

CHAPTER 2022-16

Committee Substitute for Senate Bill No. 1048

An act relating to student assessments; amending s. 411.227, F.S.; conforming provisions to changes made by the act; amending s. 1000.21, F.S.; renaming “Next Generation Sunshine State Standards” as “state academic standards”; amending ss. 1002.37, 1002.45, 1002.53, 1002.67, 1002.68, 1003.41, and 1003.53, F.S.; conforming provisions to changes made by the act; providing a directive to the Division of Law Revision; amending s. 1008.2125, F.S.; deleting provisions relating to the coordinated screening and progress monitoring program; conforming provisions to changes made by the act; amending s. 1008.22, F.S.; conforming provisions to changes made by the act; providing that certain end-of-year comprehensive progress monitoring assessments are the statewide, standardized ELA and Mathematics assessments for certain students; providing that achievement levels on specified assessments shall measure grade-level performance rather than satisfactory performance; requiring certain assessment results to be provided by a specified date beginning with a certain school year; including the coordinated screening and progress monitoring system in the limitation on the school hours authorized for testing; revising the timeframe for providing district-required local assessments results to a student’s parent; requiring such results to be provided in specified formats; requiring specified information to be included on individual student reports; requiring the Commissioner of Education to provide specified recommendations from an independent review of the coordinated screening and progress monitoring system to the Governor and Legislature by a specified date; providing requirements for the review and recommendations; providing for the future repeal of such requirements; amending s. 1008.25, F.S.; conforming provisions to changes made by the act; requiring the coordinated screening and progress monitoring system to identify the educational strengths and needs of students; revising requirements for such system; providing requirements for the administration of the coordinated screenings and progress monitoring and the reporting of results; requiring a specified annual report to be accessible through certain web-based options; deleting a requirement that district school boards print specified information in a local newspaper; amending s. 1008.34, F.S.; requiring 2022-2023 school and school district grades to serve as an informal baseline for schools and school districts; requiring baseline grades to be set so that the percentage of schools that earn specified letter grades is statistically equivalent to the 2021-2022 school grade results; requiring the State Board of Education to review the school grading scale and determine if the scale should be adjusted after certain data becomes available; prohibiting a school from being required to select and implement a turnaround option based on the school’s grades in a specified school year; providing applicability; providing that certain public schools and approved providers that receive the same or lower school grade in a specified school year are not subject to

sanctions; providing that a charter school system or school district designated as high performing may not lose the designation based on the school grades received during a certain school year by any of the schools within the charter school system or school district or based on a certain school year's district grade, as applicable; providing a transition for the calculation of school and district grades for the 2022-2023 school year; providing requirements for the calculation of such grades and exempting schools from specified provisions; providing requirements for determining grade 3 retention and high school graduation for such school year; providing for the future repeal of specified provisions; amending s. 1008.341, F.S.; providing that school improvement ratings will not be calculated for the 2022-2023 school year; providing for the future repeal of specified provisions; providing specified authorizations and requirements for the Department of Education; providing effective dates.

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

Section 1. Paragraph (d) of subsection (1) and paragraph (b) of subsection (3) of section 411.227, Florida Statutes, are amended to read:

411.227 Components of the Learning Gateway.—The Learning Gateway system consists of the following components:

(1) COMMUNITY EDUCATION STRATEGIES AND FAMILY-ORIENTED ACCESS.—

(d) In collaboration with other local resources, the demonstration projects shall develop public awareness strategies to disseminate information about developmental milestones, precursors of learning problems and other developmental delays, and the service system that is available. The information should target parents of children from birth through age 9 and should be distributed to parents, health care providers, and caregivers of children from birth through age 9. A variety of media should be used as appropriate, such as print, television, radio, and a community-based Internet website, as well as opportunities such as those presented by parent visits to physicians for well-child checkups. The Learning Gateway Steering Committee shall provide technical assistance to the local demonstration projects in developing and distributing educational materials and information.

1. Public awareness strategies targeting parents of children from birth through age 5 shall be designed to provide information to public and private preschool programs, child care providers, pediatricians, parents, and local businesses and organizations. These strategies should include information on the school readiness performance standards adopted by the Department of Education.

2. Public awareness strategies targeting parents of children from ages 6 through 9 must be designed to disseminate training materials and brochures to parents and public and private school personnel, and must be coordinated

with the local school board and the appropriate school advisory committees in the demonstration projects. The materials should contain information on state and district achievement ~~proficiency~~ levels for grades K-3.

(3) EARLY EDUCATION, SERVICES AND SUPPORTS.—

(b) Demonstration projects shall develop strategies to increase the use of appropriate intervention practices with children who have learning problems and learning disabilities within public and private early care and education programs and K-3 public and private school settings. Strategies may include training and technical assistance teams. Intervention must be coordinated and must focus on providing effective supports to children and their families within their regular education and community environment. These strategies must incorporate, as appropriate, school and district activities related to the student's progress monitoring plan and must provide parents with greater access to community-based services that should be available beyond the traditional school day. Academic expectations for public school students in grades K-3 must be based upon the local school board's adopted achievement ~~proficiency~~ levels. When appropriate, school personnel shall consult with the local Learning Gateway to identify other community resources for supporting the child and the family.

Section 2. Subsection (7) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida Early Learning-20 Education Code:

(7) ~~“Next Generation Sunshine State~~ academic standards” means the state's public K-12 curricular standards adopted under s. 1003.41.

Section 3. Paragraph (f) of subsection (3) and paragraphs (a) and (d) of subsection (10) of section 1002.37, Florida Statutes, are amended to read:

1002.37 The Florida Virtual School.—

(3) Funding for the Florida Virtual School shall be provided as follows:

(f) The Florida Virtual School shall receive state funds for operating purposes as provided in the General Appropriations Act. The calculation to determine the amount of state funds includes: the sum of the base Florida Education Finance Program funding, the state-funded discretionary contribution and a per-full-time equivalent share of the discretionary millage compression supplement, the exceptional student education guaranteed allocation, the instructional materials allocation, the evidence-based ~~research-based~~ reading instruction allocation, the mental health assistance allocation, and the teacher salary increase allocation. For the purpose of calculating the state-funded discretionary contribution, multiply the maximum allowable nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) by the value of 96 percent of the current year's taxable value for school purposes for the state; divide the result by the total full-time

equivalent membership of the state; and multiply the result by the full-time equivalent membership of the school. Funds may not be provided for the purpose of fulfilling the class size requirements in ss. 1003.03 and 1011.685.

(10)(a) Public school students receiving full-time instruction in kindergarten through grade 12 by the Florida Virtual School must take all statewide assessments required pursuant to s. 1008.22 and participate in the coordinated screening and progress monitoring system under s. 1008.25(8).

(d) Unless an alternative testing site is mutually agreed to by the Florida Virtual School and the school district or as contracted under s. 1008.24, all industry certification examinations, national assessments, progress monitoring under s. 1008.25(8), and statewide assessments must be taken at the school to which the student would be assigned according to district school board attendance areas. A school district must provide the student with access to the school's testing facilities and the date and time of the administration of progress monitoring and each examination or assessment.

Section 4. Paragraph (b) of subsection (6) of section 1002.45, Florida Statutes, is amended to read:

1002.45 Virtual instruction programs.—

(6) STUDENT PARTICIPATION REQUIREMENTS.—Each student enrolled in a virtual instruction program or virtual charter school must:

(b) Take statewide assessments pursuant to s. 1008.22 and participate in the coordinated screening and progress monitoring system under s. 1008.25(8). Statewide assessments and progress monitoring may be administered within the school district in which such student resides, or as specified in the contract in accordance with s. 1008.24(3). If requested by the approved provider or virtual charter school, the district of residence must provide the student with access to the district's testing facilities.

Section 5. Paragraph (d) of subsection (6) of section 1002.53, Florida Statutes, is amended to read:

1002.53 Voluntary Prekindergarten Education Program; eligibility and enrollment.—

(6)

(d) Each parent who enrolls his or her child in the Voluntary Pre-kindergarten Education Program must allow his or her child to participate in the coordinated screening and progress monitoring program under s. 1008.25(8) ~~s. 1008.2125~~.

Section 6. Paragraph (b) of subsection (2) of section 1002.67, Florida Statutes, is amended to read:

1002.67 Performance standards and curricula.—

(2)

(b) Each private prekindergarten provider’s and public school’s curriculum must be developmentally appropriate and must:

1. Be designed to prepare a student for early literacy and provide for instruction in early math skills;

2. Enhance the age-appropriate progress of students in attaining the performance standards adopted by the department under subsection (1); and

3. Support student learning gains through differentiated instruction that shall be measured by the coordinated screening and progress monitoring program under s. 1008.25(8) ~~s. 1008.2125~~.

Section 7. Paragraphs (a) and (b) of subsection (1), paragraphs (b) and (e) of subsection (4), and paragraph (c) of subsection (6) of section 1002.68, Florida Statutes, are amended to read:

1002.68 Voluntary Prekindergarten Education Program accountability.

(1)(a) Beginning with the 2022-2023 program year, each private prekindergarten provider and public school participating in the Voluntary Prekindergarten Education Program must participate in the coordinated screening and progress monitoring program in accordance with s. 1008.25(8) ~~s. 1008.2125~~. The coordinated screening and progress monitoring program results shall be used by the department to identify student learning gains, index development learning outcomes upon program completion relative to the performance standards established under s. 1002.67 and representative norms, and inform a private prekindergarten provider’s and public school’s performance metric.

(b) At a minimum, the initial and final progress monitoring or screening must be administered by individuals meeting requirements adopted by the department under s. 1008.25(8) ~~s. 1008.2125~~.

(4)

(b) The methodology for calculating a provider’s performance metric may not include students who are not administered the coordinated screening and progress monitoring program under s. 1008.25(8) ~~s. 1008.2125~~.

(e) Subject to an appropriation, the department shall provide for a differential payment to a private prekindergarten provider and public school based on the provider’s designation. The maximum differential payment may not exceed a total of 15 percent of the base student allocation per full-time equivalent student under s. 1002.71 attending in the consecutive program year for that program. A private prekindergarten provider or public school may not receive a differential payment if it receives a designation of

“proficient” or lower. Before the adoption of the methodology, the department shall confer with the Council for Early Grade Success under s. 1008.2125 before receiving approval from the State Board of Education for the final recommendations on the designation system and differential payments.

(6)

(c) The department shall adopt criteria for granting good cause exemptions. Such criteria must include, but are not limited to, all of the following:

1. Child demographic data that evidences a private prekindergarten provider or public school serves a statistically significant population of children with special needs who have individual education plans and can demonstrate progress toward meeting the goals outlined in the students’ individual education plans.

2. Learning gains of children served in the Voluntary Prekindergarten Education Program by the private prekindergarten provider or public school on an alternative measure that has comparable validity and reliability of the coordinated screening and progress monitoring program in accordance with s. 1008.25(8) ~~s. 1008.2125~~.

3. Program assessment data under subsection (2) which demonstrates effective teaching practices as recognized by the tool developer.

4. Verification that local and state health and safety requirements are met.

Section 8. Section 1003.41, Florida Statutes, is amended to read:

1003.41 ~~Next Generation Sunshine State~~ academic standards.—

(1) ~~The Next Generation Sunshine state~~ academic standards establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student’s core content knowledge and skills over time. Curricular content for all subjects must integrate critical-thinking, problem-solving, and workforce-literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The standards for grades 9 through 12 may be organized by grade clusters of more than one grade level except as otherwise provided for visual and performing arts, physical education, health, and foreign language standards.

(2) ~~The Next Generation Sunshine~~ state academic standards must meet the following requirements:

(a) English Language Arts standards must establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.

(b) Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.

(c) Mathematics standards must establish specific curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.

(d) Social Studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, economics, and financial literacy.

(e) Visual and performing arts, physical education, health, and foreign language standards must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

(3) The Commissioner of Education, as needed, shall develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, business and industry leaders, and the public. The commissioner, after considering reviews and comments, shall submit the proposed revisions to the State Board of Education for adoption.

(4) The State Board of Education shall adopt rules to administer this section.

Section 9. Paragraph (c) of subsection (1) of section 1003.53, Florida Statutes, is amended to read:

1003.53 Dropout prevention and academic intervention.—

(1)

(c) A student shall be identified as being eligible to receive services funded through the dropout prevention and academic intervention program based upon one of the following criteria:

1. The student is academically unsuccessful as evidenced by low test scores, retention, failing grades, low grade point average, falling behind in

earning credits, or not meeting the state or district achievement proficiency levels in reading, mathematics, or writing.

2. The student has a pattern of excessive absenteeism or has been identified as a habitual truant.

3. The student has a history of disruptive behavior in school or has committed an offense that warrants out-of-school suspension or expulsion from school according to the district school board's code of student conduct. For the purposes of this program, "disruptive behavior" is behavior that:

a. Interferes with the student's own learning or the educational process of others and requires attention and assistance beyond that which the traditional program can provide or results in frequent conflicts of a disruptive nature while the student is under the jurisdiction of the school either in or out of the classroom; or

b. Severely threatens the general welfare of students or others with whom the student comes into contact.

4. The student is identified by a school's early warning system pursuant to s. 1001.42(18)(b).

Section 10. The Division of Law Revision is directed to prepare a reviser's bill for the 2023 Regular Session of the Legislature to change the term "Next Generation Sunshine State Standards" to "state academic standards" wherever the term appears in the Florida Statutes.

Section 11. Section 1008.2125, Florida Statutes, is amended to read:

1008.2125 The Council for Early Grade Success Coordinated screening and progress monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3.—

~~(1) The primary purpose of the coordinated screening and progress monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3 is to provide information on students' progress in mastering the appropriate grade-level standards and to provide information on their progress to parents, teachers, and school and program administrators. Data shall be used by Voluntary Prekindergarten Education Program providers and school districts to improve instruction, by parents and teachers to guide learning objectives and provide timely and appropriate supports and interventions to students not meeting grade-level expectations, and by the public to assess the cost benefit of the expenditure of taxpayer dollars. The coordinated screening and progress monitoring program must:~~

~~(a) Measure student progress in the Voluntary Prekindergarten Education Program through grade 3 in meeting the appropriate expectations in early literacy and math skills and in English Language Arts and mathematics, as required by ss. 1002.67(1)(a) and 1003.41.~~

~~(b) Provide data for accountability of the Voluntary Prekindergarten Education Program, as required by s. 1002.68.~~

~~(c) Provide baseline data to the department of each student's readiness for kindergarten, which must be based on each kindergarten student's progress monitoring results that was administered no later than the first 30 instructional days in accordance with paragraph (2)(a). The methodology for determining a student's readiness for kindergarten shall be developed by the department and aligned to the methodology adopted pursuant to s. 1002.68(4).~~

~~(d) Identify the educational strengths and needs of students in the Voluntary Prekindergarten Education Program through grade 3.~~

~~(e) Provide teachers with progress monitoring data to provide timely interventions and supports pursuant to s. 1008.25(4).~~

~~(f) Assess how well educational goals and curricular standards are met at the provider, school, district, and state levels.~~

~~(g) Provide information to aid in the evaluation and development of educational programs and policies.~~

~~(2) The Commissioner of Education shall design a statewide, standardized coordinated screening and progress monitoring program to assess early literacy and mathematics skills and the English Language Arts and mathematics standards established in ss. 1002.67(1)(a) and 1003.41, respectively. The coordinated screening and progress monitoring program must provide interval level and norm-referenced data that measures equivalent levels of growth; be a developmentally appropriate, valid, and reliable direct assessment; be able to capture data on students who may be performing below grade or developmental level and which may enable the identification of early indicators of dyslexia or other developmental delays; accurately measure the core content in the applicable grade level standards; document learning gains for the achievement of these standards; and provide teachers with progress monitoring supports and materials that enhance differentiated instruction and parent communication. Participation in the coordinated screening and progress monitoring program is mandatory for all students in the Voluntary Prekindergarten Education Program and enrolled in a public school in kindergarten through grade 3. The coordinated screening and progress monitoring program shall be implemented beginning in the 2022-2023 school year for students in the Voluntary Prekindergarten Education Program and kindergarten students, as follows:~~

~~(a) The coordinated screening and progress monitoring program shall be administered within the first 30 days after enrollment, midyear, and within the last 30 days of the program or school year, in accordance with the rules adopted by the State Board of Education. The state board may adopt alternate timeframes to address nontraditional school year calendars or summer programs to ensure the coordinated screening and progress~~

monitoring program is administered a minimum of three times within a year or program.

~~(b) The results of the coordinated screening and progress monitoring program shall be reported to the department, in accordance with the rules adopted by the state board, and maintained in the department's educational data warehouse.~~

~~(3) The Commissioner of Education shall:~~

~~(a) Develop a plan, in coordination with the Council for Early Grade Success, for implementing the coordinated screening and progress monitoring program in consideration of timelines for implementing new early literacy and mathematics skills and the English Language Arts and mathematics standards established in ss. 1002.67(1)(a) and 1003.41, as appropriate.~~

~~(b) Provide data, reports, and information as requested to the Council for Early Grade Success.~~

~~(1)(4)~~ The Council for Early Grade Success, a council as defined in s. 20.03(7), is created within the Department of Education to oversee the coordinated screening and progress monitoring program under s. 1008.25(8) for students in the Voluntary Prekindergarten Education Program through grade 3 and, except as otherwise provided in this section, shall operate consistent with s. 20.052.

(a) The council shall be responsible for reviewing the implementation of, training for, and outcomes from the coordinated screening and progress monitoring program to provide recommendations to the department that support grade 3 students reading at or above grade level. The council, at a minimum, shall:

1. Provide recommendations on the implementation of the coordinated screening and progress monitoring program, including reviewing any procurement solicitation documents and criteria before being published.

2. Develop training plans and timelines for such training.

3. Identify appropriate personnel, processes, and procedures required for the administration of the coordinated screening and progress monitoring program.

4. Provide input on the methodology for calculating a provider's or school's performance metric and designations under s. 1002.68(4).

5. Work with the department to review the methodology for determining a child's kindergarten readiness.

6. Review data on age-appropriate learning gains by grade level that a student would need to attain in order to demonstrate proficiency in reading by grade 3.

7. Continually review anonymized data from the results of the coordinated screening and progress monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3 to help inform recommendations to the department that support practices that will enable grade 3 students to read at or above grade level.

(b) The council shall be composed of 17 members who are residents of this ~~the~~ state and appointed as follows:

1. Three members appointed by the Governor, as follows:

- a. One representative from the Department of Education.
- b. One parent of a child who is 4 to 9 years of age.
- c. One representative that is an elementary school administrator.

2. Seven members appointed by the President of the Senate, as follows:

- a. One senator who serves at the pleasure of the President of the Senate.
- b. One representative of an urban school district.
- c. One representative of a rural early learning coalition.
- d. One representative of a faith-based early learning provider who offers the Voluntary Prekindergarten Education Program.
- e. One representative who is a second grade teacher who has at least 5 years of teaching experience.

f. Two representatives with subject matter expertise in early learning, early grade success, or child assessments.

3. Seven members appointed by the Speaker of the House of Representatives, as follows:

- a. One member of the House of Representatives who serves at the pleasure of the Speaker of the House.
- b. One representative of a rural school district.
- c. One representative of an urban early learning coalition.
- d. One representative of an early learning provider who offers the Voluntary Prekindergarten Education Program.
- e. One member who is a kindergarten teacher who has at least 5 years of teaching experience.

f. Two representatives with subject matter expertise in early learning, early grade success, or child assessment.

4. The four representatives with subject matter expertise in sub-subparagraphs 2.f. and 3.f. may not be direct stakeholders within the early learning or public school systems.

(2) The Commissioner of Education shall:

(a) Develop a plan, in coordination with the Council for Early Grade Success, for implementing the coordinated screening and progress monitoring program in consideration of timelines for implementing new early literacy and mathematics skills and the English Language Arts and mathematics standards established in ss. 1002.67(1)(a) and 1003.41, as appropriate.

(b) Provide data, reports, and information as requested to the Council for Early Grade Success.

~~(3)(5)~~ The council shall elect a chair and vice chair, one of whom must be a member who has subject matter expertise in early learning, early grade success, or child assessments. The vice chair must be a member appointed by the President of the Senate or the Speaker of the House of Representatives who is not one of the four members with subject matter expertise in early learning, early grade success, or child assessments appointed pursuant to sub-subparagraphs ~~(1)(b)2.f. and 3.f.~~ ~~(4)(b)2.f. and 3.f.~~ Members of the council shall serve without compensation but are entitled to reimbursement for per diem and travel expenses pursuant to s. 112.061.

Section 12. Present subsection (13) of section 1008.22, Florida Statutes, is redesignated as subsection (14), a new subsection (13) is added to that section, and subsections (3) and (6) and paragraphs (a), (b), (c), (e), (g), (h), and (i) of subsection (7) of that section are amended, to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the ~~Next Generation Sunshine~~ state academic standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the ~~Next Generation Sunshine~~ state academic standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including adult students seeking a standard high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law. If a student does not participate in the assessment program, the school district must notify the student's parent and

provide the parent with information regarding the implications of such nonparticipation. The statewide, standardized assessment program shall be designed and implemented as follows:

(a) *Statewide, standardized comprehensive assessments.*—

1. The statewide, standardized English Language Arts (ELA) assessments shall be administered to students in grades 3 through 10. Retake opportunities for the grade 10 ELA assessment must be provided. Reading passages and writing prompts for ELA assessments shall incorporate grade-level core curricula content from social studies. The statewide, standardized Mathematics assessments shall be administered annually in grades 3 through 8. The statewide, standardized Science assessment shall be administered annually at least once at the elementary and middle grades levels. In order to earn a standard high school diploma, a student who has not earned a passing score on the grade 10 ELA assessment must earn a passing score on the assessment retake or earn a concordant score as authorized under subsection (9). ~~Statewide, standardized ELA and Mathematics assessments in grades 3 through 6 must be delivered in a paper-based format.~~

2. Beginning with the 2022-2023 school year, the end-of-year comprehensive progress monitoring assessment administered pursuant to s. 1008.25(8)(b)2. is the statewide, standardized ELA assessment for students in grades 3 through 10 and the statewide, standardized Mathematics assessment for students in grades 3 through 8.

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

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

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

3. The commissioner may select one or more nationally developed comprehensive examinations, which may include examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course, or industry-approved examinations to earn national industry certifications identified in the CAPE Industry Certification Funding List, for use as EOC assessments under this paragraph if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the

grade-level expectations for the core curricular content established for the course in the ~~Next-Generation Sunshine~~ state academic standards. Use of any such examination as an EOC assessment must be approved by the state board in rule.

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

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

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

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

(d) *Students with disabilities; Florida Alternate Assessment.*—

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

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

3. The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of assessment

accommodations for students with disabilities and for students who have limited English proficiency.

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

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

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

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

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

1. All statewide, standardized EOC assessments and ELA, Mathematics, and Science assessments shall use scaled scores and achievement levels. Achievement levels shall range from 1 through 5, with level 1 being the lowest achievement level, level 5 being the highest achievement level, and level 3 indicating grade-level ~~satisfactory~~ performance on an assessment.

2. The state board shall designate by rule a passing score, indicating grade-level performance, for each statewide, standardized assessment.

3. If the commissioner seeks to revise a statewide, standardized assessment and the revisions require the state board to modify performance level scores, including the passing score, the commissioner shall provide a copy of the proposed scores and implementation plan to the President of the Senate and the Speaker of the House of Representatives at least ~~45~~ 90 days before submission to the state board for review. Until the state board adopts the modifications by rule, the commissioner shall use calculations for scoring the assessment that adjust student scores on the revised assessment for

statistical equivalence to student scores on the former assessment. The state board shall adopt by rule the passing score for the revised assessment that is statistically equivalent to the passing score on the discontinued assessment for a student who is required to attain a passing score on the discontinued assessment. The commissioner may, with approval of the state board, discontinue administration of the former assessment upon the graduation, based on normal student progression, of students participating in the final regular administration of the former assessment. If the commissioner revises a statewide, standardized assessment and the revisions require the state board to modify the passing score, only students taking the assessment for the first time after the rule is adopted are affected.

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

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

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

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

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

(g) *Contracts for assessments.*—The commissioner shall provide for the assessments to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts. The commissioner may enter into contracts for the continued administration of the assessments authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next fiscal year and may be paid from the appropriations of either or both fiscal years. The commissioner may negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law.

(6) LOCAL ASSESSMENT OF STUDENT PERFORMANCE ON STATE STANDARDS.—Measurement of student performance is the responsibility of school districts except in those subjects and grade levels measured under the statewide, standardized assessment program described in this section and the coordinated screening and progress monitoring system under s. 1008.25(8). When available, instructional personnel must be provided with information on student achievement of standards and benchmarks in order to improve instruction.

(7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

(a) The Commissioner of Education shall establish schedules for the administration of statewide, standardized assessments and the reporting of student assessment results. The commissioner shall consider the observance of religious and school holidays when developing the schedules. The assessment and reporting schedules must provide the earliest possible reporting of student assessment results to the school districts. Assessment results for the statewide, standardized ELA and Mathematics assessments and all statewide, standardized EOC assessments must be made available no later than June 30, except for results for the grade 3 statewide, standardized ELA assessment, which must be made available no later than May 31. Beginning with the 2023-2024 school year, assessment results for the statewide, standardized ELA and Mathematics assessments must be available no later than May 31. School districts shall administer statewide, standardized assessments in accordance with the schedule established by the commissioner.

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

1. Whether the assessment is a district-required assessment or a state-required assessment.
2. The specific date or dates that each assessment will be administered, including administrations of the coordinated screening and progress monitoring system under s. 1008.25(8)(b).
3. The time allotted to administer each assessment.
4. Whether the assessment is a computer-based assessment or a paper-based assessment.
5. The grade level or subject area associated with the assessment.
6. The date that the assessment results are expected to be available to teachers and parents.

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

8. A glossary of assessment terminology.

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

(c) The spring administration of the statewide, standardized assessments in paragraphs (3)(a) and (b), excluding assessment retakes, must be in accordance with the following schedule:

1. The grade 3 statewide, standardized ELA assessment and the writing portion of the statewide, standardized ELA assessment must be administered no earlier than April 1 each year within an assessment window not to exceed 2 weeks.

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

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

(e) A school district may not schedule more than 5 percent of a student's total school hours in a school year to administer statewide, standardized assessments, the coordinated screening and progress monitoring system under s. 1008.25(8)(b)2., and district-required local assessments. The district must secure written consent from a student's parent before administering district-required local assessments that, after applicable statewide, standardized assessments and coordinated screening and progress monitoring are scheduled, exceed the 5 percent test administration limit for that student under this paragraph. The 5 percent test administration limit for a student under this paragraph may be exceeded as needed to provide test accommodations that are required by an IEP or are appropriate for an English language learner who is currently receiving services in a program operated in accordance with an approved English language learner district plan pursuant to s. 1003.56. Notwithstanding this paragraph, a student may choose within a school year to take an examination or assessment adopted by State Board of Education rule pursuant to this section and ss. 1007.27, 1008.30, and 1008.44.

(g) A school district must provide a student's performance results on district-required local assessments to the student's teachers and parent within 1 week ~~and to the student's parents no later than 30 days~~ after administering such assessments, unless the superintendent determines in writing that extenuating circumstances exist and reports the extenuating circumstances to the district school board. Results must be made available

through a web-based portal as part of the school district's student information system and in a printed format upon request by a student's parent.

(h) The results of statewide, standardized assessment in ELA and mathematics, science, and social studies, including assessment retakes, shall 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; however, in any case, the district shall provide the results pursuant to this paragraph within 1 week after receiving the results from the department. A report of student assessment results must, at a minimum, contain:

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

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

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

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

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

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

The information included under this paragraph relating to results from the statewide, standardized ELA assessments for grades 3 through 10 and Mathematics assessments for grades 3 through 8 must be included in individual student reports under s. 1008.25(8)(c).

(i) The State Board of Education shall adopt rules for the development of the uniform calendar that, at minimum, define terms that must be used in the calendar to describe various assessments, including the terms "progress monitoring," "summative assessment," "formative assessment," and "interim assessment."

(13) INDEPENDENT REVIEW.—By January 31, 2025, the Commissioner of Education shall provide recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives

based on an independent review of the coordinated screening and progress monitoring system under s. 1008.25(8). At a minimum, the review and recommendations must address:

(a) The feasibility and validity of using results from either the first or second administration of progress monitoring, or both, in lieu of using the comprehensive, end-of-year progress monitoring assessment for purposes of demonstrating a passing score, promotion to grade 4, meeting graduation requirements, and calculating school grades in accordance with s. 1008.34.

(b) Options for further reducing the statewide, standardized assessment footprint while maintaining valid and reliable data for purposes of school accountability and providing school and student supports, including the use of computer-adaptive assessments, consistent with the requirements of the federal Elementary and Secondary Education Act, 20 U.S.C. ss. 6301 et seq. and its implementing regulations.

(c) The feasibility and validity of remotely administering statewide, standardized assessments and the coordinated screening and progress monitoring system.

(d) Accelerating student progression based on results from the coordinated screening and progress monitoring system, as academically and developmentally appropriate.

(e) The incorporation of content from ELA instructional materials adopted by the Commissioner of Education pursuant to s. 1006.34 in test items within the coordinated screening and progress monitoring system under s. 1008.25(8).

(f) The impact of the coordinated screening and progress monitoring system on student learning growth data as measured by the formula approved under s. 1012.34(7).

This subsection is repealed July 1, 2025.

Section 13. Section 1008.25, Florida Statutes, is amended to read:

1008.25 Public school student progression; student support; coordinated screening and progress monitoring; reporting requirements.—

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

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

(a) Include criteria that emphasize student reading proficiency in kindergarten through grade 3 and provide targeted instructional support for students with identified deficiencies in English Language Arts, mathematics, science, and social studies. High schools shall use all available assessment results, including the results of statewide, standardized English Language Arts assessments and end-of-course assessments for Algebra I and Geometry, to advise students of any identified deficiencies and to provide appropriate postsecondary preparatory instruction before high school graduation. The results of evaluations used to monitor a student's progress in grades K-12 must be provided to the student's teacher in a timely manner and as otherwise required by law. Thereafter, evaluation results must be provided to the student's parent in a timely manner. When available, instructional personnel must be provided with information on student achievement of standards and benchmarks in order to improve instruction.

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

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

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

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

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

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

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

(f) Provide instructional sequences by which students in kindergarten through high school may attain progressively higher levels of skill in the use of digital tools and applications. The instructional sequences must include participation in curricular and instructional options and the demonstration of competence of standards required pursuant to ss. 1003.41 and 1003.4203 through attainment of industry certifications and other means of demonstrating credit requirements identified under ss. 1002.3105, 1003.4203, and 1003.4282.

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

(a) Students in kindergarten through grade 3 who have a substantial deficiency in reading as determined in paragraph (5)(a).

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

(4) ASSESSMENT AND SUPPORT.—

(a) Each student must participate in the statewide, standardized assessment program required under s. 1008.22 and the ~~Voluntary Pre-kindergarten Education Program through grade 8~~ coordinated screening and progress monitoring system required under subsection (8). Each student who does not achieve a Level 3 or above on the statewide, standardized English Language Arts assessment, the statewide, standardized Mathematics assessment, or the Algebra I EOC assessment must be evaluated to determine the nature of the student's difficulty, the areas of academic need, and strategies for providing academic supports to improve the student's performance.

(b) A student who is not meeting the school district or state requirements for satisfactory performance in English Language Arts and mathematics must be covered by one of the following plans:

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

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

3. An individualized progress monitoring plan.

(c) A student who has a substantial reading deficiency as determined in paragraph (5)(a) must be covered by a federally required student plan, such as an individual education plan or an individualized progress monitoring plan, or both, as necessary.

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(a) Any student in kindergarten through grade 3 who exhibits a substantial deficiency in reading based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must be provided intensive, explicit, systematic, and multisensory reading interventions immediately following the identification of the reading deficiency. A school may not wait for a student to receive a failing grade at the end of a grading period to identify the student as having a substantial reading deficiency and initiate intensive reading interventions. In addition, a school may not wait until an evaluation conducted pursuant to s. 1003.57 is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under chapter 490 which demonstrates that the student has been diagnosed with dyslexia. Such interventions must be initiated upon receipt of the documentation and based on the student's specific areas of difficulty as identified by the licensed professional. A student's reading proficiency must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the statewide, standardized English Language Arts assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in kindergarten through grade 3 has a substantial deficiency in reading.

(b) A Voluntary Prekindergarten Education Program student who exhibits a substantial deficiency in early literacy skills in accordance with the standards under s. 1002.67(1)(a) and based upon the results of the administration of the final coordinated screening and progress monitoring under subsection (8) s. 1008.2125 shall be referred to the local school district and may be eligible to receive intensive reading interventions before participating in kindergarten. Such intensive reading interventions shall be paid for using funds from the district's evidence-based ~~research-based~~ reading instruction allocation in accordance with s. 1011.62(8) s. 1011.62(9).

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

(d) The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in reading, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading.

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

3. A description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.

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

5. Strategies, including multisensory strategies, through a read-at-home plan the parent can use in helping his or her child succeed in reading. The read-at-home plan must provide access to the resources identified in paragraph (e) ~~paragraph (d)~~.

6. That the statewide, standardized English Language Arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the school district in knowing when a child is reading at or above grade level and ready for grade promotion.

7. The district's specific criteria and policies for a portfolio as provided in subparagraph (6)(b)4. and the evidence required for a student to demonstrate mastery of Florida's academic standards for English Language Arts. A school must immediately begin collecting evidence for a portfolio when a student in grade 3 is identified as being at risk of retention or upon the request of the parent, whichever occurs first.

8. The district's specific criteria and policies for midyear promotion. Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

9. Information about the student's eligibility for the New Worlds Reading Initiative under s. 1003.485 and information on parent training modules and other reading engagement resources available through the initiative.

After initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate

the student's progress if the interventions and supports already being implemented have not resulted in improvement.

(e) The Department of Education shall compile resources that each school district must incorporate into a read-at-home plan provided to the parent of a student who is identified as having a substantial reading deficiency pursuant to paragraph (d) ~~paragraph (e)~~. The resources must be made available in an electronic format that is accessible online and must include the following:

1. Developmentally appropriate, evidence-based strategies and programming, including links to video training modules and opportunities to sign up for at-home reading tips delivered periodically via text and e-mail, which a parent can use to help improve his or her child's literacy skills.

2. An overview of the types of assessments used to identify reading deficiencies and what those assessments measure or do not measure, the frequency with which the assessments are administered, and the requirements for interventions and supports that districts must provide to students who do not make adequate academic progress.

3. An overview of the process for initiating and conducting evaluations for exceptional education eligibility. The overview must include an explanation that a diagnosis of a medical condition alone is not sufficient to establish exceptional education eligibility but may be used to document how that condition relates to the student's eligibility determination and may be disclosed in an eligible student's individual education plan when necessary to inform school personnel responsible for implementing the plan.

4. Characteristics of conditions associated with learning disorders, including dyslexia, dysgraphia, dyscalculia, and developmental aphasia.

5. A list of resources that support informed parent involvement in decisionmaking processes for students who have difficulty in learning.

Upon the request of a parent, resources meeting the requirements of this paragraph must be provided to the parent in a hardcopy format.

(6) **ELIMINATION OF SOCIAL PROMOTION.—**

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

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(c), for good cause. A student who is promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause

exemption which research has shown to be successful in improving reading among students who have reading difficulties. Good cause exemptions are limited to the following:

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

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

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

4. A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts assessment.

5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in kindergarten, grade 1, grade 2, or grade 3.

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

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

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

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

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

(a) Students retained under paragraph (5)(c) must be provided intensive interventions in reading to ameliorate the student's specific reading deficiency and prepare the student for promotion to the next grade. These interventions must include:

1. Evidence-based, explicit, systematic, and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district.

2. Participation in the school district's summer reading camp, which must incorporate the instructional and intervention strategies under subparagraph 1.

3. A minimum of 90 minutes of daily, uninterrupted reading instruction incorporating the instructional and intervention strategies under subparagraph 1. This instruction may include:

a. Coordinated integration of content-rich texts in science and civic literacy within the 90-minute block.

b. Small group instruction.

c. Reduced teacher-student ratios.

d. More frequent progress monitoring.

e. Tutoring or mentoring.

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

g. Extended school day, week, or year.

(b) Each school district shall:

1. Provide written notification to the parent of a student who is retained under paragraph (5)(c) that his or her child has not met the achievement ~~proficiency~~ level required for promotion and the reasons the child is not eligible for a good cause exemption as provided in paragraph (6)(b). The notification must comply with paragraph (5)(d) and must include a description of proposed interventions and supports that will be provided to the child to remediate the identified areas of reading deficiency.

2. Implement a policy for the midyear promotion of a student retained under paragraph (5)(c) who can demonstrate that he or she is a successful and independent reader and performing at or above grade level in reading or, upon implementation of English Language Arts assessments, performing at or above grade level in English Language Arts. Tools that school districts may use in reevaluating a student retained may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance

with rules of the State Board of Education. Students promoted during the school year after November 1 must demonstrate achievement proficiency levels in reading equivalent to the level necessary for the beginning of grade 4. The rules adopted by the State Board of Education must include standards that provide a reasonable expectation that the student's progress is sufficient to master appropriate grade 4 level reading skills.

3. Provide students who are retained under paragraph (5)(c), including students participating in the school district's summer reading camp under subparagraph (a)2., with a ~~highly effective teacher~~ who is certified or endorsed in reading and is rated highly effective as determined by the teacher's performance evaluation under s. 1012.34, and, ~~beginning July 1, 2020, the teacher must also be certified or endorsed in reading.~~

4. Establish at each school, when applicable, an intensive reading acceleration course for any student retained in grade 3 who was previously retained in kindergarten, grade 1, or grade 2. The intensive reading acceleration course must provide the following:

a. Uninterrupted reading instruction for the majority of student contact time each day and opportunities to master the grade 4 Next Generation Sunshine state academic standards in other core subject areas through content-rich texts.

b. Small group instruction.

c. Reduced teacher-student ratios.

d. The use of explicit, systematic, and multisensory reading interventions, including intensive language, phonics, and vocabulary instruction, and use of a speech-language therapist if necessary, that have proven results in accelerating student reading achievement within the same school year.

e. A read-at-home plan.

(8) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

(a) The Department of Education, in collaboration with the Office of Early Learning, shall procure and require the use of a statewide, standardized coordinated screening and progress monitoring system for the Voluntary Prekindergarten Education Program and public schools ~~servicing kindergarten through grade 8 students.~~ The system must:

1. ~~Measure student progress in the Voluntary Prekindergarten Education Program through grade 8~~ in meeting the appropriate expectations in early literacy and mathematics skills and in English Language Arts and mathematics standards as required by ss. 1002.67(1)(a) and 1003.41 and identify the educational strengths and needs of students.

2. For students in the Voluntary Prekindergarten Education Program through grade 3, 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, and, at a minimum, provide interval level and norm-referenced data that measures equivalent levels of growth.

3. Be a valid, reliable, and developmentally appropriate computer-based computer-adaptive direct instrument that provides screening and diagnostic capabilities for monitoring student progress; identifies students who have a substantial deficiency in reading, including identifying students with characteristics of dyslexia and other learning disorders; and informs instruction. Beginning with the 2023-2024 school year, the coordinated screening and progress monitoring system must be computer-adaptive.

4. Provide data for Voluntary Prekindergarten Education Program accountability as required under s. 1002.68 s. 1002.67.

5. Provide Voluntary Prekindergarten Education Program providers, school districts, schools, and teachers, and parents with data and resources that enhance differentiated instruction and parent communication.

6. Provide baseline data to the department of each student's readiness for kindergarten. The determination of kindergarten readiness must be based on the results of each student's initial progress monitoring assessment in kindergarten. The methodology for determining a student's readiness for kindergarten must be developed by the department and aligned to the methodology adopted pursuant to s. 1002.68(4).

7. Assess how well educational goals and curricular standards are met at the provider, school, district, and state levels and provide information to the department to aid in the development of educational programs, policies, and supports for providers, districts, and schools.

(b) Beginning with the 2022-2023 school year, private Voluntary Prekindergarten Education Program providers and public schools must participate in the coordinated screening and progress monitoring system pursuant to this paragraph.

1. For students in the Voluntary Prekindergarten Education Program through grade 2, the coordinated screening and progress monitoring system must be administered at least three times within a program year or school year, as applicable, with the first administration occurring no later than the first 30 instructional days after a student's enrollment or the start of the program year or school year, the second administration occurring midyear, and the third administration occurring within the last 30 days of the program or school year pursuant to state board rule. The state board may adopt alternate timeframes to address nontraditional school year calendars or summer programs to ensure the coordinated screening and progress

monitoring program is administered a minimum of three times within a year or program.

2. For grades 3 through 10 English Language Arts and grades 3 through 8 Mathematics, the coordinated screening and progress monitoring system must be administered at the beginning, middle, and end of the school year pursuant to state board rule. The end-of-year administration of the coordinated screening and progress monitoring system must be a comprehensive progress monitoring assessment administered in accordance with the scheduling requirements under s. 1008.22(7)(c).

(c) To facilitate timely interventions and supports pursuant to subsection (4), the system must provide results from the first two administrations of the progress monitoring to a student's teacher within 1 week and to the student's parent within 2 weeks of the administration of the progress monitoring. Delivery of results from the comprehensive, end-of-year progress monitoring ELA assessment for grades 3 through 10 and Mathematics assessment for grades 3 through 8 must be in accordance with s. 1008.22(7)(h).

1. A student's results from the coordinated screening and progress monitoring system must be recorded in a written, easy-to-comprehend individual student report. Each school district shall provide a parent secure access to his or her child's individual student reports through a web-based portal as part of its student information system. Each early learning coalition shall provide parents the individual student report in a format determined by state board rule.

2. In addition to the information under subparagraph (a)5., the report must also include parent resources that explain the purpose of progress monitoring, assist the parent in interpreting progress monitoring results, and support informed parent involvement. Parent resources may include personalized video formats.

3. The department shall annually update school districts and early learning coalitions on new system features and functionality and collaboratively identify with school districts and early learning coalitions strategies for meaningfully reporting to parents results from the coordinated screening and progress monitoring system.

4. An individual student report must be provided in a printed format upon a parent's request

~~(e) A Voluntary Prekindergarten Education Program student who is at risk of being identified as having a substantial deficiency in early literacy skills, based upon results under this subsection, must be referred to the school district in which he or she resides and may be eligible to receive early literacy instruction and interventions after program completion and before participating in kindergarten. Such instruction and interventions may be~~

~~paid for using funds from the school district's evidence-based reading instruction allocation in accordance with s. 1011.62(9).~~

(d) Screening and progress monitoring system results, including the number of students who demonstrate characteristics of dyslexia, shall be reported to the department pursuant to state board rule and maintained in the department's Education Data Warehouse. Results must be provided to a student's teacher and parent in a timely manner as required in s. 1008.22(7)(g).

(e) The department, in collaboration with the Office of Early Learning, shall provide training and support for effective implementation of the screening and progress monitoring system.

(9) ANNUAL REPORT.—

(a) In addition to the requirements in paragraph (5)(c), each district school board must annually report to the parent of each student the progress of the student toward achieving state and district expectations for proficiency in English Language Arts, science, social studies, and mathematics. The district school board must report to the parent the student's results on each statewide, standardized assessment and the coordinated screening and progress monitoring system under subsection (8). The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, district and state assessments, response to intensive interventions provided under paragraph (5)(a), and other relevant information. Progress reporting must be provided to the parent in writing in a format adopted by the district school board and must be accessible through secure, web-based options.

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

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

2. By grade, the number and percentage of all students in grades 3 through 10 performing at Levels 1 and 2 on the statewide, standardized English Language Arts assessment.

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

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

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

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

Section 14. Subsection (7) is added to section 1008.34, Florida Statutes, to read:

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

(7) TRANSITION.—To assist in the transition to 2022-2023 school grades and district grades calculated based on the comprehensive, end-of-year progress monitoring assessment under s. 1008.25(8), the 2022-2023 school grades and district grades shall serve as an informational baseline for schools and districts to work toward improved performance in future years. Accordingly, notwithstanding any other provision of law:

(a) Due to the absence of learning gains data in the 2022-2023 school year, the initial school grading scale for the 2022-2023 informational baseline grades shall be set so that the percentage of schools that earn an “A,” “B,” “C,” “D,” and “F” is statistically equivalent to the 2021-2022 school grades results. When learning gains data becomes available in the 2023-2024 school year, the State Board of Education shall review the school grading scale and determine if the scale should be adjusted.

(b) A school may not be required to select and implement a turnaround option pursuant to s. 1008.33 in the 2023-2024 school year based on the school’s 2022-2023 grade. The benefits of s. 1008.33(4)(c), relating to a school being released from implementation of the turnaround option, and s. 1008.33(4)(d), relating to a school implementing strategies identified in its school improvement plan, apply to a school using turnaround options pursuant to s. 1008.33 which improves to a grade of “C” or higher during the 2022-2023 school year.

(c) A school or approved provider under s. 1002.45 which receives the same or lower school grade for the 2022-2023 school year compared to the 2021-2022 school year is not subject to sanctions or penalties that would otherwise occur as a result of the 2022-2023 school grade or rating. A charter school system or school district designated as high performing may not lose the designation based on the 2022-2023 school grades of any of the schools within the charter school system or school district or based on the 2022-2023 district grade, as applicable.

(d) For purposes of determining grade 3 retention pursuant to s. 1008.25(5) and high school graduation pursuant to s. 1003.4282, student performance on the 2022-2023 comprehensive, end-of-year progress monitoring assessment under s. 1008.25(8) shall be linked to 2021-2022 student performance expectations. In addition to the good cause exemptions under s. 1008.25(6), a student may be promoted to grade 4 for the 2023-2024 school year if the student demonstrates an acceptable level of performance through means reasonably calculated by the school district to provide reliable evidence of the student’s performance.

This subsection is repealed July 1, 2025.

Section 15. Subsection (7) is added to section 1008.341, Florida Statutes, to read:

1008.341 School improvement rating for alternative schools.—

(7) TRANSITION.—Due to the absence of learning gains data in the 2022-2023 school year, school improvement ratings will not be calculated for the 2022-2023 school year. When learning gains data becomes available in the 2023-2024 school year, the State Board of Education shall set the scale for the “Commendable,” “Maintaining,” and “Unsatisfactory” ratings pursuant to rule. This subsection is repealed July 1, 2025.

Section 16. Effective upon becoming a law, the Department of Education may initiate new assessment systems and close out old assessment systems and shall amend contracts in order to implement this act.

Section 17. Except as otherwise expressly provided in this act, and except for this section which shall take effect upon this act becoming a law, this act shall take effect July 1, 2022.

Approved by the Governor March 15, 2022.

Filed in Office Secretary of State March 15, 2022.