

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: CS/SB 1048

INTRODUCER: Appropriations Committee; and Senators Diaz and Rodrigues

SUBJECT: Student Assessments

DATE: February 8, 2022

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Palazesi</u>	<u>Bouck</u>	<u>ED</u>	<b>Favorable</b>
2.	<u>Grace</u>	<u>Elwell</u>	<u>AED</u>	<b>Recommend: Favorable</b>
3.	<u>Grace</u>	<u>Sadberry</u>	<u>AP</u>	<b>Fav/CS</b>

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 1048 substantially modifies Florida’s statewide standardized assessment program to include a computer-based coordinated screening and progress monitoring tool in English Language Arts and mathematics. The bill specifies that progress monitoring results must provide teachers and parents with actionable feedback to tailor instruction and develop programs and supports, and the end-of-year assessment must be used for all existing accountability purposes specified in law. The bill provides for a one-year transition period to the new statewide standardized assessments, which will hold students and schools harmless during the transition. The bill also requires the Commissioner of Education to provide recommendations on additional ways to streamline testing.

The bill enumerates a list of rights that a parent possesses in order to be notified of his or her student’s educational progress. The bill further specifies the requirements of school districts in notifying parents of their student’s academic progress.

The bill has an indeterminate fiscal impact. *See* Section V. Fiscal Impact Statement.

The bill takes effect July 1, 2022.

## II. Present Situation:

### Voluntary Prekindergarten through Grade 8 Progress Monitoring Tool

Children who enrolled in a private or public Voluntary Prekindergarten Program (VPK), for the 2021-2022 school year and prior school years, are assessed with the Florida VPK Assessment.<sup>1</sup> The Florida VPK Assessment is a progress monitoring tool that measures a child abilities in print knowledge, phonological awareness, mathematics, and oral language/vocabulary area that are aligned with the Early Learning and Developmental standards: 4 Years old to Kindergarten (2017).<sup>2</sup> The Florida VPK assessment consists of a pre- and post-assessment:

- The Pre-assessment or Assessment Period 1 is administered within the first thirty calendar days of the VPK class schedule.
- The Post-assessment or Assessment Period 3 is administered within the last thirty calendar days of the VPK class schedule.<sup>3</sup>

Students who enrolled in kindergarten in a public school for the 2021-2022 school year and prior school years, were assessed with the Florida Kindergarten Readiness Screener within the first 30 school days of the 2021-2022 school year.<sup>4</sup> The Florida Kindergarten Readiness Screener is a computer adaptive assessment, which is completed by students in less than 20 minutes and measures student proficiency in three broad domains:

- Word knowledge and skills;
- Comprehension strategies and constructing meaning; and
- Numbers and operations.<sup>5</sup>

There is not a federal requirement for states to administer a Kindergarten through grade 2 assessment system. As of 2019, Florida was one of 12 states that didn't offer a statewide Kindergarten through grade 2 assessment system or a list of approved Kindergarten through grade 2 assessment systems for school districts.<sup>6</sup> In 2021, the legislature created a new statewide VPK through grade 8 coordinated screening and progress monitoring program that includes grades Kindergarten through grade 2.<sup>7</sup>

Beginning with the 2022-2023 school year, private and public VPK providers and public schools in Florida will be required to participate in a coordinated screening and progress monitoring system (CSPM) for students in VPK through grade 8. The CSPM tool must be administered three times a year and is required to:

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<sup>1</sup> Rule 6A-1.09433, F.A.C.

<sup>2</sup> Office of Early Learning, About Assessments in VPK and Kindergarten Screening, <http://www.floridaearlylearning.com/vpk/vpk-providers/assessments-flks>, (last visited 11/16/2021).

<sup>3</sup> Rule 6M-8.620, F.A.C

<sup>4</sup> Section 1002.68(3)(a), F.S.

<sup>5</sup> Florida Department of Education, *Assessment for reading, language and vocabulary, and numeracy*, <https://www.fldoe.org/core/fileparse.php/18494/urlt/StarEarlyLiteracy.pdf> (last visited 11/16/2021).

<sup>6</sup> Council of Chief State School Officers, *K-2 Assessments: An Update on State Adoption and Implementation, at 6 (2019)*, available at <https://ccsso.org/sites/default/files/2019-06/K-2%20Assessments%20Paper%20FINAL.pdf>. An analysis of the 2021-22 district assessment calendars that were submitted to the Department of Education showed that 61 school districts intended to use a progress monitoring tool that included grades K-2 for the 2021-22 school year.

<sup>7</sup> Section 15, ch. 2021-9, L.O.F.

- Measure student progress in VPK-grade 8 in meeting the appropriate expectations in early literacy and mathematic skills and in English Language Arts and mathematic standards.
- Measure student performance in oral language development, phonological and phonemic awareness, knowledge of print and letters, decoding, fluency, vocabulary, and comprehension, as applicable by grade level.
- Be valid, reliable, and developmentally appropriate computer-adaptive that identifies students who have a substantial deficiency in reading, including identifying students with characteristics of dyslexia.
- Provide data that can be used for VPK Program accountability requirements.
- Provide VPK program providers, school districts, schools and teacher with data and resources that enhance instruction and parental communication.
- Provide information to the department to aid in the development of educational programs, policies and supports for VPK providers and school districts.<sup>8</sup>

Beginning with the 2022-2023 program year, each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program must participate in a program assessment of each voluntary prekindergarten education classroom. The Florida Department of Education (FDOE) must adopt a methodology for calculating each private prekindergarten provider's and public school provider's performance metric, which includes program assessment scores and the initial and final CSPM results.<sup>9</sup>

### **The Council for Early Grades Success**

In 2021, the legislature created the Council for Early Grades Success within the FDOE. The council is responsible for reviewing the implementation of, training for, and outcomes from the coordinated screening and progress monitoring (CSPM) program to provide recommendations to the FDOE that support grade 3 students reading at or above grade level.<sup>10</sup>

### **Florida's Statewide Student Assessment Program**

#### ***Federal Requirements***

The Elementary and Secondary Act (ESEA) was signed into law in 1965<sup>11</sup> and was reauthorized by the No Child Left behind (NCLB) act in 2002 and the Every Student Succeeds Act (ESSA) in 2015.<sup>12</sup>

The Every Student Succeeds Act provides flexibility for state accountability systems but keeps the assessment requirements of NCLB. Under ESSA, states receiving Title I funding are still required to administer the math and reading or language arts assessments annually to students in grades 3-8 and once in high school. In addition, states are required to measure student proficiency in science at least once in grades 3 through 5; grades 6 through 9; and grades 10

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<sup>8</sup> Section 1008.25, F.S.

<sup>9</sup> Section 1002.68, F.S.

<sup>10</sup> Section 65, ch. 2021-10, L.O.F.

<sup>11</sup> Pub. L 89-10 (April 11, 1965).

<sup>12</sup> U.S. Department of Education, *Every Student Succeeds Act* (<https://www.ed.gov/essa?src=rn>) (last visited Nov. 12, 2021).

through 12.<sup>13</sup> However, ESSA amended NCLB to allow for a state or a consortia of states to use multiple statewide interim assessments that results in a single summative score, or a state can use a single summative assessment. In addition, ESSA amended NCLB to allow states to administer a computer adaptive assessments for the purposes of meeting federal requirements.<sup>14</sup>

***Florida Standards Assessments and Next Generation Sunshine State Standards Assessments***

The primary purpose of the student assessment program is to provide student academic achievement and learning gains data to students, parents, teachers, school administrators, and school district staff.<sup>15</sup> The Florida Standards Assessments (FSA) and Next Generation Sunshine State Standards (NGSSS) assessments measure student achievement of the standards contained in the Florida Standards and the NGSSS, respectively. Florida’s educational standards were developed with the goal of providing all students with an education based on high expectations. The statewide assessments program also provides feedback and accountability indicators to Florida educators, policy makers, students, and other citizens.<sup>16</sup>

The Commissioner of Education (commissioner) is required to design and implement a statewide standardized assessment program aligned to the core curricular content established in the NGSSS. The statewide standardized assessment program for students in grades 3 through 10 is as follows:

- Florida Standards Assessments:
  - English Language Arts (ELA): grades 3-10.
  - Mathematics: grades 3–8.
  - End-of-Course (EOC) assessments for students who are enrolled in the corresponding course:
    - Algebra 1.
    - Geometry.
- NGSSS Assessments:
  - Grade 5 and grade 8 science.
  - EOC assessments for students who are enrolled in the corresponding course:
    - Biology I.
    - United States History.
    - Civics.

***Florida Standards Assessment and End-of-Course Assessments: Test Administration and Test Schedule***

The FSA in ELA and Mathematics for grades 3 through 6 are currently administered in a paper-based format. Statewide EOC assessments,<sup>17</sup> the grade 7 and 8 FSA Mathematics, and grades 7 through 10 FSA ELA assessments are administered in a computer-based format.<sup>18</sup>

<sup>13</sup> 34 C.F.R. s. 200.5.

<sup>14</sup> 34 C.F.R. s. 200.2.

<sup>15</sup> Section 1008.22(1), F.S.

<sup>16</sup> Florida Department of Education, *Florida Statewide Assessments: Statewide Assessments Guide 2020-2021*, at 1, (2021), available at <https://www.fldoe.org/core/fileparse.php/5663/urlt/swapig.pdf>.

<sup>17</sup> Section 1008.22, F.S.

<sup>18</sup> Florida Department of Education, *Florida Statewide Assessments: Statewide Assessments Guide 2020-2021*, at 35, (2021), available at <https://www.fldoe.org/core/fileparse.php/5663/urlt/swapig.pdf>.

The grade 3 ELA assessment and the writing portion of the statewide standardized ELA assessment must be administered no earlier than April 1 each year. The spring administration of the FSA ELA in grades 4 through 10, FSA Mathematics grades 3 through 8, and EOC assessments must be administered no earlier than May 1 of each year. The commissioner is required to establish schedules for the administration of statewide, standardized assessments and the reporting of student assessment results.<sup>19</sup> For school year 2021-2022, the FSA and EOC administration schedule is below.<sup>20</sup>

**FLORIDA STATEWIDE ASSESSMENT PROGRAM  
2021-2022 SCHEDULE\***

English Language Arts (ELA), Mathematics, and Science	
Dates	Assessment
April 4-15, 2022	Grades 4-10 ELA Writing Grade 3 ELA Reading
May 2-13, 2022	Grades 4-6 ELA Reading Grades 3-6 Mathematics
May 2-27, 2022	Grades 7-10 ELA Reading Grades 7 & 8 Mathematics
May 9-20, 2022	Grades 5 & 8 Science
End-of-Course Assessments	
Dates	Assessment
September 13-October 15, 2021 November 29-December 17, 2021 May 2-27, 2022 July 11-22, 2022	Algebra 1, Biology 1, Civics, Geometry & U.S. History
Florida Standards Assessments (FSA) Retakes	
Dates	Assessment
September 13-October 15, 2021	Grade 10 ELA Reading Retake Grade 10 ELA Writing Retake
February 21-March 11, 2022	Grade 10 ELA Writing Retake Grade 10 ELA Reading Retake Algebra 1 Retake

\* School districts establish daily testing schedules within these windows according to state-provided guidance. For more detailed scheduling information for a specific school or district, please visit that organization's website.

The commissioner must also publish on the department’s website a uniform testing calendar that is provided to school districts, so that school districts can populate the calendar with the state- and district-required assessments. School districts are required to publish the uniform testing calendar on their website each school year.

***Florida Standards Assessment and End-of-Course Assessments: Reporting of Results and Achievement Levels***

Results for the FSA and EOC assessments must be made available no later than June 30, except for the results for the grade 3 statewide standardized ELA assessment which must be available no later than May 31. The results for the FSA and EOC assessments, must be reported in an easy-to-read and understandable format and delivered in time to provide useful, actionable information to students, parents, and each student’s current teacher of record and teacher of record for the subsequent school year. The school district must provide the assessment results within 1 week after receiving the results from the FDOE.

<sup>19</sup> Section 1008.22, F.S.

<sup>20</sup> Florida Department of Education, *Florida Statewide Assessment Program 2021-22 Schedule*, <https://info.fldoe.org/docushare/dsweb/Get/Document-8789/dps-2019-197a.pdf>, (last visited Dec. 14, 2021).

All statewide, standardized EOC assessments and ELA, Mathematics, and Science assessments must use scaled scores and achievement levels. Achievement levels range from 1 through 5, with level 1 being the lowest achievement level, level 5 being the highest achievement level, and level 3 indicating satisfactory performance on an assessment. Passing scores for each statewide, standardized assessment are designated by the State Board of Education (SBE) in rule. If the commissioner seeks to modify performance level scores on a statewide, standardized assessment, the commissioner must provide a copy of the proposed scores and implementation plan to the Speaker of the House of Representatives and the President of the Senate at least 90 days before submission to the SBE for review.<sup>21</sup>

### **Optional Progress Monitoring Tool**

Progress monitoring (PM) tools are a type of formative assessments that allow teachers to continuously evaluate student learning and monitor the effectiveness of their instruction.<sup>22</sup>

The FDOE allocated \$20 million from the CARES Act funds for PM and data informed supports.<sup>23</sup> From October 1, 2020, through February 19, 2021, the FDOE made available to all public schools on a voluntary basis a new progress monitoring tool developed by Cambium Assessment, Inc., to serve as a connective support between the foundational skills that students seek to acquire and their progress through early education years and drive informed teaching practices and curriculum decisions. The progress monitoring tool was computer adaptive, made available for multiple administrations and was aligned to the state standards for grades 3 through 10 Reading and grades 3 through 8 Mathematics.<sup>24</sup> Public schools participating in the optional progress monitoring tool were recommended to provide students between 45 and 60 minutes to complete each assessment.<sup>25</sup>

In school year 2020-21, 59 school districts administered the progress monitoring tool. The 59 school districts that used the progress monitoring tool administered 322,030 Reading assessments and 226,122 Mathematics assessments. In school year 2021-22, as of Dec. 13, 2021, 54 school districts have accessed the progress monitoring tool and administered 110,787 Reading assessments and 56,237 Mathematics assessments.<sup>26</sup>

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<sup>21</sup> Section 1008.22, F.S.

<sup>22</sup> The Iris Center, Peabody College Vanderbilt University, *How can teachers systematically identify when to adjust instruction for struggling students?*, <https://iris.peabody.vanderbilt.edu/module/pmr/cresource/q1/p02/> (last visited Dec. 20, 2021).

<sup>23</sup> Florida Department of Education, *Reopening Florida's Schools and the CARES Act*, available at <http://www.fldoe.org/core/fileparse.php/19861/urlt/FLDOEReopeningCARESAct.pdf>, at 102, (last visited Dec. 20, 2021).

<sup>24</sup> Florida Department of Education, *Free Optional Progress Monitoring Tool Available to Public Schools* (Dec. 28, 2021), available at <http://www.fldoe.org/core/fileparse.php/19861/urlt/CambiumProgressMonitoring2020-21.pdf>.

<sup>25</sup> Florida Department of Education, *Adaptive Progress Monitoring (APM) Administration Manual, 2021-22*, at 3 (2021), available at <https://fsassessments.org/-/media/project/client-portals/florida/pdf/apm/apm-administration-manual-081921-final.pdf>.

<sup>26</sup> Email, Jessica Fowler, Deputy Legislative Affairs Director, Florida Department of Education (Dec. 17, 2021) (on file with the Senate Committee on Education).

## School District Assessment Programs

The measurement of student performance is the responsibility of school districts, except in those subjects and grade levels measured under the statewide, standardized assessment program. School districts are required to annually, by October 1, post the uniform assessment calendars that delineate which assessments are statewide, standardized assessments and district-required assessments.<sup>27</sup> For the 2020-2021 and 2021-2022 school years, the FDOE required that school districts submit progress monitoring results to the FDOE for assessments they were administering during the school year.<sup>28</sup>

For the 2020-2021 school year, only two school districts reported using no PM tool, other school districts reported the following:

- 22 school districts reported use of one PM tool.
- 29 school districts reported use of two PM tools.
- 18 school districts reported use of three PM tools.
- 2 school districts reported use of four PM tools.

For school year 2021-22, school districts reported the following to the FDOE:

- 15 school districts have no PM data reported through the platform.
- 38 school districts reported use of one PM tool.
- 17 school districts reported use of two PM tools.
- 3 school districts reported use of three PM tools.<sup>29</sup>

## K-12 Assessment and Accountability Transitions

When a new assessment is administered, new cut scores must be adopted through a standard setting process, which occurs after the initial administration of the assessment. Setting cut scores is the process whereby FDOE “draw the lines” that separate the test scores into various achievement levels.<sup>30</sup> Achievement levels from the statewide standardized assessment are used in calculating school grades,<sup>31</sup> school improvement ratings,<sup>32</sup> third grade retention/promotion,<sup>33</sup> and high school graduation requirements.<sup>34</sup>

In school year 2014-15, the FDOE transitioned from the FCAT 2.0 to the FSA. To assist in the transition to the FSA in 2014-15, school grades and school improvement ratings for the 2014-15 school year served as an informational baseline for schools to work toward improved performance in future years. In addition, schools were not required to select and implement a turnaround option based on the 2014-15 school grade or school improvement rating. Finally, to

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<sup>27</sup> Section 1008.22, F.S.

<sup>28</sup> Florida Department of Education Emergency Order 2020-EO-06.

<sup>29</sup> Email, Jessica Fowler, Deputy Legislative Affairs Director, Florida Department of Education (Dec. 17, 2021) (on file with the Senate Committee on Education).

<sup>30</sup> Florida Department of Education, *Assessment and Accountability Presentation to the State Board of Education*, at 6 (Oct. 27, 2015) available at <https://www.fldoe.org/core/fileparse.php/13143/urlt/acct.pdf>.

<sup>31</sup> Section 1008.34(3)(b), F.S.

<sup>32</sup> Section 1008.341, F.S.

<sup>33</sup> Section 1008.25, F.S.

<sup>34</sup> Section 1003.4282, F.S.

ensure students were held harmless, grade 3 retention and assessments required for high school graduation were linked to the 2013-14 student performance expectations.<sup>35</sup>

### **Parental Rights and Notifications**

School districts are required to notify parents of their student's academic progress. Specifically, schools districts must:

- Provide results of evaluations used to monitor a student's progress in grades K-12 to parents, in a timely manner.
- Notify parents of the process to request grade promotion<sup>36</sup>, advise on the Academically Challenging Curriculum to Enhance Learning options<sup>37</sup> and options for early high school graduation.<sup>38</sup>
- Parents must be notified in writing if their student exhibits a substantial deficiency in reading.
- Parents be provided written notification that their grade 3 student who is retained has not met the proficiency level required for promotion and reasons the student is not eligible for a good cause exemption.
- Parents receive an annual report of their child's progress toward achieving state and district expectations for proficiency in English Language Arts, science, social studies and mathematics.
- Parents receive screening and progress monitoring results in a timely manner.<sup>39</sup>

### **III. Effect of Proposed Changes:**

This bill substantially changes Florida's statewide standardized assessment program to include a statewide coordinated screening and progress monitoring (CSPM) tool. The bill specifies that progress monitoring results must provide teachers and parents with actionable feedback to tailor instruction and to develop programs and supports, and the end-of-year assessment must be used for all existing accountability purposes specified in law. The bill provides for a one-year transition period to the new statewide standardized assessments. Further, the bill clarifies a school district's responsibilities in regards to specified parental rights in accessing their student's academic performance.

### **Voluntary Pre-Kindergarten (VPK) through Grade 2 Progress Monitoring**

The bill modifies the VPK to grade 3 CSPM system to VPK to grade 2, and accordingly updates oversight of the system by the Council for Early Grades Success. The bill requires the VPK through grade 2 progress monitoring instrument be computer-based and measure grade-level student performance in:

- Oral language development;
- Phonological and phonemic awareness;
- Knowledge of print and letters;

<sup>35</sup> Section 1, Ch. 2014-23, L.O.F.

<sup>36</sup> Section 1008.25, F.S.

<sup>37</sup> Section 1002.3105, F.S.

<sup>38</sup> Section 1003.4281, F.S.

<sup>39</sup> Section 1008.25, F.S.

- Decoding and encoding;
- Fluency;
- Vocabulary; and
- Comprehension.

The progress monitoring instrument must identify students who have a substantial deficiency in reading, including identifying students with characteristics of dyslexia.

The bill authorizes the Florida Department of Education (FDOE) to consider including progress monitoring results from the new grade 3 progress monitoring assessment for the purposes of adopting a methodology for VPK performance metrics.

### **Statewide Standardized Assessment Program**

The bill modifies the statewide standardized assessment program to include a CSPM system. In addition, the bill deletes the requirement that the standardized statewide assessment system offer a paper-based administration, except for students who require such administration as an accommodation.

The bill specifies the implementation of the new statewide standardized assessment and CSPM system in English Language Arts (ELA) and mathematics, beginning in the 2022-2023 school year.

The ELA assessment and progress monitoring in grades 3-10 must include:

- A screening and progress monitoring assessment administered at the beginning and middle of the school year, which must:
  - Measure student progress in meeting ELA standards.
  - Be a computer-based assessment that can identify students who have a substantial deficiency in reading, including identifying students with characteristics of dyslexia.
  - Provide results to teachers within 1 week and parents within 2 weeks.
  - Require scores from the end-of-year progress monitoring system be available by May 31<sup>st</sup>, beginning in the 2023-2024 school year.
- An end-of-year assessment administered in the spring, the results of the end-of-year assessment will replace the Florida Standards Assessment (FSA) to be used for accountability purposes in grade three retention, high school graduation, school grades, and school improvement ratings.

The mathematics assessment and progress monitoring in grades 3-8, must include:

- A screening and progress monitoring assessment administered at the beginning and middle of the school year, which must:
  - Measure student progress in meeting mathematics standards.
  - Be a computer-based assessment that can identify students who have a substantial deficiency in mathematics.
  - Provide results to teachers within 1 week and parents within 2 weeks.

- An end-of-year assessment administered in the spring, the results of the end-of-year assessment will replace the FSA to be used for accountability purposes in school grades and school improvement ratings.

The bill does not modify the requirement for the statewide standardized science assessment, which must continue to be administered annually at least once at the elementary and middle grade levels, or the requirement for end-of-course (EOC) assessments in Algebra 1, Geometry, Biology I, United States History, and Civics.

The bill requires results for ELA and mathematics to provide actionable feedback that allows for tailored instruction throughout the school year. The results must also provide information to the FDOE to assist in the development of educational programs, policies, and supports. As a result of a new assessment being administered, the FDOE will need to go through a standard setting process to propose new cut scores for the achievement levels that indicate grade-level performance, to be adopted by the State Board of Education (SBE). The bill reduces the amount of time, from 90 days to 30 days, that the Commissioner of Education (commissioner) must submit the proposed scores and implementation plan to the Speaker of the House of Representatives and the President of the Senate, before SBE review.

The bill requires the SBE to adopt a new assessment schedule for the coordinated screening and progress monitoring that incorporates the beginning and middle of the year administrations, and the comprehensive end-of-year assessment. The SBE will also be required to adopt rules for the development of the uniform assessment calendar that defines and describes various assessment terms, specifically summative assessment, formative assessment, interim assessment and progress monitoring.

The bill streamlines and standardizes progress monitoring tools for school districts. School districts that choose to not offer additional progress monitoring tools, in addition to the statewide coordinated progress monitoring tool, could see a reduction in testing time by not administering additional assessments. Further, the statewide progress monitoring tool will provide standardized assessment results for students who transfer into a different school district in the middle of the year, providing the receiving school district with the most up-to-date data on where that student is in comparison to their peers.

The bill makes technical revisions, changing the name “Next Generation Sunshine State Standards” to “state academic standards” and specifies the coordinated screening and progress monitoring system will be computer-adaptive beginning in the 2023-2024 school year.

### **School District Requirements**

The bill clarifies requirements for school districts in reporting statewide and district-required local assessment results to students, teachers, parents, and the public. The bill requires school districts to provide results from district-required local assessments to parents and teachers within one week of the administrations. When reporting the results from statewide, standardized assessments, the bill requires the results be easy to comprehend, and allows school districts to include a personalized video to assist parents in understanding the results. Further, the bill

requires school districts to provide a written report from the CSPM system that can be accessed in a printed or electronic format. The report must be included in a web-based option and a mobile device compatible portal for parents and students to securely access student assessment data and review their student's individual student reports. Finally, the bill requires school districts to annually report, to the FDOE, the strategies they implemented to comply with the parental reporting requirements outlined in the bill.

### **Assessment Study and Transition**

The bill requires the commissioner to provide recommendations, by January 31, 2025, to the Governor, the President of the Senate, and the Speaker of the House of Representatives on additional way to streamline testing. Specifically the study must include: feasibility of using results from PM1 and PM2 in lieu of the end-of-year assessment; options for further reducing assessments; feasibility of offering remote proctoring; accelerating student progression; incorporation of content from ELA instructional materials; and the impact of progress monitoring on student learning growth data as measured by teacher evaluation systems. The report must include an analysis of the correlation between the first two (beginning and mid-year) administrations of the progress monitoring and the end-of-year assessment to determine if results from the first two administrations can be used in lieu of the end-of-year assessment.

The bill provides for a 1-year transition period, during which the calculation of school grades and school improvement ratings for the 2022-2023 school year are calculated based on the new statewide, standardized assessments. The 2022-2023 school grades will serve as an informational baseline for schools to work toward improved performance in future years.

The bill modifies s. 1008.34, F.S., to provide hold-harmless provisions during the transition, which specify:

- Schools subject to a turnaround option;
- Virtual schools or approved virtual instruction providers; and
- High performing charter school systems or school districts.

The bill allows school districts to promote third grade students if the district is able to determine a student's performance based on a good cause exemption or other means calculated to provide reliable evidence of a student's performance.

The bill also includes determinations for high school graduation in the requirement to link 2021-2022 student performance expectations to student performance on the 2022-2023 end-of-year assessment.

The bill also modifies s. 1008.341, F.S., to specify that school improvement ratings will not be calculated for the 2022-2023 school year, and requires the SBE to set the ratings scale for the 2023-2024 school year.

### **Parental Rights**

The bill specifies legislative intent for parental rights regarding information about their student's academic progress. The bill restates required parental notifications for academic progress

mentioned from other sections of law into a new subsection. Specifically, the bill requires that parents:

- Be provided results, in a timely manner, of evaluations used to monitor a student's progress in grades K-12.
- Be notified of the process to request grade promotion or acceleration<sup>40</sup>, including the Academically Challenging Curriculum to Enhance Learning options,<sup>41</sup> and options for early high school graduation.<sup>42</sup>
- Be notified in writing if their student exhibits a substantial deficiency in reading.
- Be provided written notification that their grade 3 student who is retained has not met the proficiency level required for promotion and reasons the student is not eligible for a good cause exemption.
- Receive an annual report of their child's progress toward achieving state and district expectations for proficiency in ELA, science, social studies and mathematics.
- Receive screening and progress monitoring results in a timely manner.<sup>43</sup>
- Receive their student's academic achievement and learning gains.
- Be notified of their student's nonparticipation in the statewide assessment and implications of nonparticipation.
- Be informed, in writing, and provided if their student with a disability or student with limited English proficiency, is provided with instructional accommodations for statewide standardized assessments.
- Receive analyzed statewide, standardized assessment program performance data.
- Provide consent to the school district if the district required local assessments exceed the five percent test administration limits.

The bill takes effect on July 1, 2022.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

##### **D. State Tax or Fee Increases:**

None.

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<sup>40</sup> Section 1008.25, F.S.

<sup>41</sup> Section 1002.3105, F.S.

<sup>42</sup> Section 1003.4281, F.S.

<sup>43</sup> Section 1008.25, F.S.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill could have a significant negative fiscal impact on general revenue funds. There could be an additional cost to school districts to administer progress monitoring assessments three times per year as well as administering the assessments to additional grade levels. School districts may see a cost savings due to the removal of paper-based assessments. There may also be a cost savings to school districts who choose to discontinue using additional progress monitoring assessments, and only utilize the statewide coordinated progress monitoring tool. The Department of Education has not provided an agency analysis. The fiscal impact to the state is indeterminate at this time.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 411.227, 1000.21, 1002.37, 1002.45, 1002.53, 1002.67, 1002.68, 1003.41, 1003.53, 1008.2125, 1008.22, 1008.25, 1008.34, and 1008.341.

**IX. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/SB by Appropriations on February 9, 2022:

The committee substitute:

- Renames “Next Generation Sunshine State Standards” with “state academic standards.”

- Requires the coordinated screening and progress monitoring system be computer-adaptive beginning in the 2023-2024 school year. The progress monitoring system will still be computer-based in 2022-2023.
- Requires that, beginning in the 2023-2024 school year, scores from the end-of-year progress monitoring system must be available by May 31<sup>st</sup>. The amendment maintains the timelines of results for PM 1 and PM 2 which must be provided to teachers within 1 week and to parents within 2 weeks.
- Specifies that the study the Commissioner must provide to the Governor and Legislature on recommendations for additional ways to streamline testing, must include: feasibility of using results from PM1 and PM2 in lieu of the end-of-year assessment; options for further reducing assessments; feasibility of offering remote proctoring; accelerating student progression; incorporation of content from ELA instructional materials; and the impact of progress monitoring on student learning growth data as measured by teacher evaluation systems.
- Includes determinations for high school graduation in the requirement to link 2021-2022 student performance expectations to student performance on the 2022-2023 end-of-year assessment.
- Corrects a cross reference relating to the end-of-year progress monitoring assessment.

B. Amendments:

None.