 and teachers to guide learning objectives; by education  
454 researchers to assess national and international education  
455 comparison data; and by the public to assess the cost benefit of  
456 the expenditure of taxpayer dollars. The program must be  
457 designed to:

458 (a) Assess the achievement level and ~~annual~~ learning gains  
459 of each student in English Language Arts and mathematics and the  
460 achievement level in all other subjects assessed.

461 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The  
462 Commissioner of Education shall design and implement a  
463 statewide, standardized assessment program aligned to the core  
464 curricular content established in the Next Generation Sunshine



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465 State Standards. The commissioner also must develop or select  
466 and implement a common battery of assessment tools that will be  
467 used in all juvenile justice education programs in the state.  
468 These tools must accurately measure the core curricular content  
469 established in the Next Generation Sunshine State Standards.  
470 Participation in the assessment program is mandatory for all  
471 school districts and all students attending public schools,  
472 including adult students seeking a standard high school diploma  
473 under s. 1003.4282 and students in Department of Juvenile  
474 Justice education programs, except as otherwise provided by law.  
475 If a student does not participate in the assessment program, the  
476 school district must notify the student's parent and provide the  
477 parent with information regarding the implications of such  
478 nonparticipation. The statewide, standardized assessment program  
479 shall be designed and implemented as follows:

480 (a) *Statewide, standardized comprehensive assessments.*—The  
481 statewide, standardized ~~Reading assessment shall be administered~~  
482 ~~annually in grades 3 through 10. The statewide, standardized~~  
483 ~~Writing assessment shall be administered annually at least once~~  
484 ~~at the elementary, middle, and high school levels. When the~~  
485 ~~Reading and Writing assessments are replaced by English Language~~  
486 ~~Arts (ELA) assessments, ELA assessments shall be administered to~~  
487 ~~students in grades 3 through 10. Retake opportunities for the~~  
488 ~~grade 10 Reading assessment or, upon implementation, the grade~~  
489 ~~10 ELA assessment must be provided. Students taking the ELA~~  
490 ~~assessments shall not take the statewide, standardized~~  
491 ~~assessments in Reading or Writing.~~ Reading passages and writing  
492 prompts for ELA assessments shall incorporate grade-level core  
493 curricula content from social studies. The statewide,

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494 standardized Mathematics assessments shall be administered  
495 annually in grades 3 through 8. ~~Students taking a revised~~  
496 ~~Mathematics assessment shall not take the discontinued~~  
497 ~~assessment.~~ The statewide, standardized Science assessment shall  
498 be administered annually at least once at the elementary and  
499 middle grades levels. In order to earn a standard high school  
500 diploma, a student who has not earned a passing score on the  
501 grade 10 Reading assessment or, upon implementation, the grade  
502 10 ELA assessment must earn a passing score on the assessment  
503 retake or earn a concordant score as authorized under subsection  
504 (9). Statewide, standardized ELA and Mathematics assessments in  
505 grades 3 through 6 must be delivered in a paper-based format.

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

509 1. EOC assessments for Algebra I, Geometry, Biology I,  
510 United States History, and Civics shall be administered to  
511 students enrolled in such courses as specified in the course  
512 code directory.

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

520 3. The commissioner may select one or more nationally  
521 developed comprehensive examinations, which may include  
522 examinations for a College Board Advanced Placement course,

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523 International Baccalaureate course, or Advanced International  
524 Certificate of Education course, or industry-approved  
525 examinations to earn national industry certifications identified  
526 in the CAPE Industry Certification Funding List, for use as EOC  
527 assessments under this paragraph if the commissioner determines  
528 that the content knowledge and skills assessed by the  
529 examinations meet or exceed the grade-level expectations for the  
530 core curricular content established for the course in the Next  
531 Generation Sunshine State Standards. Use of any such examination  
532 as an EOC assessment must be approved by the state board in  
533 rule.

534 4. Contingent upon funding provided in the General  
535 Appropriations Act, including the appropriation of funds  
536 received through federal grants, the commissioner may establish  
537 an implementation schedule for the development and  
538 administration of additional statewide, standardized EOC  
539 assessments that must be approved by the state board in rule. If  
540 approved by the state board, student performance on such  
541 assessments constitutes 30 percent of a student's final course  
542 grade.

543 5. All statewide, standardized EOC assessments must be  
544 administered online except as otherwise provided in paragraph  
545 (d) ~~(e)~~.

546 6. A student enrolled in an Advanced Placement (AP),  
547 International Baccalaureate (IB), or Advanced International  
548 Certificate of Education (AICE) course who takes the respective  
549 AP, IB, or AICE assessment and earns the minimum score necessary  
550 to earn college credit, as identified in s. 1007.27(2), meets  
551 the requirements of this paragraph and does not have to take the

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552 EOC assessment for the corresponding course.

553 (c) Nationally recognized high school assessments.—Each  
554 school district shall, by the 2021-2022 school year and subject  
555 to appropriation, select either the SAT or ACT for districtwide  
556 administration to each public school student in grade 11,  
557 including students attending public high schools, alternative  
558 schools, and Department of Juvenile Justice education programs.

559 ~~(d) Implementation schedule.~~—

560 ~~1. The Commissioner of Education shall establish and~~  
561 ~~publish on the department's website an implementation schedule~~  
562 ~~to transition from the statewide, standardized Reading and~~  
563 ~~Writing assessments to the ELA assessments and to the revised~~  
564 ~~Mathematics assessments, including the Algebra I and Geometry~~  
565 ~~EOC assessments. The schedule must take into consideration~~  
566 ~~funding, sufficient field and baseline data, access to~~  
567 ~~assessments, instructional alignment, and school district~~  
568 ~~readiness to administer the assessments online. All such~~  
569 ~~assessments must be delivered through computer-based testing,~~  
570 ~~however, the following assessments must be delivered in a~~  
571 ~~computer-based format, as follows: the grade 3 Mathematics~~  
572 ~~assessment beginning in the 2016-2017 school year; the grade 4~~  
573 ~~ELA assessment, beginning in the 2015-2016 school year; and the~~  
574 ~~grade 4 Mathematics assessment, beginning in the 2016-2017~~  
575 ~~school year. Notwithstanding the requirements of this~~  
576 ~~subparagraph, statewide, standardized ELA and mathematics~~  
577 ~~assessments in grades 3 through 6 must be delivered only in a~~  
578 ~~paper-based format, beginning with the 2017-2018 school year,~~  
579 ~~and all such assessments must be paper-based no later than the~~  
580 ~~2018-2019 school year.~~

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581           ~~2. The Department of Education shall publish minimum and~~  
582 ~~recommended technology requirements that include specifications~~  
583 ~~for hardware, software, networking, security, and broadband~~  
584 ~~capacity to facilitate school district compliance with the~~  
585 ~~requirements of this section.~~

586           (g) *Contracts for assessments.*—

587           ~~1.~~ The commissioner shall provide for the assessments to be  
588 developed or obtained, as appropriate, through contracts and  
589 project agreements with private vendors, public vendors, public  
590 agencies, postsecondary educational institutions, or school  
591 districts. The commissioner may enter into contracts for the  
592 continued administration of the assessments authorized and  
593 funded by the Legislature. Contracts may be initiated in 1  
594 fiscal year and continue into the next fiscal year and may be  
595 paid from the appropriations of either or both fiscal years. The  
596 commissioner may negotiate for the sale or lease of tests,  
597 scoring protocols, test scoring services, and related materials  
598 developed pursuant to law.

599           ~~2. A student's performance results on statewide,~~  
600 ~~standardized assessments, EOC assessments, and Florida~~  
601 ~~Alternative Assessments administered pursuant to this subsection~~  
602 ~~must be provided to the student's teachers and parents by the~~  
603 ~~end of the school year, unless the commissioner determines that~~  
604 ~~extenuating circumstances exist and reports the extenuating~~  
605 ~~circumstances to the State Board of Education. This subparagraph~~  
606 ~~does not apply to existing contracts for such assessments, but~~  
607 ~~shall apply to new contracts and any renewal of existing~~  
608 ~~contracts for such assessments.~~

609           ~~3. If liquidated damages are applicable, the department~~

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610 ~~shall collect liquidated damages that are due in response to the~~  
611 ~~administration of the spring 2015 computer-based assessments of~~  
612 ~~the department's Florida Standards Assessment contract with~~  
613 ~~American Institutes for Research, and expend the funds to~~  
614 ~~reimburse parties that incurred damages.~~

615 (6) LOCAL ASSESSMENT OF STUDENT PERFORMANCE ON STATE  
616 STANDARDS.—

617 ~~(a)~~ Measurement of student performance is the  
618 responsibility of school districts except in those subjects and  
619 grade levels measured under the statewide, standardized  
620 assessment program described in this section. When available,  
621 instructional personnel must be provided with information on  
622 student achievement of standards and benchmarks in order to  
623 improve instruction.

624 ~~(b) The Commissioner of Education shall assist and support~~  
625 ~~districts in measuring student performance on the state~~  
626 ~~standards by maintaining a statewide item bank, facilitating the~~  
627 ~~sharing of developed tests or test items among school districts,~~  
628 ~~and providing technical assistance in best assessment practices.~~  
629 ~~The commissioner may discontinue the item bank if he or she~~  
630 ~~determines that district participation is insufficient for its~~  
631 ~~sustainability.~~

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

633 (a) The Commissioner of Education shall establish schedules  
634 for the administration of statewide, standardized assessments  
635 and the reporting of student assessment results. The  
636 commissioner shall consider the observance of religious and  
637 school holidays when developing the schedules. The assessment  
638 and reporting schedules must provide the earliest possible

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639 reporting of student assessment results to the school districts,  
640 ~~consistent with the requirements of paragraph (3)(g).~~ Assessment  
641 results for the statewide, standardized ELA and mathematics  
642 assessments and all statewide, standardized EOC assessments must  
643 be made available no later than June 30, except for results for  
644 the grade 3 statewide, standardized ELA assessment, which must  
645 be made available no later than May 31. School districts shall  
646 administer statewide, standardized assessments in accordance  
647 with the schedule established by the commissioner.

648 (b) By January of each year, ~~beginning in 2018,~~ the  
649 commissioner shall publish on the department's website a uniform  
650 calendar that includes the assessment and reporting schedules  
651 for, at a minimum, the next 2 school years. The uniform calendar  
652 must be provided to school districts in an electronic format  
653 that allows each school district and public school to populate  
654 the calendar with, at minimum, the following information for  
655 reporting the district assessment schedules under paragraph (d):

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

658 2. The specific date or dates that each assessment will be  
659 administered.

660 3. The time allotted to administer each assessment.

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

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

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

667 7. The type of assessment, the purpose of the assessment,

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668 and the use of the assessment results.

669 8. A glossary of assessment terminology.

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

672 (c) ~~Beginning with the 2018-2019 school year,~~ The spring  
673 administration of the statewide, standardized assessments in  
674 paragraphs (3)(a) and (b), excluding assessment retakes, must be  
675 in accordance with the following schedule:

676 1. The grade 3 statewide, standardized ELA assessment and  
677 the writing portion of the statewide, standardized ELA  
678 assessment ~~for grades 4 through 10~~ must be administered no  
679 earlier than April 1 each year within an assessment window not  
680 to exceed 2 weeks.

681 2. With the exception of assessments identified in  
682 subparagraph 1., any statewide, standardized assessment that is  
683 delivered in a paper-based format must be administered no  
684 earlier than May 1 each year within an assessment window not to  
685 exceed 2 weeks.

686 3. With the exception of assessments identified in  
687 subparagraphs 1. and 2., any statewide, standardized assessment  
688 must be administered within a 4-week assessment window that  
689 opens no earlier than May 1 each year.

690  
691 ~~Each school district shall administer the assessments identified~~  
692 ~~under subparagraphs 2. and 3. no earlier than 4 weeks before the~~  
693 ~~last day of school for the district.~~

694 (h) The results of statewide, standardized assessment in  
695 ELA and mathematics, science, and social studies assessments,  
696 including assessment retakes, shall be reported in an easy-to-



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697 read and understandable format and delivered in time to provide  
698 useful, actionable information to students, parents, and each  
699 student's current teacher of record and teacher of record for  
700 the subsequent school year; however, in any case, the district  
701 shall provide the results pursuant to this paragraph within 1  
702 week after receiving the results from the department. A report  
703 of student assessment results must, at a minimum, contain:

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

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

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

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

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

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

723 (8) PUBLICATION OF ASSESSMENTS.—To promote transparency in  
724 the statewide assessment program, in any procurement for the  
725 statewide, standardized assessment in ELA, ~~assessment in grades~~

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726 ~~3 through 10 and the~~ mathematics, science, and social studies  
727 ~~assessment in grades 3 through 8,~~ the Department of Education  
728 shall solicit cost proposals for publication of the state  
729 assessments on its website in accordance with this subsection.

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

737 (b) The initial publication of assessments must occur no  
738 later than June 30, 2024 ~~June 30, 2021,~~ subject to  
739 appropriation, and must include, at a minimum, the grade 3 ELA  
740 and mathematics assessments, the grade 10 ELA assessment, and  
741 the Algebra I EOC assessment.

742 (c) The department must provide materials on its website to  
743 help the public interpret assessment information published  
744 pursuant to this subsection.

745 (9) CONCORDANT SCORES.—The Commissioner of Education must  
746 identify scores on the SAT and ACT that if achieved satisfy the  
747 graduation requirement that a student pass the grade 10  
748 ~~statewide, standardized Reading assessment or, upon~~  
749 ~~implementation, the grade 10 ELA assessment.~~ The commissioner  
750 may identify concordant scores on assessments other than the SAT  
751 and ACT. If the content or scoring procedures change for the  
752 grade 10 ~~Reading assessment or, upon implementation, the grade~~  
753 ~~10~~ ELA assessment, new concordant scores must be determined. If  
754 new concordant scores are not timely adopted, the last-adopted

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755 concordant scores remain in effect until such time as new scores  
756 are adopted. The state board shall adopt concordant scores in  
757 rule.

758 (12) REPORTS.—The Department of Education shall annually  
759 provide a report to the Governor, the President of the Senate,  
760 and the Speaker of the House of Representatives which shall  
761 include the following:

762 ~~(c) The number of students who after 8th grade enroll in~~  
763 ~~adult education rather than other secondary education, which is~~  
764 ~~defined as grades 9 through 12.~~

765 Section 10. Subsection (1) of section 1008.24, Florida  
766 Statutes, is amended to read:

767 1008.24 Test administration and security; public records  
768 exemption.—

769 (1) A person may not knowingly and willfully violate test  
770 security rules adopted by the State Board of Education for  
771 mandatory tests administered by or through the State Board of  
772 Education or the Commissioner of Education to students,  
773 educators, or applicants for certification or administered by  
774 school districts pursuant to ss. 1002.69, 1003.52, 1003.56,  
775 1007.25, 1007.35, 1008.22, 1008.25, and 1012.56 ~~s. 1008.22~~, or,  
776 with respect to any such test, knowingly and willfully to:

777 (a) Give examinees access to test questions prior to  
778 testing;

779 (b) Copy, reproduce, or use in any manner inconsistent with  
780 test security rules all or any portion of any secure test  
781 booklet;

782 (c) Coach examinees during testing or alter or interfere  
783 with examinees' responses in any way;

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- 784 (d) Make answer keys available to examinees;  
785 (e) Fail to follow security rules for distribution and  
786 return of secure test as directed, or fail to account for all  
787 secure test materials before, during, and after testing;  
788 (f) Fail to follow test administration directions specified  
789 in the test administration manuals; or  
790 (g) Participate in, direct, aid, counsel, assist in, or  
791 encourage any of the acts prohibited in this section.

792 Section 11. Paragraph (a) of subsection (1) of section  
793 1008.34, Florida Statutes, is amended to read:

794 1008.34 School grading system; school report cards;  
795 district grade.—

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

799 (a) "Achievement level," "student achievement," or  
800 "achievement" describes the level of content mastery a student  
801 has acquired in a particular subject as measured by a statewide,  
802 standardized assessment administered pursuant to s.  
803 1008.22(3)(a) and (b). There are five achievement levels. Level  
804 1 is the lowest achievement level, level 5 is the highest  
805 achievement level, and level 3 indicates satisfactory  
806 performance. A student passes an assessment if the student  
807 achieves a level 3, level 4, or level 5. For purposes of the  
808 Florida Alternate Assessment administered pursuant to s.  
809 1008.22(3)(d) ~~s. 1008.22(3)(e)~~, the state board shall provide,  
810 in rule, the number of achievement levels and identify the  
811 achievement levels that are considered passing.

812 Section 12. Subsection (2) of section 1008.3415, Florida

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813 Statutes, is amended to read:

814 1008.3415 School grade or school improvement rating for  
815 exceptional student education centers.—

816 (2) Notwithstanding s. 1008.34, the achievement levels and  
817 Learning Gains of a student with a disability who attends an  
818 exceptional student education center and has not been enrolled  
819 in or attended a public school other than an exceptional student  
820 education center for grades K-12 within the school district  
821 shall not be included in the calculation of the home school's  
822 grade if the student is identified as an emergent student on the  
823 alternate assessment described in s. 1008.22(3)(d) ~~s.~~  
824 ~~1008.22(3)(c)~~.

825 Section 13. Paragraph (i) is added to subsection (4) of  
826 section 1009.286, Florida Statutes, to read:

827 1009.286 Additional student payment for hours exceeding  
828 baccalaureate degree program completion requirements at state  
829 universities.—

830 (4) For purposes of this section, credit hours earned under  
831 the following circumstances are not calculated as hours required  
832 to earn a baccalaureate degree:

833 (i) Credit hours earned to meet the requirements of s.  
834 1007.25(4).

835 Section 14. This act shall take effect July 1, 2021.